City of Springfield

Agenda

City Council

Ken McClure, Mayor

Zone Councilmembers	General Councilmembers
Monica Horton, Zone 1	Heather Hardinger, General A
Abe McGull, Zone 2	Craig Hosmer, General B
Brandon Jenson, Zone 3	Callie Carroll, General C
Matthew Simpson, Zone 4	Derek Lee, General D

January 8, 2024 **6:30 PM** **Regional Police-Fire Training Center**
2620 West Battlefield Road
Room 101, 102, and 103

Rules and procedures.

1. ROLL CALL.

2. APPROVAL OF MINUTES.

2.1. Approval of Minutes. December 11, 2023, City Council Meeting and December 19, 2023, Special 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.

4.1. Council Bill 2024-001 (City Council)
A resolution recognizing the dedicated public service of Brendan Griesemer, Assistant Director of Planning and Development, upon the occasion of his retirement.

5. CITY MANAGER REPORT, CITIZENS' TAX OVERSIGHT COMMITTEE PRESENTATION, 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 2023-293 (McGull)
A general ordinance amending the Springfield Land Development Code, Section 36-306, ‘Official zoning map and rules for interpretation,’ by rezoning approximately 5.5 acres of property generally located at 5298 East Farm Road 104, from County R-1, Suburban Residence District, to HC, Highway Commercial District, with Conditional

Overlay District No. 242; establishing Conditional Overlay District No. 242; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Kurt Wouk; 5298 E. Farm Road 104/ Z-29-2023 with Conditional Overlay District No. 242)

6.2. Council Bill 2023-294 (McGull)
A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.68 acre of property generally located at 2555 North Neergard, from GM, General Manufacturing District, to IC, Industrial Commercial District, with Conditional Overlay District No. 243; establishing Conditional Overlay District No. 243; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Barbara Lorenz; 2555 N. Neergard Avenue; Z-30-2023 with Conditional Overlay District No. 243)

6.3. Council Bill 2023-295 (McGull)
A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.70 acres of property generally located at 1650 South Ingram Mill Road, from GR, General Retail District, to CS, Commercial Service District, with Conditional Overlay District No. 244; establishing Conditional Overlay District No. 244; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: J&M Tillman, LLC; 1650 South Ingram Mill Road; Z-31-2023 with Conditional Overlay District No. 244)

6.4. Council Bill 2023-296 (Simpson)
A special ordinance approving the final development plan of Planned Development District No. 12, 12th Amendment, generally located at 1249 East Kingsley Street. (Planning and Zoning Commission and Staff recommend approval.) (By: East Wichita Development, LLC; 1249 E. Kingsley Street; Final Development Plan – Planned Development 12, 12th Amend.)

6.5. Council Bill 2023-301 (Jenson, McGull)
A special ordinance authorizing the City Manager, or designee, to enter into a Carbon Reduction Program Agreement with the Missouri Highways and Transportation Commission; and approving a budget adjustment amending the Fiscal Year 2023-2024 budget of the Department of Public Works in the amount of $240,000 to appropriate the federal grant funds.

6.6. Council Bill 2023-302 (McGull)
A special ordinance approving Olsson as the consultant to provide professional services for Phase II improvements at City's Cooper Park and Sports Complex, in the amount of $887,770, as an approved project for use of American Rescue Plan Act Funds received by City; and authorizing the Park Board Chair, or designee, to enter into a contract with Olsson for these purposes.

6.7. Council Bill 2023-303 (Lee)

A special ordinance authorizing the City Manager, or designee, to enter into intellectual property and service agreements with the City of Cape Girardeau, Missouri to authorize the use of the City's intellectual property and provide consultation and services necessary to implement the City of Springfield's SafeAcross pedestrian safety program; and authorizing the City Manager, or designee, to enter into similar intellectual property and service agreements with the State of Missouri, its political subdivisions, other states, or their political subdivisions, to implement the City of Springfield's SafeAcross pedestrian safety program in those other jurisdictions.

7. RESOLUTIONS.

Citizens May Speak. May Be Voted On.

7.1. Council Bill 2024-002 (City Council)
A resolution accepting the 2023 City of Springfield Housing Study and Neighborhood Revitalization Strategy.

7.2. Council Bill 2024-003 (Hosmer)
A resolution authorizing the City Manager, or designee, to apply for a Youth Homeless System Improvement Program Grant from the Department of Housing and Urban Development, in a minimum amount of $200,000, for the purpose of increasing the capacity of the local Continuum of Care by improving its existing response systems.

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

8.1. Council Bill 2024-004 (Hardinger)
A general ordinance submitting proposed amendments to Sections 2.1(1) and 2.6 of the Springfield City Charter to the qualified voters of the City at the general municipal election to be held by the City of Springfield on April 2, 2024, in order to change the length of the mayor's term from two years to four years with such change to first apply at the general municipal election to be held in 2025; and declaring an emergency.

8.2. Council Bill 2024-013 (Carroll)
A general ordinance submitting proposed amendments to Section 19.16 of the Springfield City Charter to the qualified voters of the City at the general municipal election to be held by the City of Springfield on April 2, 2024, in order to establish a code of ethics applicable to all elected officials, appointed officers, board members, and employees of the City, to include an obligation for City Council to maintain and review the ethics policy at least every other year, to revise language to address employee violation of Section 19.16 to be subject to disciplinary action up to and including termination of employment, and adding a legal defense to forfeiture of office or termination of employment if a prior, written advisory opinion from the City Attorney was obtained and relied upon in good faith; and declaring an emergency.

9. PUBLIC IMPROVEMENTS.

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

10.1. Council Bill 2024-005 (Lee)

A special ordinance authorizing the City Manager, or designee, to accept a Disease Intervention Specialist Workforce Program Grant from the Federal Department of Health and Human Services Centers for Disease Control and Prevention through the Missouri Department of Health and Senior Services in the amount of $303,194.10 for use by the Springfield-Greene County Health Department in support of implementing sexually transmitted disease prevention and control strategies and to enter into necessary agreements to carry out the grant; amending the Fiscal Year 2023-2024 budget in the amount of $303,194.10 for the purpose of appropriating the grant funds; and declaring that this Ordinance qualifies for approval in one reading.

10.2. Council Bill 2024-006 (Lee)
A special ordinance authorizing the City Manager, or designee, to accept a Public Health Agency Infrastructure Grant from the Federal Department of Health and Human Services and the Centers for Disease Control and Prevention, through the Missouri Department of Health and Senior Services, in the amount of $601,902 for use by the Springfield-Greene County Health Department to develop a stronger workforce and improve software and data systems that are critical to public health efforts and to enter into necessary agreements to carry out the grant; amending the Fiscal Year 2023-2024 budget in the amount of $601,902 to appropriate the grant funds; and declaring that this Ordinance qualifies for approval in one reading.

11. AMENDED BILLS.

12. COUNCIL BILLS FOR PUBLIC HEARING.

Citizens May Speak. Not Anticipated To Be Voted On.

12.1. Council Bill 2024-007 (Carroll)
A general ordinance amending Chapter 36 of the Springfield City Code, known as the 'Land Development Code,' Article III, 'Zoning Regulations,' Division 7, Sections 36-363, Conditional use permits and 36-368, Publication and Posting of Notices for the purpose of allowing City Council to add, modify, or remove conditions to a Conditional Use Permit. (Staff recommends approval; the Planning and Zoning Commission recommends denial.)

13. FIRST READING BILLS.

Citizens May Speak. Not Anticipated To Be Voted On.

13.1. Council Bill 2024-008 (Simpson, Hardinger, Horton, and Jenson)
A general ordinance amending the Fee Schedule for certain City services as provided in the Springfield City Code, by making such adjustments as provided in the attached "Evaluation of Charges for Municipal Services"; and adopting new fees for certain City Services.

13.2. Council Bill 2024-009 (Simpson)
A special ordinance approving the selection of The Salvation Army and Women's Medical Respite as recipients of the City's Coronavirus State and Local Fiscal Recovery Funds allotted for non-congregate shelters; and authorizing the City Manager, or designee, to enter into agreements to carry out the programs.

13.3. Council Bill 2024-010 (Carroll)
A special ordinance approving the Eighth Amendment to the July 1, 2021, Collective Bargaining Agreement between the City and the Springfield Police Officers Association, Fraternal Order of Police Lodge 22, representing changes requested by the Springfield Police Officers Association, Fraternal Order of Police Lodge 22, regarding seniority and reinstatements; and authorizing the City Manager, or designee, on behalf of the City, to execute and deliver the Eighth Amendment to the Collective Bargaining Agreement to the Springfield Police Officers Association, Fraternal Order of Police Lodge 22.

14. PETITIONS, REMONSTRANCES AND COMMUNICATIONS.

14.1. Christopher Cross wishes to address City Council.

14.2. Jaimie Trussell wishes to address City Council.

15. NEW BUSINESS.

15.1. 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.

15.2. The Public Involvement Committee recommends the following appointment to the Citizens' Advisory Committee for Community Development: Zipporah Burns with term to expire May 1, 2024.

15.3. The Public Involvement Committee recommends the following appointment to the Citizens' Advisory Committee for Community Development: Jared Durden with term to expire May 1, 2026.

15.4. The Public Involvement Committee recommends the following reappointments to the Landmarks Board: Adam Letterman and Bryan Lenox with terms to expire November 1, 2026.

15.5. The Public Involvement Committee recommends the following appointment to the Personnel Board: Amanda Cooper with term to expire March 1, 2025.

15.6. The Public Involvement Committee recommends the following reappointments to the Planning and Zoning Commission: Helen Gunther and Eric Pauly with terms to expire January 1, 2028.

15.7. The Committee of the Whole recommends the following reappointments to the Police Civilian Review Board: Dr. Allen Grymes and Lori Muetzel with terms to expire May 1, 2026.

16. UNFINISHED BUSINESS.

17. MISCELLANEOUS.

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

18.1. Council Bill 2024-011 (Horton)
A special ordinance authorizing the City Manager, or designee, on behalf of the City of Springfield, to enter into a Contract for Sale of Real Estate with Springfield QOZ Self-Storage LLC d/b/a Devon Self-Storage, for 0.43 acres of vacant land in the 300 block of West Chestnut Street; and authorizing the issuance of a quitclaim deed for the same. (Staff recommends approval.)

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

19.1. Council Bill 2024-012 (Hardinger)
A resolution confirming the appointment of Teresa Emerson to the Commercial Street Community Improvement District Board of Directors. (Staff recommends approval.)

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

20.1. Council Bill 2023-304 (McGull)
A special ordinance authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, as shown on the Preliminary Plat of Patel Subdivision, generally located at 4808 East Parallel Lane, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance. (Staff recommends that City Council accept the public streets and easements.)

20.2. Confirm the following appointment to the Mayor's Commission on Human Rights and Community Relations: Dan Furtak with term to expire October 1, 2026.

20.3. Confirm the following appointment to the Mayor's Commission on Human Rights and Community Relations: Gail Herbert with term to expire October 1, 2025.

20.4. Confirm the following reappointments to the Mayor's Commission on Human Rights and Community Relations: Rachel Nabb and Jamea Crum with terms to expire October 1, 2026.

20.5. Confirm the following appointments to the Tree City USA Citizen Advisory Committee: Addison Jones and Justin Sheppard with terms to expire December 1, 2026.

20.6. Confirm the following reappointment to the Tree City USA Citizen Advisory Committee: Michael Brittain with term to expire December 1, 2026.

20.7. Confirm the following reappointment to the Springfield Convention and Visitors Bureau, Inc.: Brad Beattie with term to expire January 1, 2027

20.8. Confirm the following appointment to the Springfield Convention and Visitors Bureau, Inc.: Nancy Riggs with term to expire January 1, 2027.

21. END OF CONSENT AGENDA.

22. ADJOURN.

City of Springfield

Minutes

City Council

Ken McClure, Mayor

Zone Councilmembers	**General Councilmembers**
Monica Horton, Zone 1	Heather Hardinger, General A
Abe McGull, Zone 2	Craig Hosmer, General B
Brandon Jenson, Zone 3	Callie Carroll, General C
Matthew Simpson, Zone 4	Derek Lee, General D

December 11, 2023	**6:30 PM**	**Regional Police-Fire Training Center**

1. ROLL CALL.

Present: Councilmember McGull, Councilmember Jenson, Mayor Pro Tem Simpson, Councilmember Hardinger, Councilmember Horton, Councilmember Carroll, Councilmember Lee, Councilmember Hosmer, Mayor McClure. Absent: None.

2. APPROVAL OF MINUTES.

2.1. Approval of Minutes. November 6, 2023, City Council Meeting, November 20, 2023, City Council Meeting, and November 21, 2023, Special City Council Meeting.

Mayor Pro Tem Simpson moved to approve the minutes of the November 6, 2023, City Council meeting, November 20, 2023, City Council meeting, and November 21, 2023, Special City Council meeting. Councilmember Hardinger seconded the motion, and the three sets of minutes were approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. 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.

Councilmember Lee recused himself from Consent Agenda items 20.3 and 20.4. The Consent Agenda was approved as presented, with Councilmember Lee recusing from items 20.3 and 20.4, by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson,

Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

4. CEREMONIAL MATTERS.

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

Jason Gage, City Manager, noted City Clerk Anita Cotter has been certified as a Missouri Professional City Clerk by the Missouri City Clerks and Finance Officers Association. He commended Ms. Cotter on her dedication to continuing education and contributions to the clerk profession.

Mr. Gage noted the City was pleased to join Beaver Aplin and his team this morning at the grand opening of Missouri's first Buc-ee's. In addition to being a world-class facility, Buc-ee's brings good-paying jobs with benefits and an estimated $30 million in sales tax annually.

Mr. Gage noted the Springfield Police Department graduated its most diverse Police Academy class on Friday night. The 77th Police Academy graduated 17 recruits, including 14 men and three women, with a variety of educational backgrounds and work experience, including military, corrections, medical, and previous law enforcement.

Mr. Gage noted the City of Springfield would host a Commercial Street Tax Increment Financing (TIF) annual meeting and public input session at 5:00 p.m. to 6:30 p.m. on Wednesday, December 13, at the Victory Mission Administrative Building located at 1715 North Boonville Avenue.

Mr. Gage noted the winter respiratory virus season is here, and Springfield-Greene County Health was encouraging our community to get up to date on COVID-19 and influenza vaccines. Health Department and other community-wide vaccination opportunities can be found with the Vaccine Locator tool on Vaccine417.com. He added the respiratory virus season usually peaks between December and February and it is recommended citizens receive flu and COVID-19 vaccines before this time. However, vaccination at any point during the peak season provides protection.

Councilmember Hosmer asked if the Human Resources Director has the ability to waive the testing requirement for retired Police Officers who wish to return to the City for employment. Mr. Gage responded he believed the Collective Bargaining Agreement would prevent rehiring in an expeditious manner. He noted he believes the reinstatement, which is a Merit Rule, could possibly be changed, Councilmember Hosmer expressed his belief this should be reviewed so the City could retain some of the retiring officers. Mr. Gage noted the issue is the rehiring piece which is bound by the Collective Bargaining Agreement. He added the issue would be reviewed by the Law Department, and another update would be provided to City Council.

Councilmember Hosmer noted there are several cities in the State of Missouri which allow for take home police vehicles. He asked why the City does not have such a program. Mr. Gage responded he would continue to review the issue. He noted budget issues and policy issues would be reviewed.

Councilmember Horton noted Major Tad Peters, Major Stacey Parton, Public Information and Civic Engagement Director Cora Scott, Francine Pratt, and herself attended a Youth Violence Prevention event. Ms. Horton added policies can support families who ask for help or therapy, and provide youth and family support to keep kids out of trouble.

Councilmember Horton asked if there would be any intention to further discuss the 3/4 cent tax in regard to the Police and Fire Pension Fund. Mayor McClure noted he asked the City Manager and City Clerk to arrange a meeting. He expressed his concern that he had not received feedback on the issue from members of City Council. However, Mayor McClure noted he feels this needs to go forward as public safety is a key priority. Councilmember Horton asked how much money would be forfeited each year if the issue does not go forward. Mayor McClure noted the tax currently generates approximately $45 million, all of which goes into the Police and Fire Pension Fund. He added he supports sending the issue to the ballot.

Councilmember Jenson asked for a City Council lunch presentation which would explain collective bargaining. Mr. Gage responded they would be happy to set up a presentation to explain the process.

6. SECOND READING AND FINAL PASSAGE.

Citizens Have Spoken. May Be Voted On.

6.1. Council Bill 2023-280 (Carroll)

A special ordinance authorizing the City Manager, or his designee, to approve a reallocation of American Rescue Plan Act funds in the amount of $637,049 from the City of Springfield's Planning Department to the Springfield-Greene County Health Department for use in implementing and operating the Family Connects Program to offer no-cost home visits to parents of newborns in Greene County, Missouri; and amending the Fiscal Year 2023-2024 budget in the amount of $637,049 to re-appropriate the funds.

Council Bill 2023-280 (Carroll). Ordinance 27939 was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

6.2. Council Bill 2023-281 (Hosmer)

A special ordinance authorizing the City Manager, or his designee, to accept supplies, equipment, software, and paid services with a combined value of $219,411 from the Jordan Valley Community Health Center for use by the Springfield-Greene County Health Department to implement the Family Connects Program and to enter into necessary agreements to carry out the transfer.

Council Bill 2023-281 (Hosmer). Ordinance 27940 was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

6.3. Council Bill 2023-282 (Hardinger)

A special ordinance authorizing the City Manager, or his designee, to accept a grant from the Missouri Foundation for Health in the amount of $600,000 for use by the Springfield-Greene County Health Department to implement the Family Connects Program to offer no-cost home visits to parents of newborns in Greene County, Missouri and to enter into necessary agreements to carry out the grant; and amending the Fiscal Year 2023-2024 budget in the amount of $600,000 to appropriate the grant funds.

Council Bill 2023-282 (Hardinger). Ordinance 27941 was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

6.4. Council Bill 2023-283 (Hosmer)

A special ordinance amending the budget of the Springfield Fire Department Fiscal Year 2023-2024 in the amount of $85,000 by transferring a portion of the Fire Training Fund to the operating budget of the Springfield Fire Department, for the purpose of supporting regional fire training programs and the pre-apprenticeship fire academy.

Council Bill 2023-283 (Hosmer). Ordinance 27942 was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure.Nays: None. Absent: None. Abstain: None.

6.5. Council Bill 2023-284 (Hosmer)

A special ordinance authorizing the City Manager, or his designee, on behalf of the City of Springfield to enter into a 2nd amended contract with Pictometry International Corporation and amended cooperative intergovernmental agreements with City Utilities of Springfield, Missouri and Greene County, Missouri; and amending the budget for the Department of Public Works for Fiscal Year 2023-2024 in the amount of $307,443.27.

Council Bill 2023-284 (Hosmer). Ordinance 27943 was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

6.6. Council Bill 2023-285 (Lee)

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

Council Bill 2023-285 (Lee). Ordinance 27944 was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem

Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

6.7. Council Bill 2023-286 (McGull)
A special ordinance authorizing the City Manager, or his designee, to enter into the 3rd Amendment to the 2nd Amended and Restated Ballpark License Agreement with the Board of Governors of Missouri State University for the purpose of allowing renovations to facilities at Hammons Field utilized by its intercollegiate baseball team.

Council Bill 2023-286 (McGull). Ordinance 27945 was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

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

7.1. Council Bill 2023-291 (McGull)
A resolution granting a Short-Term Rental Type 2 permit for the property located at 1414 South Pickwick Avenue for the purpose of allowing the establishment of a Short-Term Rental Type 2 pursuant to Section 36-473 of the Land Development Code.

Bob Hosmer, Planning Manager, provided a brief overview of the proposed. Mr. Hosmer noted the proposed would allow a short-term rental type 2 permit for property located at 1414 South Pickwick Avenue. He added there was a public meeting with no attendees and the required signatures necessary were not received.

Councilmember Hosmer asked if the Short-Term rental policy was modeled after Kansas City, and he noted Kansas City has repealed their ordinance. Mr. Hosmer responded affirmatively to the City's rental policy and responded he was unsure what portions of the Kansas City ordinance had been repealed. Councilmember Hosmer asked if the City was working to track short-term rentals for compliance. Mr. Gage responded they are working with a firm and hope to have all systems running by the first quarter of 2024. Councilman Hosmer asked how many short-term rentals are currently in the City. Mr. Hosmer responded there are currently 195 type 2 with a total of 299 short-term rentals.

Councilmember Jenson asked if the property owner lives on the property. Mr. Hosmer noted type-2 applicants do not live on the property and rent the property full-time.

Mayor Pro Tem Simpson asked if there are density concerns for this short-term type 2 rental. Mr. Hosmer responded he was not aware of any.

Councilmember McGull asked if there was a plan to determine how many short-term rentals are out of compliance. Mr. Gage responded they would review the issue. Councilmember McGull asked if the Law Department could add a line in reference to the recently passed sales tax.

Councilmember Hardinger asked which adjacent properties were owner-occupied. Mr. Hosmer responded there are two.

An opportunity was given for citizens to express their views.

Maria Pilar Triplett, the applicant, spoke in support of the proposed. Ms. Triplett noted she rents properties as a business. She expressed her belief this creates jobs and good experiences for visitors. Ms. Triplett noted her plan is to implement a code of conduct for any guests.

Councilmember Horton asked if there are two units on the lot. Ms. Triplett responded it is a single family home.

Mayor Pro Tem expressed his opinion he was not concerned with the lack of signatures. Ms. Triplett noted one property owner would sign.

Councilmember McGull asked what motivated Ms. Triplett to utilize the short-term rental business model. Ms. Triplett responded the proximity to the university and the need for this model motivated her.

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

Councilmember Hosmer expressed his opposition to the proposed due to a lack of signatures and his opinion these rentals create a lack of available properties.

Councilmember Jenson expressed his agreement with Councilmember Hosmer's concerns and noted the requirements should be reviewed. He expressed his support for the proposed.

Councilmember McGull expressed his support for the proposed as the applicant followed the procedure.

Councilmember Horton expressed her support for the proposed, noting there is no shortage of single-family homes.

Mayor McClure expressed his opposition to the proposed due to lack of signatures.

Council Bill 2023-291 (McGull). Resolution 10734 was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hardinger, Councilmember Carroll, and Councilmember Lee. Nays: Councilmember Hosmer and Mayor McClure. Absent: None. Abstain: None.

8. EMERGENCY BILLS.

9. PUBLIC IMPROVEMENTS. Citizens May Speak. May Be Voted On.

9.1. Council Bill 2023-292 (Horton)
A special ordinance accepting the bid of JD Wallace Contracting, LLC, in the amount of $310,243 for the construction of sanitary sewers in Sanitary Sewer District No. 182 of Section No. 16, located in the vicinity of West Bypass and Division Street; authorizing the City Manager, or designee, to enter into a contract and approve the bond for said improvement; authorizing progress payments to be made to the contractor; and declaring that this Ordinance qualifies for approval in one reading.

Ron Petering, Assistant Director of Environmental Services, provided a brief overview of the proposed. Mr. Petering noted the proposed would allow the acceptance of the bid of JD Wallace Contracting, LLC, in the amount of $310,243 for the construction of sanitary sewers in the area of West Bypass and Division Street. He added the proposed would allow the removal of seven septic systems. There was no protest to the district. He added there were two bidders, with the bids coming in under the engineer's estimate.

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

Mayor McClure asked why the bill qualifies for one-reading. Jan Millington, Acting City Attorney, responded the acceptance of the bid as a public improvement qualifies the proposed to be a one-reading bill.

Councilmember Lee disclosed JD Wallace Contracting, LLC, had been a client of his in the past.

Council Bill 2023-292 (Horton). Ordinance 27946 was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

10. GRANTS.

11. AMENDED BILLS.

12. COUNCIL BILLS FOR PUBLIC HEARING.

Citizens May Speak. Not Anticipated To Be Voted On.

12.1. Council Bill 2023-293 (McGull)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 5.5 acres of property generally located at 5298 East Farm Road 104, from County R-1, Suburban Residence District, to HC, Highway Commercial District, with Conditional Overlay District No. 242; establishing Conditional Overlay District No. 242; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Kurt Wouk; 5298 E. Farm Road 104/ Z-29-2023 with Conditional Overlay District No. 242)

Daniel Neal, Senior City Planner, provided a brief overview of the proposed. Mr. Neal noted the proposed would allow rezoning of 5.5 acres of property at 5298 East Farm Road 104 from County R-1 to Highway Commercial District. Mr. Neal noted the area is intended for commercial development and will be used for an RV park. He added the area was recently annexed into the City.

Mayor Pro Tem Simpson commended Mr. Neal for his dedication to the project.

Councilmember McGull asked for more information on the RV park. He expressed his opinion the proposed makes sense for the area.

An opportunity was given for citizens to express their views.

Geoff Butler, a representative for the applicant, spoke in support of the proposed. Mr. Butler noted the RV park would have approximately 25 to 30 sites.

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

12.2. Council Bill 2023-294 (McGull)
A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.68 acre of property generally located at 2555 North Neergard, from GM, General Manufacturing District, to IC, Industrial Commercial District, with Conditional Overlay District No. 243; establishing Conditional Overlay District No. 243; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Barbara Lorenz; 2555 N. Neergard Avenue; Z-30-2023 with Conditional Overlay District No. 243)

Daniel Neal, Senior City Planner, provided a brief overview of the proposed. Mr. Neal noted the proposed would allow rezoning of approximately 0.68 acres located at 2555 North Neergard from General Manufacturing District to Industrial Commercial District. He added the intended use is for auto sales.

An opportunity was given for citizens to express their views.

Frank Lorenz, a representative of the applicant, spoke in support of the proposed. Mr. Lorenz noted he represents the owner, and he was available for any questions.

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

12.3. Council Bill 2023-295 (McGull)
A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.70 acres of property generally located at 1650 South Ingram Mill Road, from GR, General Retail District, to CS, Commercial Service District, with Conditional Overlay District No. 244; establishing Conditional Overlay District No. 244; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: J&M Tillman, LLC; 1650 South Ingram Mill Road; Z-31-2023 with Conditional Overlay District No. 244)

Michael Sparlin, Senior City Planner, provided a brief overview of the proposed. Mr. Sparlin noted the proposed would allow rezoning of approximately 1.70 acres located at 1650 South Ingram Mill Road from General Retail District to Commercial Service District. He added the odd shape of the property limits its use. Mr. Sparling noted the request is compatible with the Mixed Residential placetype.

Councilmember McGull expressed his support for the limits placed on the property and noted the traffic flow is low for that area.

An opportunity was given for citizens to express their views.

Stephanie Ireland, a representative of the applicant, spoke in support of the proposed. Ms. Ireland noted she was available for questions.

Councilmember McGull asked about the intended occupancy for the location. Ms. Ireland responded possibly a handyman-type businesses, not retail or walk-in services.

Councilmember Jenson asked if reduction of parking minimums would have made a difference. Ms. Ireland responded not for this type of proposal.

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

12.4. Council Bill 2023-296 (Simpson)

A special ordinance approving the final development plan of Planned Development District No. 12, 12th Amendment, generally located at 1249 East Kingsley Street. (Planning and Zoning Commission and Staff recommend approval.) (By: East Wichita Development, LLC; 1249 E. Kingsley Street; Final Development Plan – Planned Development 12, 12th Amend.)

Councilmember Lee recused himself from Council Bill 2023-296 and left the dais.

Daniel Neal, Senior City Planner, provided a brief overview of the proposed. Mr. Neal noted the proposed would allow approval of the final development plan of Planned Development District No. 12, 12th amendment for property located at 1249 East Kingsley Street. Mr. Neal added the intended use is a new five-story hotel. He added the parking easement would continue.

An opportunity was given for citizens to express their views.

Geoff Butler spoke in support of the proposed. Mr. Butler noted the proposed has site development in place. He added the hotel would be a 117-room Hilton Hotel.

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

Councilmember Lee returned to the dais.

13. FIRST READING BILLS.

Citizens May Speak. Not Anticipated To Be Voted On.

Anita Cotter, City Clerk, read Council Bills 2023-297, 2023-298, 2023-299, and 2023-300 together.

13.1. Council Bill 2023-297 (Carroll)

A special ordinance authorizing the City to participate in the Missouri Fire Fighters Critical Illness Trust and Pool, and further authorizing the City Manager, or designee, to execute such documents as may be necessary for the City's participation therein.

13.2. Council Bill 2023-298 (Hosmer)

A special ordinance approving a Memorandum Agreement between the City and the International Association of Fire Fighters, Southern Missouri Professional Fire Fighters Local 152, regarding applying for enrollment in the Missouri Fire Fighters Critical Illness Trust and Pool for calendar year 2024 for eligible bargaining unit members; and authorizing the City Manager, or his designee, to execute the Memorandum

Agreement.

13.3. Council Bill 2023-299 (Hardinger)

A special ordinance approving a Memorandum Agreement between the City and the International Brotherhood of Electrical Workers AFL-CIO Local Union Number 753, the representative for a bargaining unit within the City's Crafts, Trades and Labor employee group, regarding applying for enrollment in the Missouri Fire Fighters Critical Illness Trust and Pool for calendar year 2024 for eligible bargaining unit members; and authorizing the City Manager, or designee, to execute the Memorandum Agreement.

13.4. Council Bill 2023-300 (Lee)

A general ordinance amending the Springfield City Code, Section 2-92, known as the 'Salary Ordinance,' to create a new subsection relating to participation in the Missouri Fire Fighters Critical Illness Trust and Pool.

Darla Morrison, Director of Human Resources, provided a brief overview of the proposed. Ms. Morrison noted the proposed would allow the City to participate in the Missouri Fire Fighters Critical Illness Trust and Pool, approve a Memorandum Agreement between the City and the International Association of Fire Fighters, Southern Missouri Professional Fire Fighters Local 152, approve a Memorandum Agreement between the City and the International Brotherhood of Electrical Workers AFL-CIO Local Union Number 753, and amend the Springfield City Code, Section 2-92, known as the 'Salary Ordinance,' to create a new subsection relating to participation in the Missouri Fire Fighters Critical Illness Trust and Pool. She noted the Critical Illness Pool was designed in 2022 to assist the State's firefighters with financial burdens related to cancer diagnosis by providing benefits specifically to firefighters. The pool is designed to assist eligible firefighters who were diagnosed with any of the seventeen nationally recognized cancers for which firefighters are at an increased risk. Ms. Morrison noted the proposed would allow the City to join the pool, for both union and non-union employees to participate.

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

It is anticipated these bills would be voted on separately at a Special City Council meeting on December 19, 2023.

13.5. Council Bill 2023-301 (Jenson, McGull)

A special ordinance authorizing the City Manager, or designee, to enter into a Carbon Reduction Program Agreement with the Missouri Highways and Transportation Commission; and approving a budget adjustment amending the Fiscal Year 2023-2024 budget of the Department of Public Works in the amount of $240,000 to appropriate the federal grant funds.

Brett Foster, Traffic Engineer, provided a brief overview of the proposed. Mr. Foster noted the proposed would allow the City to enter into a Carbon Reduction Program Agreement with the Missouri Highways and Transportation Commission. He added the proposed would allow design for pedestrian safety improvements and improve connectivity in the neighborhoods. The improvements would connect to the Jordan Valley Greenway Trail. The corridor will be available for grant opportunities once the plan is complete.

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

13.6. Council Bill 2023-302 (McGull)

A special ordinance approving Olsson as the consultant to provide professional services for Phase II improvements at City's Cooper Park and Sports Complex, in the amount of $887,770, as an approved project for use of American Rescue Plan Act Funds received by City; and authorizing the Park Board Chair, or designee, to enter into a contract with Olsson for these purposes.

Bob Belote, Director of Parks and Recreation, provided a brief overview of the proposed. Mr. Belote noted this bill would allow approval of Olsson as the consultant to provide professional services for Phase II improvements at the City's Cooper Park and Sports Complex, in the amount of $887,770, as an approved project for use of American Rescue Plan Act Funds received by the City. The improvements would include the installation of artificial turf and other improvements at the Killian Softball Complex and improvements to the Cooper Youth Baseball Complex. The proposed includes design, branding, and plans. He added Olsson received the highest rating, leading to the recommendation. Mr. Belote added the proposed could help generate increased sports tourism. He thanked the City and the State for their previous funding support. He added the project would be out for bid after the holidays.

Councilmember Hosmer congratulated Mr. Belote and thanked the Federal Government for their support as well.

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

13.7. Council Bill 2023-303 (Lee)

A special ordinance authorizing the City Manager, or designee, to enter into intellectual property and service agreements with the City of Cape Girardeau, Missouri to authorizethe use of the City's intellectual property and provide consultation and services necessary to implement the City of Springfield's SafeAcross pedestrian safety program; and authorizing the City Manager, or designee, to enter into similar intellectual property and service agreements with the State of Missouri, its political subdivisions, other states, or their political subdivisions, to implement the City of Springfield's SafeAcross pedestrian safety program in those other jurisdictions.

Brett Foster, Traffic Engineer, provided a brief overview of the proposed. Mr. Foster noted the proposed would allow the City to enter into intellectual property and service agreements with the City of Cape Girardeau, Missouri, to authorize the use of the City's intellectual property and provide consultation and services necessary to implement the City of Springfield's SafeAcross pedestrian safety program. He added the SafeAcross program was launched in 2017 and has received awards for its success. Mr. Foster noted other cities have requested to use the program, which requires a licensing agreement.

Councilmember Jenson noted the program has been successful and expressed there are still improvements to be made given recent pedestrian deaths.

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

14. PETITIONS, REMONSTRANCES AND COMMUNICATIONS.

14.1. Josephine Grace wishes to address City Council.

Josephine Grace addressed City Council. She spoke about the use of energy weapons. Ms. Grace noted the city ranks ninth in use of these weapons. She added directed energy weapons (DEW) can cause health problems. Ms. Grace expressed her belief these weapons should be included in efforts to reduce crime efforts.

14.2. Clayton Robertson wishes to address City Council.

Clayton Robertson addressed City Council. He noted he has researched affordable housing options, specifically regarding Section 8, during his studies at Drury University. He noted it can take nine months to three years to obtain Section 8 housing. Mr. Robertson noted race discrimination in use of Section 8 vouchers. Mr. Robertson expressed his belief it is necessary for policy to be amended to protect individuals by adding "lawful source of income" to its protections.

14.3. Rachael Elliott wishes to address City Council.

Rachael Elliot addressed City Council. Ms. Elliot, a Drury University student, expressed her belief hotels should not be discounted as places of medical respite or housing for unhorsed persons. Ms. Elliot expressed her belief the code should be amended to ensure the health and safety of all residents.

14.4. David Sanzone wishes to address City Council.

David Sanzone did not appear to address City Council.

15. NEW BUSINESS.

15.1. 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.

15.2. The Mayor recommends the following appointment to the Mayor's Commission on Human Rights and Community Relations: Dan Furtak with term to expire October 1, 2026. Recommended.

15.3. The Mayor recommends the following appointment to the Mayor's Commission on Human Rights and Community Relations: Gail Herbert with term to expire October 1, 2025. Recommended.

15.4. The Mayor recommends the following reappointments to the Mayor's Commission on Human Rights and Community Relations: Rachel Nabb and Jamea Crum with terms to expire October 1, 2026. Recommended.

15.5. The Mayor recommends the following appointments to the Tree City USA Citizen Advisory Committee: Addison Jones and Justin Sheppard with terms to expire

December 1, 2026. Recommended.

15.6. The Mayor recommends the following reappointment to the Tree City USA Citizen Advisory Committee: Michael Brittain with term to expire December 1, 2026. Recommended.

15.7. The Mayor recommends the following reappointment to the Springfield Convention and Visitors Bureau, Inc.: Brad Beattie with term to expire January 1, 2027.The Mayor recommends the following appointment to the Springfield Convention and Visitors Bureau, Inc.: Nancy Riggs with term to expire January 1, 2027. Recommended.

16. UNFINISHED BUSINESS.

17. MISCELLANEOUS.

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

18.1. Council Bill 2023-304 (McGull)
A special ordinance authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, as shown on the Preliminary Plat of Patel Subdivision, generally located at 4808 East Parallel Lane, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance. (Staff recommends that City Council accept the public streets and easements.)

19. CONSENT AGENDA – ONE READING BILLS.

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

20.1. Council Bill 2023-288 (McClure)
A special ordinance authorizing the City Manager, or his designee, to accept grant funds from the Musgrave Foundation for the benefit and use of the Mayor's Commission for Children in the amount of $5,000 to help further the mission of the Commission in the upcoming year.

Council Bill 2023-288 (McClure). Ordinance 27947 was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

20.2. Council Bill 2023-289 (Hosmer)
A special ordinance authorizing the City Manager, or his designee, to enter into a Memorandum of Understanding with the Bureau of Alcohol, Tobacco, Firearms and Explosives to allow participation of the Springfield Fire Department in the State and Local Overtime program to allow for reimbursement of overtime expenses associated with joint investigations.

Council Bill 2023-289 (Hosmer). Ordinance 27948 was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, Mayor McClure. Nays: None. Absent: None. Abstain: None.

20.3. Confirm the following appointments to the Board of Public Utilities: Ben Shantz and Gerald Lee with terms to expire December 1, 2026.

Councilmember Lee recused himself from this item.

20.4. Confirm the following reappointments to the Board of Public Utilities: Heather Ramsey and Clifton Smart with terms to expire December 1, 2026.

Councilmember Lee recused himself from this item.

21. END OF CONSENT AGENDA.

22. ADJOURN.

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

Councilmember McGull and Mayor McClure wished everyone a joyous holiday season.

City of Springfield

Minutes

City Council Special Meeting

Ken McClure, Mayor

Zone Councilmembers	**General Councilmembers**
Monica Horton, Zone 1	Heather Hardinger, General A
Abe McGull, Zone 2	Craig Hosmer, General B
Brandon Jenson, Zone 3	Callie Carroll, General C
Matthew Simpson, Zone 4	Derek Lee, General D

December 19, 2023	**11:30 AM**	**Councilman Denny Whayne Conference Room Busch Building, 4th Floor 840 Boonville Avenue**

1. ROLL CALL.

Present: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Absent: None.

2. SECOND READING AND FINAL PASSAGE.

Citizens Have Spoken. May Be Voted On.

2.1. Council Bill 2023-297 (Carroll)
A special ordinance authorizing the City to participate in the Missouri Fire Fighters Critical Illness Trust and Pool, and further authorizing the City Manager, or designee, to execute such documents as may be necessary for the City's participation therein.

Mayor Pro Tem Simpson expressed his support for the proposed and for those that serve the community. He thanked the State for their support.

Council Bill 2023-297 (Carroll) was by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

2.2. Council Bill 2023-298 (Hosmer)
A special ordinance approving a Memorandum Agreement between the City and the International Association of Fire Fighters, Southern Missouri Professional Fire Fighters Local 152, regarding applying for enrollment in the Missouri Fire Fighters Critical Illness

Trust and Pool for calendar year 2024 for eligible bargaining unit members; and authorizing the City Manager, or his designee, to execute the Memorandum Agreement.

Councilmember Horton asked if the proposed renews each year. Jason Gage, City Manager, noted it did not renew each year, however, to meet the timeline for 2024, it was necessary to vote on the item.

Council Bill 2023-298 (Hosmer) was by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

2.3. Council Bill 2023-299 (Hardinger)
A special ordinance approving a Memorandum Agreement between the City and the International Brotherhood of Electrical Workers AFL-CIO Local Union Number 753, the representative for a bargaining unit within the City's Crafts, Trades and Labor employee group, regarding applying for enrollment in the Missouri Fire Fighters Critical Illness Trust and Pool for calendar year 2024 for eligible bargaining unit members; and authorizing the City Manager, or designee, to execute the Memorandum Agreement.

Council Bill 2023-299 (Hardinger) was by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

2.4. Council Bill 2023-300 (Lee)
A general ordinance amending the Springfield City Code, Section 2-92, known as the 'Salary Ordinance,' to create a new subsection relating to participation in the Missouri Fire Fighters Critical Illness Trust and Pool.

Council Bill 2023-300 (Lee) was by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

3. NEW BUSINESS.

3.1. Springfield Police Officers' and Fire Fighters' Retirement System Board of Trustees Update.

Tony Kelley, Police and Firefighters Pension Board Administrative Director, provided an update. Mr. Kelley noted the pension is a defined benefit retirement system based on age, age plus service, or disability. The benefit is paid monthly, and the calculations are performed yearly. Mr. Kelley noted the system calculations are performed yearly to determine what the contribution will be. This number is based on accrued and unfunded liabilities and determined by the actuary. The 2023 required contribution was approximately $12 million. The requirement is decreasing as the number of active members decreases. The system is funded in four ways. employer contributions, the Pension Sales Tax, settlement funds, and through investment returns.

Employer contributions are 35 percent of payroll of members of the Police and Fire Pension. The employer contributions are based on a percentage of pay. Mr. Kelley noted the Pension Sales Tax, which adds approximately $45 million per year to the fund, is set to expire in 2025. Settlement funds added approximately $23 million, and investment funds will be the largest funding mechanism for the plan once the sales tax funding expires.

Mr. Kelley noted the plan was 90.7 percent actuarially funded as of June 2023 with a declining population. They are attempting to de-risk the portfolio. The strategy will be moved forward to City Council in the coming months. Previous commitments regarding assets will move more slowly, taking approximately seven to ten years to implement a new strategy. He added the new Investment Policy Statement (IPS) will be much more concise. The plan has improved from an approximately 30 percent market value to nearly 90 percent market value of assets. There is a need to meet the actuarial requirements of the plan. Mr. Kelley noted there is a continued commitment of the Retirement System Board to partnering with the community, City Council, City Administration, and the participants to maintain a healthy retirement system.

Mayor McClure noted the plan is 90.7% funded with fifteen months of sales tax receipts upcoming. He noted the LAGERS system is nearly 95% funded. Mayor McClure reiterated this is a closed plan.

Councilmember Lee asked what the settlement funds were from and if they are ongoing. Mr. Kelley noted the funds were received from a lawsuit. David Holtmann, Director of Finance, responded the funds were approximately $24 million from telecommunications settlements and are not ongoing.

Mayor Pro Tem Simpson complimented Mr. Kelley on the work of the Board. He asked what a reasonable contribution level would be based on the analysis that had been conducted. Mr. Kelley responded it would be difficult to give a specific number. He added if all assumptions were met, they would theoretically be close to the 100 percent level. Jason Gage, City Manager, noted the report from Milliman showed a range of $3.5 million to $6 million was needed.

Councilmember Hosmer asked if the 780 current participants were retirees plus active employees. Mr. Kelley responded affirmatively. Councilmember Hosmer asked how many active employees fall under the Police and Fire Pension Fund. Mr. Kelley responded approximately 100. Councilmember Hosmer asked for a breakdown of police and fire participants. Mr. Kelley responded he would get the information for City Council. Councilmember Hosmer asked if the benefit would also be paid to a spouse in case of death. Mr. Kelley responded a reduced benefit would be paid to eligible spouses. David Holtmann, Director of Finance, noted there were approximately 69 active police and 49 active fire employees in the plan as of June 30, 2023.

4. ADJOURN.

EXPLANATION TO COUNCIL BILL 2024-001 (CITY COUNCIL)

FILED: 12/14/2023

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A resolution recognizing the dedicated public service of Brendan Griesemer, Assistant Director of Planning and Development, upon the occasion of his retirement.

PURPOSE: Recognizing Brendan Griesemer for 27 years of public service with the City of Springfield.

BACKGROUND INFORMATION: Brendan Griesemer started his career with the City as a Senior Planner where he has served in several roles; Principal Planner, Planning and Development Manager, and Assistant Director, most recently as the Interim Director of the Planning and Development Department.

In his tenure, Brendan has contributed to both the City organization and the community through his work having played key roles in the advancement of affordable housing and neighborhood revitalization in Springfield.

During his time of service, Brendan created the Neighborhood Registry program for neighborhoods to be formally recognized by the City. To date, there are 24 Registered Neighborhood Associations that have formed and increased civic engagement and pride in our neighborhoods and the community as a result of his efforts.

Under Brendan's leadership, the City's Neighborhood Clean-up program was developed which is responsible for removing thousands of tons of trash, bulky items, scrap metal, tires, and brush/leaves from Springfield's neighborhoods since its inception.

Brendan led his team in creating the Neighborhood Assessment Program, part of the City's Vision 20/20 Comprehensive Plan, and helped residents map their identified assets and priority issues in their neighborhoods. The effort also linked dedicated funding to implementation and directed over $5 million in public infrastructure projects identified by citizens through the planning process.

To address the lack of safe, decent, and affordable housing in Springfield, Brendan led the creation and development of the Springfield Community Land Trust ("SCLT") for affordable home ownership. Under Brendan's leadership a $2.1 million grant was secured to buy foreclosed homes, rehabilitate, and place them in the SCLT to preserve affordability. The SCLT offers affordable, quality, energy efficient housing options to low to moderate income households in Springfield.

Additionally, under Brendan's direction and guidance, both for-profit and non-profit developers created approximately 1,000 affordable rental units using City HUD grant funding as well as leveraging both private and other public funding.

As a founding member of the Housing Collaborative, Brendan was instrumental in securing $1 million in HUD funding to establish the Springfield Affordable Housing Center, now the O'Reilly Center for Hope, our community's one-stop-center for affordable housing and homeless prevention resources.

Many other programs and planning initiatives can be attributed to Brendan's dedicated service and leadership at the City, including the Homeowner Emergency Loan Program ("HELP") for emergency home repair, the Affordable Housing Design Guidelines for the City's Affordable Housing Program, adoption of numerous neighborhood plans, institutional agreements, and master plans and Forward SGF, the City's Comprehensive Plan.

Brendan founded the first student planning organization in the state of Missouri at Missouri State University and was co-founder of the Ozark Mountain Section of the Missouri Chapter of APA where he is active and has held several local and state-wide positions in service to his profession.

In 2022, Brendan achieved the highest honor in the planning profession and became only the fourth planner in the State of Missouri to be inducted into the prestigious College of Fellows of the American Institute of Certified Planners.

Submitted By: Anita Cotter, City Clerk

Authorized for inclusion on the agenda pursuant to City Code section 2-33:
Jason Gage, City Manager 12/29/2023

Attachments: 1. Brendan Greisemer _Res

One-rdg. X
P. Hrngs.
Pgs. 5
Filed: 01-02-24

Sponsored by: City Council

COUNCIL BILL 2024-001 RESOLUTION

A RESOLUTION

RECOGNIZING the dedicated public service of Brendan Griesemer, Assistant Director of Planning and Development, upon the occasion of his retirement.

WHEREAS, Brendan Griesemer started his career with the City 27 years ago as a Senior Planner and has since served in several roles including Principal Planner, Planning and Development Manager, Assistant Director, and most recently as the Interim Director of the Planning and Development Department; and

WHEREAS, during his tenure, Mr. Griesemer has contributed to both the City organization and the community through his work, having played key roles in the advancement of affordable housing, and neighborhood revitalization in Springfield; and

WHEREAS, during his time of service, Mr. Griesemer created the Neighborhood Registry program for neighborhoods to be formally recognized by the City. To date, there are 24 Registered Neighborhood Associations that have formed and increased civic engagement and pride in our neighborhoods and the community as a result of his efforts; and

WHEREAS, under Mr. Griesemer's leadership, the City's Neighborhood Clean-up program was developed which is responsible for removing thousands of tons of trash, bulky items, scrap metal, tires, and brush/leaves from Springfield's neighborhoods since its inception; and

WHEREAS, Mr. Griesemer led his team in creating the Neighborhood Assessment Program, part of the City's Vision 20/20 Comprehensive Plan, and helped residents map their identified assets and priority issues in their neighborhoods. The effort also linked dedicated funding to implementation and directed over $5 million in public infrastructure projects identified by citizens through the planning process; and

WHEREAS, to address the lack of safe, decent, and affordable housing in Springfield, Mr. Griesemer led the creation and development of the Springfield Community Land Trust ("SCLT") for affordable home ownership. Under Mr. Griesemer's leadership a $2.1 million grant was secured to buy foreclosed homes, rehabilitate, and place them in the SCLT to preserve affordability. The SCLT offers affordable, quality,

energy efficient housing options to low to moderate income households in Springfield; and

WHEREAS, under Mr. Griesemer's direction and guidance, both for-profit and non-profit developers created approximately 1,000 affordable rental units using City HUD grant funding as well as leveraging both private and other public funding; and

WHEREAS, as a founding member of the Housing Collaborative, Mr. Griesemer was instrumental in securing $1 million in HUD funding to establish the Springfield Affordable Housing Center, now the O'Reilly Center for Hope, our community's one-stop-center for affordable housing and homeless prevention resources; and

WHEREAS, many other programs and planning initiatives can be attributed to Mr. Griesemer's dedicated service and leadership at the City, including the Homeowner Emergency Loan Program ("HELP") for emergency home repair, the Affordable Housing Design Guidelines for the City's Affordable Housing Program, adoption of numerous neighborhood plans, institutional agreements, and master plans and Forward SGF, the City's Comprehensive Plan; and

WHEREAS, Mr. Griesemer founded the first student planning organization in the state of Missouri at Missouri State University and was co-founder of the Ozark Mountain Section of the Missouri Chapter of the American Planning Association ("APA") in which he is an active member and has held several local and state-wide positions in service to his profession; and

WHEREAS, in 2022, Mr. Griesemer achieved the highest honor in the planning profession and became only the fourth planner in the State of Missouri to be inducted into the prestigious College of Fellows of the American Institute of Certified Planners.

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

Section 1 - The City Council of Springfield, Missouri, hereby recognizes and honors Brendan Griesemer, with gratitude, for his 27 years of service to the City of Springfield, the City Council, and the citizens of this community, and wishes him many years of leisure time and enjoyment upon the occasion of his retirement.

Section 2 - This Resolution shall be in effect immediately upon adoption.

Passed at meeting: _____

_____
Mayor

Attest: _____, City Clerk

Filed as Resolution _____

Approved as to form: _____, Assistant City Attorney

Approved for Council action: _____, City Manager

EXPLANATION TO COUNCIL BILL 2023-293 (MCGULL)

FILED: 12/29/2023

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 5.5 acres of property generally located at 5298 East Farm Road 104, from County R-1, Suburban Residence District, to HC, Highway Commercial District, with Conditional Overlay District No. 242; establishing Conditional Overlay District No. 242; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Kurt Wouk; 5298 E. Farm Road 104/ Z-29-2023 with Conditional Overlay District No. 242)

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 5.5 acres of property generally located at 5298 East Farm Road 104 from County R-1, Suburban Residence District to HC, Highway Commercial District and establishing Conditional Overlay District No. 242. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION: ZONING CASE NUMBER Z-29-2023/ CONDITIONAL OVERLAY DISTRICT NO. 242

The applicant is requesting to rezone approximately 5.5 acres of property generally located at 5298 East Farm Road 104 from County R-1 to HC, Highway Commercial and establishing Conditional Overlay District No. 242. The applicant is proposing a recreational vehicle (RV) park. The subject property was annexed by City Council on November 20, 2023.

REMARKS: The Planning and Zoning Commission held a public hearing on November 30, 2023, and recommended to approve, by a vote of 7 to 0.

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

FINDINGS FOR STAFF RECOMMENDATION:
1. The Comprehensive Plan's Land Use & Development chapter identifies the subject property as the Business Flex placetype. This placetype includes areas with an eclectic mix of light industrial, office, storage, warehouse, and distribution centers, complemented by the occasional commercial sales and services. The property is proposed to allow HC, Highway Commercial District uses so this would allow for office, retail, personal service and automotive or RV service-related uses.

2. Business Flex areas are located on secondary roadways, where good street connectivity and access to major roadways and distribution routes can be easily accessed. East Farm Road 104, a collector roadway, is less than 400 feet from Beaver (previously Mulroy) Road which is a primary arterial. This property appears to meet the access recommendations.

3. Located in expanded areas adjacent to higher, more intense industrial uses and city corridors, Business Flex provide support services, sales, service, and supply of goods to consumers and contractors, where high visibility road frontage is not a priority. The HC uses have the ability to support the uses in this area while not dominating or needing high visibility.

4. Planning for this placetype focuses on ensuring Business Flex operations have sufficient land available to expand and grow, while not dominating corridors where high visibility, retail frontage is prioritized. This area is located along E. Farm Road 104 which is a collector roadway and while adjacent to the new Buc-ee's development will not have direct access to N. Beaver Road which is the primary arterial in this area. This site will be visible but the uses should not dominate the corridor.

5. The Highway Commercial District is consistent with the goals and objectives of the Business Flex placetype.

6. The applicant is proposing a Conditional Overlay District to prohibit some objectionable uses and a traffic study at the time of development.

7. The subject property is located in an area that has other retail and industrial and warehousing uses that take advantage of easy access to Interstate 44.

8. 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.

9. There are changing conditions in the area affected that make the proposed rezoning necessary. This area has seen an increase in new development and this rezoning is consistent with the redevelopment that is happening in this area.

10. The range of uses in the proposed HC district are compatible with the uses permitted on other property in the immediate vicinity.

11. 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.

12. The impact the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or

reduce traffic safety in the vicinity. This application requires a traffic study at the time of development.

13. 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.

14. 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 Business Flex Placetype and on the finding of facts above.

Submitted By: Daniel Neal, Senior City Planner

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

Attachments:
1. Z-29-2023 COD 242 5298 E FR 104 Ord
2. COD_exhA
3. Legal Description_exhB
4. ROP_exhC
5. Staff Report_exhD

One-rdg. _____
P. Hrngs. X
Pgs. 22
Filed: 12-05-23

Sponsored by: McGull

First Reading: _____ Second Reading: _____

COUNCIL BILL 2023-293 GENERAL ORDINANCE _____

AN ORDINANCE

AMENDING the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 5.5 acres of property generally located at 5298 East Farm Road 104, from County R-1, Suburban Residence District, to HC, Highway Commercial District, with Conditional Overlay District No. 242; establishing Conditional Overlay District No. 242; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.)

WHEREAS, an application has been filed for a zoning change of the property generally located at 5298 East Farm Road 104, from County R-1, Suburban Residence District, to HC, Highway Commercial District, with Conditional Overlay District No. 242; and

WHEREAS, Conditional Overlay District No. 242 shall modify the requirements of the Springfield Land Development Code Section 36-422, HC, Highway Commercial District, by requiring that the property described in "Exhibit B" comply with the requirements described in "Exhibit A"; and

WHEREAS, following proper notice, the Planning and Zoning Commission held a public hearing on November 30, 2023, a copy of the Record of Proceedings from said public hearing being attached hereto and incorporated herein by this reference as "Exhibit C," and said Commission made its recommendation; and

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

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

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

SPRINGFIELD, MISSOURI, as follows, that:

Section 1 – The property described in "Exhibit B," which is attached hereto and incorporated herein by this reference, is hereby rezoned from County R-1, Suburban Residence District, to HC, Highway Commercial District, with Conditional Overlay District No. 242. Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' is hereby amended, changed, and modified consistent with this Ordinance.

Section 2 – City Council hereby establishes Conditional Overlay District No. 242, which shall contain the requirements and standards provided in "Exhibit A," which is attached hereto and incorporated herein by this reference as though set forth herein. The requirements of Conditional Overlay District No. 242 shall modify the requirements of the Springfield Land Development Code Section 36-422, HC, Highway Commercial District, by requiring the property described in "Exhibit B" comply with the requirements contained in "Exhibit A."

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

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

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

Passed at meeting: _____

_____
Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: _____, Assistant City Attorney

Approved for Council action: _____, City Manager

EXHIBIT A

CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-29-2023 COD 242

The requirements of Section 36-422. of the Springfield Zoning Ordinance shall be modified herein for development within this district to include the following:

1. The following uses shall be prohibited:

    a. Cemeteries,
    b. Household Resource Recovery collection centers,
    c. Manufactured or mobile home and trailer sales and service,
    d. Marijuana cultivation, dispensary and infused products manufacturing,
    e. Overnight or transient shelters, and
    f. Conditional uses per Section 36-422.

2. Off-site improvements related directly to the intensity of development shall be required at the time of development. To determine the off-site improvements needed for the intensity of development, a traffic impact study (TIS) that is in a format acceptable to the City shall be submitted at the time of development. Development shall be approved only after the TIS is approved by the City Traffic Engineer, and only after the off-site improvements determined necessary by the TIS are incorporated into the approved site plan, public improvement plan, or other permits (as applicable). These off-site improvements shall be constructed at no cost to the City and in accordance with the requirements in Section 36-250 and applicable section of the Public Works Design Standards. All public improvements must be constructed and approved, or funds escrowed for such permits, prior to the issuance of any building permits.

EXHIBIT B

LEGAL DESCRIPTION

ALL THAT PART OF THE EAST ONE-HALF (½) OF LOTS TWO (2) AND THREE (3), OF THE NORTHWEST QUARTER (NW¼) OF SECTION ONE (1), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-ONE (21), NORTH OF HIGHWAY INTERSTATE (ROUTE 2), NOW INTERSTATE #44, EXCEPT BOOK 1502 AT PAGE 1617, BOOK 1549 AT PAGE 1814, BOOK 1550 AT PAGE 2128, BOOK 1554 AT PAGE 75, IN BOOK 1633 AT PAGE 2024 AND EXCEPT BOOK 1691 AT PAGE 839, IN GREENE COUNTY, MISSOURI. EXCEPT ALL THAT PART TAKEN OR USED FOR PUBLIC ROAD RIGHT-OF-WAY.

EXHIBIT C

RECORD OF PROCEEDINGS
Planning and Zoning Commission – November 30, 2023

Z-29-2023 w/COD 242
5298 East Farm Road 104
Applicant: Kurk Wouk

Daniel Neal states that this is a request to rezone approximately 5.5 acres of property from County R-1, Suburban Residence District to HC, Highway Commercial District and establishing Conditional Overlay District No. 242 to allow for a Recreational Vehicle (RV) Park. This case was originally seen at the October 5, 2023, Planning and Zoning meeting, but it was determined that the rezoning or major subdivision process can not start until the voluntary annexation of the property has been completed which has been done by City Council on November 20, 2023.

Eric Pauly asked about the intersection located close by and if a traffic study would need to be completed and what improvements or development is expected.

Mr. Neal stated that he didn't know about improvements but expects low traffic volumes as it will be a RV park.

Eric Pauly also asked about the three roundabouts located in the area and the possibility of larger vehicles going around them and Mr. Neal noted that he does not see any issues and are built to MODOT standards.

Eric Pauly asked about stormwater drainage and the creek, and Joe Codichini, Public Works stated that there are two detention basins that go to the farm pond and are shared by Buc-ee's development and the current project. The South Dry Sac Creek is not a tributary, so it is not classified as a stream, and further study will be needed to determine if the current farm pond can be used as a detention.

Eric Pauly also asked about the drinking water north of the property and Joe Codichini stated that there are no concerns at this time.

Bill Knuckles made a comment about improvements and that they would be addressed by a traffic study.

Geoff Butler 4449 E. Valley stated that this is straight forward and intersects with Buc-cee's development.

Eric Pauly asked approximately how many RV's can be accommodated?

Geoff Butler stated that he does not know at this time, possibly 30 RV's and should probably be short-term with a pathway available to get to Buc-ee's.

Natalie Broekhoven closed the public hearing.

COMMISSION ACTION
Planning and Zoning Commission Board Member Knuckles moved to approve Z-29-2023 w/COD 242 and Commissioner Lebeck seconded the motion, and it was **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Dan Scott and Britton Jobe. Abstain: None.

Bob Hosmer, AICP
Planning Manager

Exhibit D

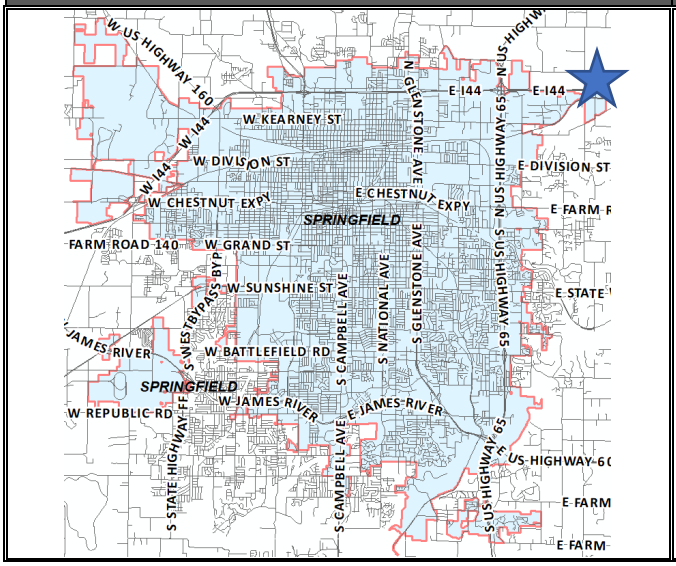
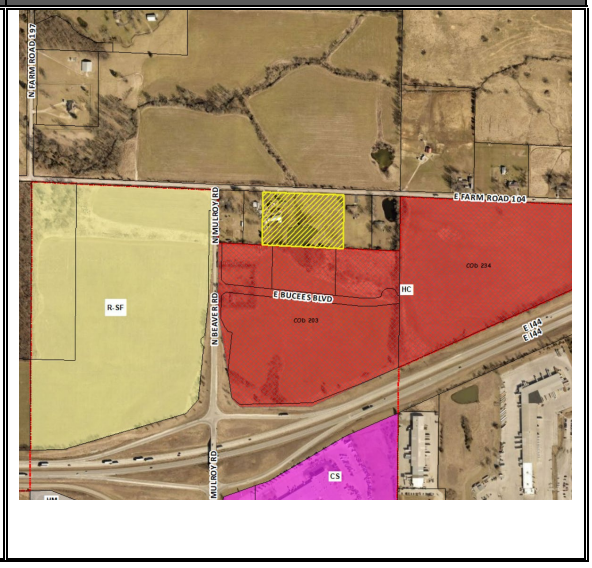
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-29-2023 with Conditional Overlay District No. 242
Location:	5298 E. Farm Road 104
Total Acres:	5.5 acres
Applicant:	Kurt Wouk
Existing Land Use:	Single-family residence and agricultural uses
Neighborhood Meeting:	September 13, 2023
Planning and Zoning Commission:	October 5, 2023
City Council:	November 6, 2023
Public Notification:	Mail, posted property, and legal in Daily Events
Staff:	Daniel Neal, Senior Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of rezoning case Z-29-2023 with Conditional Overlay District No. 242 as set forth in Attachment 1. (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

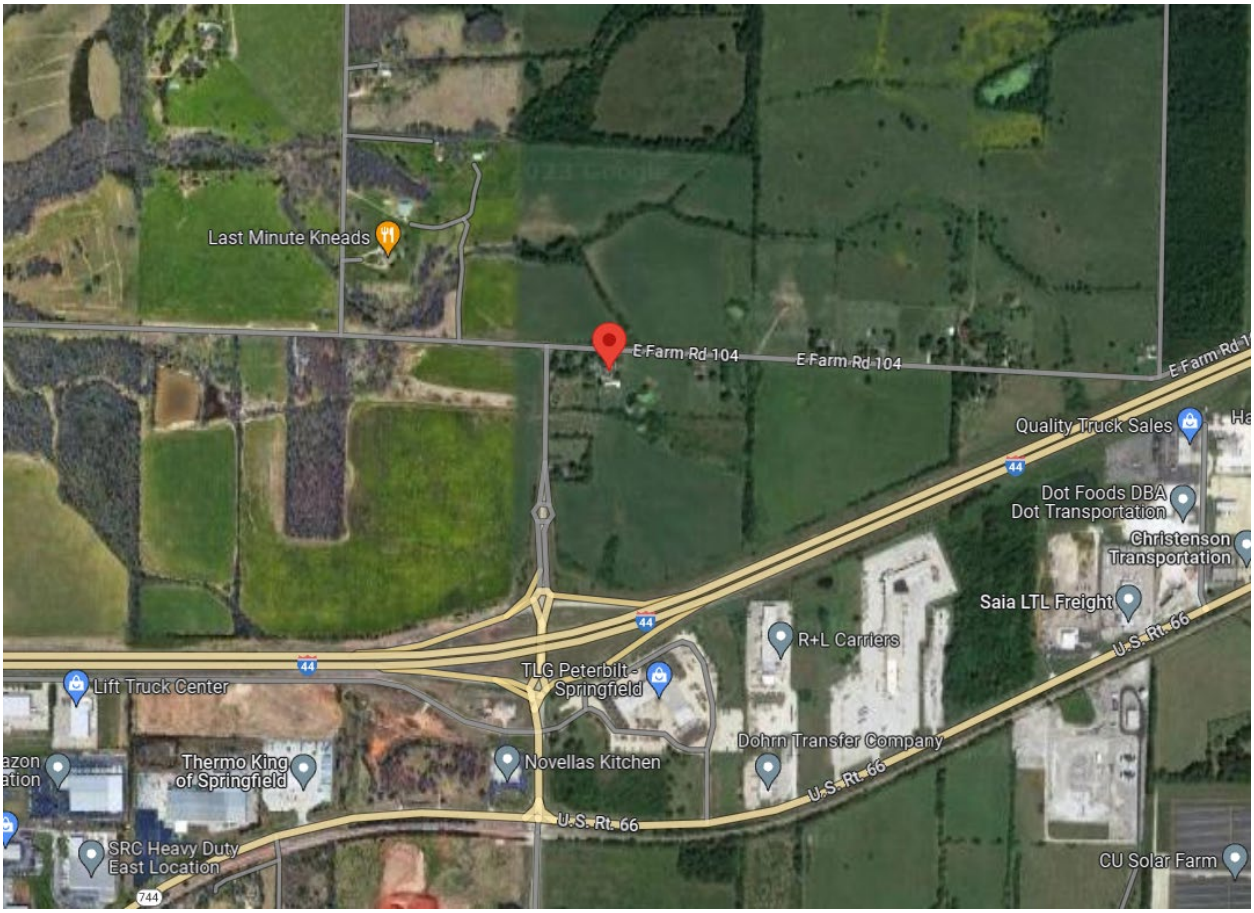
PROJECT SUMMARY:

Request to rezone approximately 5.5 acres of property generally located at 5298 East Farm Road 104 from County R-1, Suburban Residence District to HC, Highway Commercial District and establishing Conditional Overlay District No. 242.

LOCATION MAP	ZONING MAP
	

DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:

DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property is located outside City limits in unincorporated Greene County and zoned County R-1; however, a request for annexation is being processed concurrently with the rezoning application.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

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

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

ZONING ORDINANCE 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. (f)Uses on parcels not served by public water and public sewer shall meet the requirements of subsection 36-303(22).
Maximum Structure Height	None, except that all structures shall remain below a 30-degree bulk plane as measured from the boundary of any R-SF or R-TH district.
Minimum Open Space	Not less than 20 percent

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Business Flex placetype. This placetype includes areas with an eclectic mix of light industrial, office, storage, warehouse, and distribution centers, complemented by the occasional commercial sales and services. Business Flex areas are located on secondary roadways, where good street connectivity and access to major roadways and distribution routes can be easily accessed. Located in expanded areas adjacent to higher, more intense industrial uses and city corridors, Business Flex provide support services, sales, service, and supply of goods to consumers and contractors, where high visibility road frontage is not a priority. Planning for this placetype focuses on ensuring Business Flex operations have sufficient land available to expand and grow, while not dominating corridors where high visibility, retail frontage is prioritized.

Placetypes are not as rigid as zoning districts and allow for supporting or ancillary uses which complement and enhance its sense of place; as an extension of this, a single placetype is not likely to be defined by a single zoning district or even a collection of closely related zoning districts (e.g. industrial districts), but rather a mix of tangentially related zoning districts which together form a cohesive sense of place when developed with similar character, scale, and form.

Primary Land Uses:

- Maker spaces, artisan, and innovation spaces
- Personal and outdoor storage
- Light industry
- Warehousing and distribution facilities

Supporting Land Uses:

- Parks, greenways and open space
- Sports complexes and recreational facilities
- Urban agriculture
- Office, hospitality, retail sales and service

- Universities, colleges, and vocational schools Government, healthcare and institutional facilities
- Airport, railroad, and freight facilities

Characteristics

Transportation and Infrastructure

- Access management is improved for vehicles through curb cut consolidation and cross-access between commercial properties, reducing traffic conflicts and backups.
- Electric vehicle charging facilities are integrated and incentivized into development plans.
- As technology, trends, and funds permit, utilities are buried or consolidated along rear property lines, reducing conflicts with street trees, pedestrian infrastructure, and viewsheds.
- Best management practices for stormwater management are required in development projects and within public rights-of-way, such as permeable paving, rain gardens, green roofs, native landscaping, and other low impact design strategies.
- Pedestrian and bicycle infrastructure, and micro-mobility are integrated.

Urban Design- Building and Site Typology

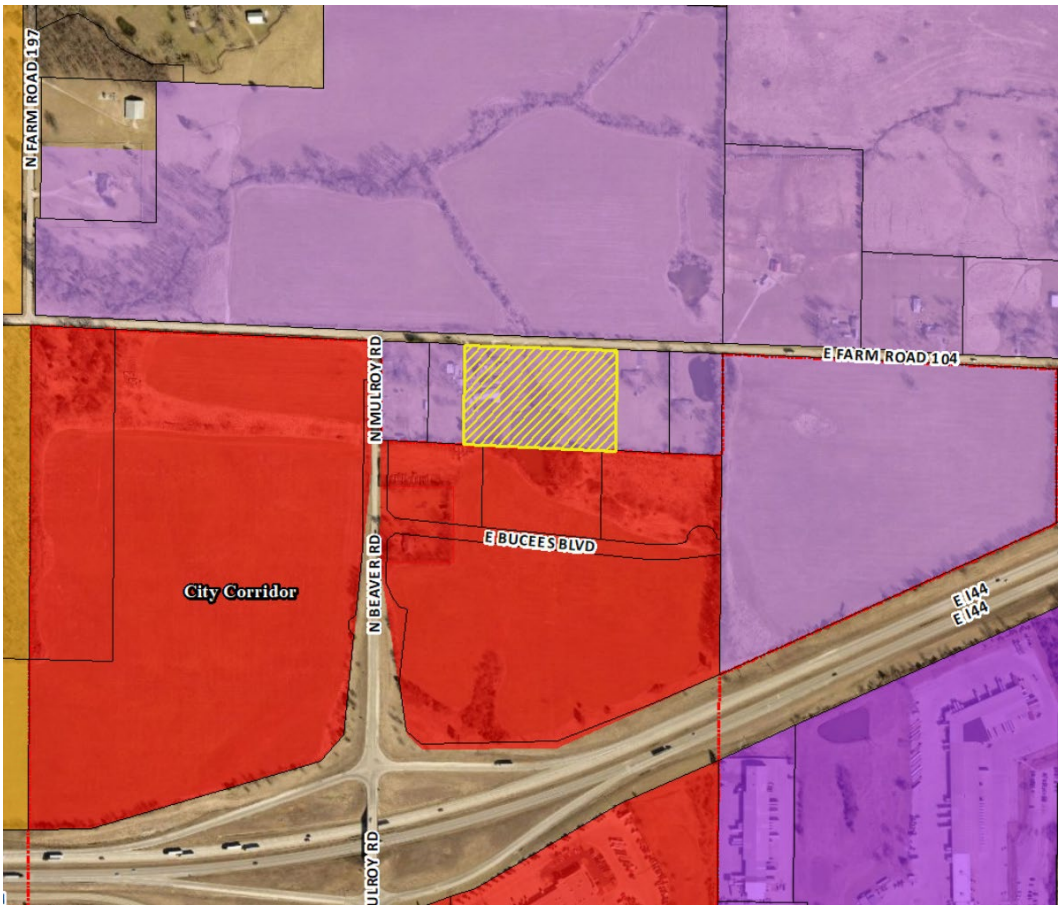
- Perimeter landscaping screens surface parking lots that accommodate the high number of employees, vehicles, delivery, and large truck traffic.
- Outside storage, auto oriented, or light industrial uses are screened from view from the right-of-way.
- Use of quality materials, construction methods, workmanship, and design should be incorporated into new development and redevelopment.
- A mix of building heights is supported through structured site and building design strategies to soften the impact on adjacent lower intensity residential development.
- Lighting, landscaping, signage, mail, and delivery accommodations should also be proactively incorporated into the site design.
- Design should discourage the placement of mechanical equipment along major roadways or should be completely screened, along with trash receptacles, and recycling bins.

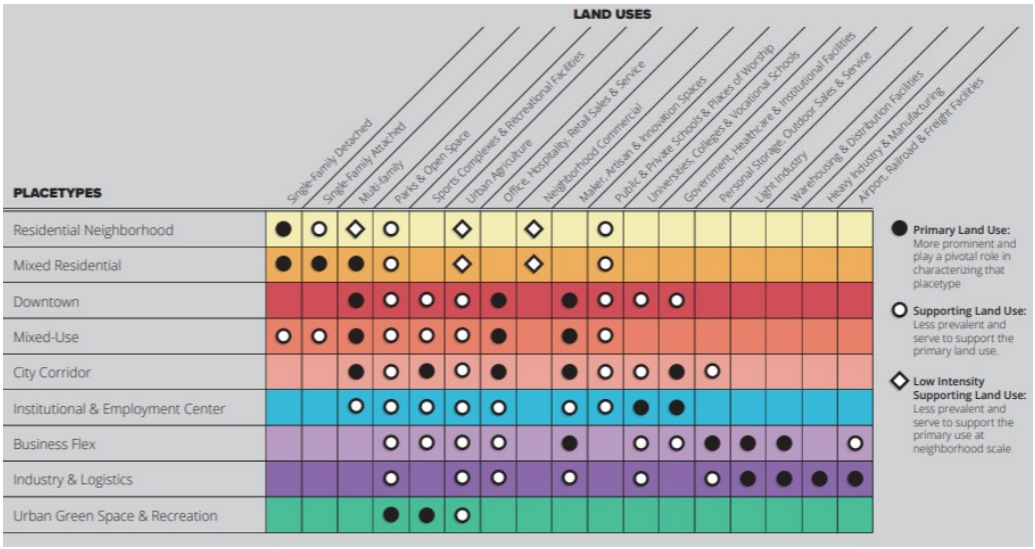
Transitions

- Appropriate site design, parking access, massing, building orientation, screening, buffering, and separation standards are adopted and used to mitigate adjacent incompatible uses.
- Commercial and smaller office uses within the placetype are directed to its perimeter to provide a gradual transition into surrounding placetypes.

DEVELOPMENT REVIEW STAFF REPORT

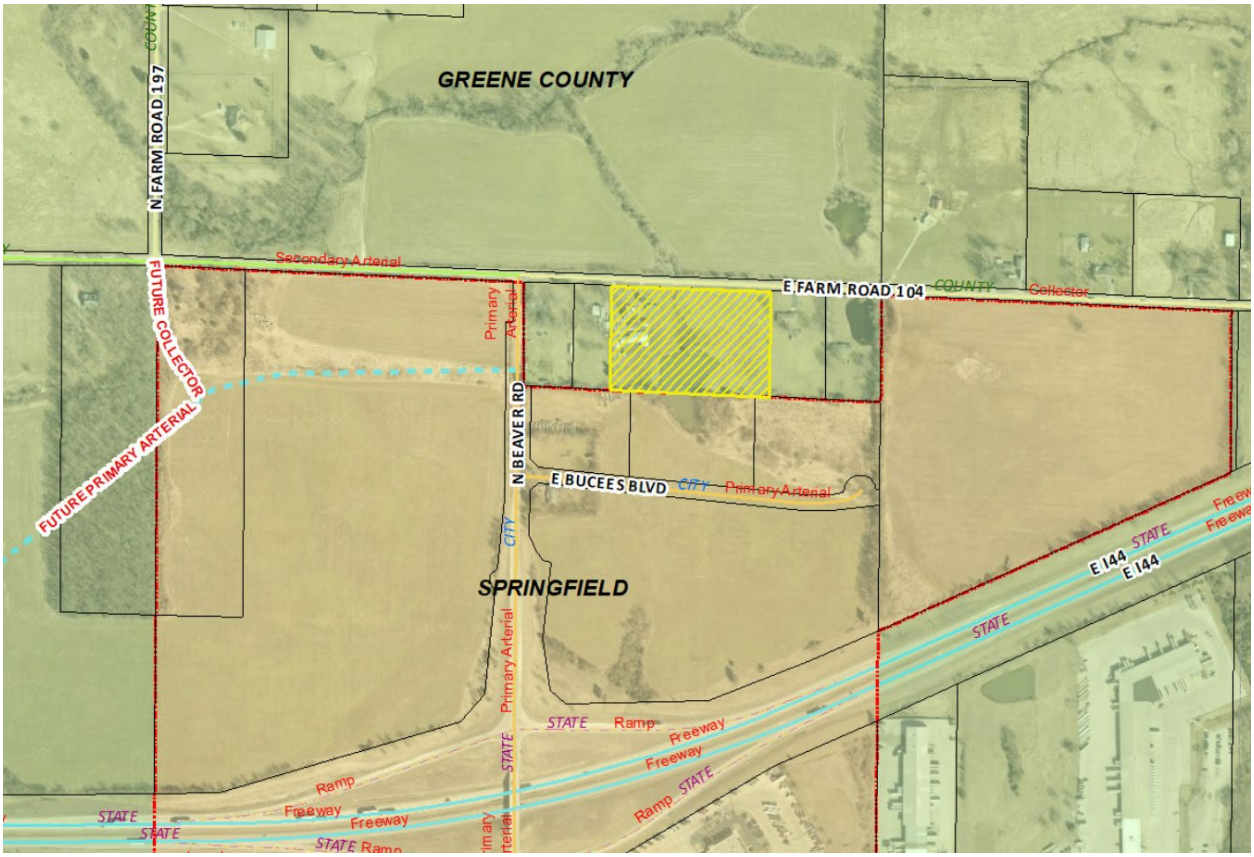
FUTURE PLACETYPE MAP:





DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	County R-1	HC	County R-1	County C-1
LAND USE	Agricultural/ undeveloped	Retail uses and common area/detention	Single-family residence	Single-family residence
PLACETYPES	Business flex	City Corridor	Business flex	Business flex

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT COMMENTS:

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues with the proposed rezoning.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No objection to annexation or rezoning however we have the following critical issues regarding connecting to public sewer:

1. Public sewer is located on the property to the south and is adjacent to this property. There is a trunkline connection fee of $0.048 per sq. ft. of property connecting to public sewer. The area of this property according to the Greene County Assessor's office is 239,144 sq. ft. Based on that the trunkline fee would be $11,478.93 in addition to any sewer impact or other fees. If the owner has a more accurate area, this could be used instead of the Assessor's information. This fee would be added to the sewer impact permit fee when building permits are issued.

2. This property is also not in a sewer district. Before a sewer permit could be issued, the property owner would need to sign and execute a special sewer connection agreement. These are required for sewer connections that are not in sewer districts. According to city code, no person shall connect to sanitary sewer located outside of a sewer district without obtaining a special connection agreement. This agreement does not relieve the property owner from special assessments for future sanitary sewer districts and/or joint sanitary sewer district connection fees (City Code Section 120-249 & Section 120-250). The city code can be viewed here: https://library.municode.com/mo/springfield/codes/code_of_ordinances. Contact me at 417-864-1934 if you have any questions.

3. A sewer impact permit fee will be required for all new connections or building sites. This fee is based on the size and number of proposed water meter(s) according to city code no. 120.246. Specify the size and number of the proposed water meter(s) on the utility plan.

4. When building plans are submitted, specify the point of connection to public sewer on the utility plan.

FIRE DEPARTMENT:

No issues with the proposed rezoning.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

TRAFFIC REPORT

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)	Traffic Count	On-Street Parking	Sidewalk

				Required	Existing	(vehicles per day)		Required	Existing
Street 1	E. Farm Road 104	Collector	County	30	20	NA	No	Yes	No

ACCESS - There are currently two driveway access points onto the property from E. Farm Road 104. 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 E. Farm Road 104 near the property.

IMPROVEMENTS - No improvements are required for this rezoning. A traffic study will be required for this property at the time of development.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN
The 5.5 acre property drains North across E Farm Road 104. No existing detention or water quality Stormwater Control Measures are present. The property is in the **South Dry Sac** 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**

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. The existing pond on site is a farm pond and does not contain any Stormwater Control Measures. 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. The site drains through a culvert in E Farm Road 104 but there is not a drainage easement for the culvert or the drainage channel on the northside of the road.

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.

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 5.5 acres of property generally located at 5298 East Farm Road 104 from County R-1 to HC, Highway Commercial and establishing Conditional Overlay District No. 242. The applicant is proposing an RV park.

2. The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Business Flex placetype. This placetype includes areas with an eclectic mix of light industrial, office, storage, warehouse, and distribution centers, complemented by the

occasional commercial sales and services. The property is proposed to allow HC, Highway Commercial District uses so this would allow for office, retail, personal service and automotive or RV service-related uses.

3. Business Flex areas are located on secondary roadways, where good street connectivity and access to major roadways and distribution routes can be easily accessed. East Farm Road 104, a collector roadway, is less than 400 feet from Beaver (previously Mulroy) Road which is a primary arterial. This property appears to meet the access recommendations.

4. Located in expanded areas adjacent to higher, more intense industrial uses and city corridors, Business Flex provide support services, sales, service, and supply of goods to consumers and contractors, where high visibility road frontage is not a priority. The HC uses have the ability to support the uses in this area while not dominating or needing high visibility.

5. Planning for this placetype focuses on ensuring Business Flex operations have sufficient land available to expand and grow, while not dominating corridors where high visibility, retail frontage is prioritized. This area is located along E. Farm Road 104 which is a collector roadway and while adjacent to the new Buc-ee's development will not have direct access to N. Beaver Road which is the primary arterial in this area. This site will be visible but the uses should not dominate the corridor.

6. The Highway Commercial District is consistent with the goals and objectives of the Business Flex placetype.

7. The applicant is proposing a Conditional Overlay District to prohibit some objectionable uses and a traffic study at the time of development.

8. The subject property is located in an area that has other retail and industrial and warehousing uses that take advantage of easy access to Interstate 44.

9. 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.

10. There are changing conditions in the area affected that make the proposed rezoning necessary. This area has seen an increase in new development and this rezoning is consistent with the redevelopment that is happening in this area.

11. The range of uses in the proposed HC district are compatible with the uses permitted on other property in the immediate vicinity;

12. 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;

13. The impact the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity. This application requires a traffic study at the time of development.

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 the zoning district.

15. 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 Business Flex 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.
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 REPORT

ATTACHMENT 1
CONDITIONAL OVERLAY DISTRICT PROVISIONS NO. 242

The requirements of Section 36-422. of the Springfield Zoning Ordinance shall be modified herein for development within this district to include the following:

1. The following uses shall be prohibited:

    a. Cemeteries,
    b. Household Resource Recovery collection centers,
    c. Manufactured or mobile home and trailer sales and service,
    d. Marijuana cultivation, dispensary and infused products manufacturing,
    e. Overnight or transient shelters, and
    f. Conditional uses per Section 36-422.

2. Off-site improvements related directly to the intensity of development shall be required at the time of development. To determine the off-site improvements needed for the intensity of development, a traffic impact study (TIS) that is in a format acceptable to the City shall be submitted at the time of development. Development shall be approved only after the TIS is approved by the City Traffic Engineer, and only after the off-site improvements determined necessary by the TIS are incorporated into the approved site plan, public improvement plan, or other permits (as applicable). These off-site improvements shall be constructed at no cost to the City and in accordance with the requirements in Section 36-250 and applicable section of the Public Works Design Standards. All public improvements must be constructed and approved, or funds escrowed for such permits, prior to the issuance of any building permits.

Attachment 2

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: County residential to Highway Commercial
   (existing zoning) *(proposed zoning)*
2. Meeting Date & Time: Tuesday September 12, 2023 4 pm - 6:30 pm
3. Meeting Location: 5298 E Farm Road 104
4. Number of invitations that were sent: twelve
5. How the mailing list was generated: 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 the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

   No one came

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

   None

I, Geoffrey H. Butler (*print name)*, attest that the neighborhood meeting was held on September 12, 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

Geoffrey H. Butler AIA

Printed name of person completing affidavit

EXPLANATION TO COUNCIL BILL 2023-294 (MCGULL)

FILED: 12/29/2023

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 0.68 acre of property generally located at 2555 North Neergard, from GM, General Manufacturing District, to IC, Industrial Commercial District, with Conditional Overlay District No. 243; establishing Conditional Overlay District No. 243; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Barbara Lorenz; 2555 N. Neergard Avenue; Z-30-2023 with Conditional Overlay District No. 243)

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.68 acre of property generally located at 2555 North Neergard Avenue from GM, General Manufacturing District to IC, Industrial Commercial District and establishing Conditional Overlay District No. 243. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION:
ZONING CASE NUMBER Z-30-2023/ CONDITIONAL OVERLAY DISTRICT NO. 243

The applicant is requesting to rezone approximately 0.68 acre of property from GM, General Manufacturing District to IC, Industrial Commercial District and establishing a new Conditional Overlay District No. 243. The applicant intends to establish a used car sales business.

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

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

FINDINGS FOR STAFF RECOMMENDATION:
1. The project area is located within the Industry & Logistics placetype, (see the Future Placetype Map on page 4 for reference). Per the Land Use & Development chapter of the Comprehensive Plan, this placetype primarily 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." Based on these primary functions, this placetype also accommodates other activities typically associated with industry and manufacturing, including outdoor activity involving storage or parking of

vehicles and equipment.

2. Placetypes are not as rigid as zoning districts and allow for supporting or ancillary uses which complement and enhance its sense of place; as an extension of this, a single placetype is not likely to be defined by a single zoning district or even a collection of closely related zoning districts (e.g. industrial districts), but rather a mix of tangentially related zoning districts which together form a cohesive sense of place when developed with similar character, scale, and form. The Industry & Logistics placetype allows for certain supporting uses which complement the placetype's primary industrial or manufacturing uses, including office, hospitality, retail sales and service uses, universities, colleges, and vocational schools, and government, healthcare, and institutional uses, to name a few. As a result, this placetype should include a mix of industrial zones complemented by office or commercial zones were deemed suitable. The IC, Industrial commercial district, which allows for a variety of commercial and industrial uses, is a suitable match for the Industry & Logistics placetype.

3. The 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. Areas zoned IC are intended to be located primarily at major intersections in or adjacent to industrial areas and on land that is designated as a mixed industrial/commercial use area in the comprehensive plan.

4. The proposed Conditional Overlay District will require perimeter landscaping to be triggered when the site is redeveloped. The landscape plantings along Neergard Avenue and Jean Street shall consist of at least one canopy tree, understory, ornamental, or evergreen trees; and four shrubs per 100 linear feet of street frontage.

5. The subject property is located along Neergard Avenue which is classified as a collector roadway and Jean Street which is a local roadway, 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.

7. There are no known changing conditions in the area affected that make the proposed rezoning necessary.

8. The range of uses in the proposed IC district and COD are compatible with the uses permitted on other property in the immediate vicinity.

9. 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.

10. The impact of the proposed uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity.

11. 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.

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

STAFF RECOMMENDATION: Staff recommends approval of the rezoning request based on its compatibility with the Comprehensive Plan's Industry & Logistics Placetype.

Submitted By: Daniel Neal, Senior City Planner

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

Attachments:
1. Z-30-2023 COD 243_ Ord
2. COD_exhA
3. Legal Description_exhB
4. ROP_exhC
5. Staff Report_exhD

One-rdg. _____
P. Hrngs. X
Pgs. 22
Filed: 12-05-23

Sponsored by: McGull

First Reading: _____ Second Reading: _____

COUNCIL BILL 2023-294 GENERAL ORDINANCE_____

AN ORDINANCE

AMENDING the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.68 acre of property generally located at 2555 North Neergard, from GM, General Manufacturing District, to IC, Industrial Commercial District, with Conditional Overlay District No. 243; establishing Conditional Overlay District No. 243; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.)

WHEREAS, an application has been filed for a zoning change of the property generally located at 2555 North Neergard, from GM, General Manufacturing District, to IC, Industrial Commercial District, with Conditional Overlay District No. 243; and

WHEREAS, Conditional Overlay District No. 243 shall modify the requirements of the Springfield Land Development Code Section 36-434, IC, Industrial Commercial District, by requiring that the property described in "Exhibit B" comply with the requirements described in "Exhibit A"; and

WHEREAS, following proper notice, the Planning and Zoning Commission held a public hearing on November 9, 2023, a copy of the Record of Proceedings from said public hearing being attached hereto and incorporated herein by this reference as "Exhibit C," and said Commission made its recommendation; and

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

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

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

Section 1 – The property described in "Exhibit B," which is attached hereto and incorporated herein by this reference, is hereby rezoned from GM, General Manufacturing District, to IC, Industrial Commercial District, with Conditional Overlay District No. 243. Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' is hereby amended, changed, and modified consistent with this Ordinance.

Section 2 – City Council hereby establishes Conditional Overlay District No. 243, which shall contain the requirements and standards provided in "Exhibit A," which is attached hereto and incorporated herein by this reference as though set forth herein. The requirements of Conditional Overlay District No. 243 shall modify the requirements of the Springfield Land Development Code Section 36-434, IC, Industrial Commercial District, by requiring the property described in "Exhibit B" comply with the requirements contained in "Exhibit A."

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

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

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

Passed at meeting: _____

_____
Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: _____, Assistant City Attorney

Approved for Council action: _____, City Manager

EXHIBIT A

CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-30-2023 COD 243

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. Perimeter landscaping:

    a. Perimeter landscaping shall be provided along Neergard Avenue and Jean Street for any change of use, building permit or subdivision of the property. The plantings within the perimeter landscape area shall consist of at least one canopy tree, one understory, ornamental, or evergreen tree and four shrubs per 100 linear feet of street frontage.

EXHIBIT B

LEGAL DESCRIPTION

All of the North One Hundred (100) feet of Lot Six (6) in Kearney Street Industrial Park, in the City of Springfield, Greene County, Missouri.

EXHIBIT C

RECORD OF PROCEEDINGS
Planning and Zoning Commission – November 9, 2023

Z-30-2023 w/COD 243
2555 North Neergard Avenue
Applicant: Barbara Lorenz

Mr. Daniel Neal stated that this is a request to rezone approximately 0.68 acres of property generally located at 2555 N. Neergard Avenue from GM, General Manufacturing District to IC, Industrial Commercial District and establish a Conditional Overlay District No. 243.

Mr. Knuckles noted that it seems odd that landscaping requirements are required, and Mr. Neal noted that Neergard is a collector roadway and part of the new Comprehensive Plan is charged with enhancing some of the corridors.

Mr. Lebeck clarified about the number of shrubs and trees required and Mr. Neal noted that approximately one canopy tree, one understory, ornamental or evergreen tree and 4 shrubs per 100 linear feet of street frontage.

Ms. Barbara Lorenz, 3182 W. Kob Hill Street and here to answer any questions.

Natalie Broekhoven closed the public hearing.

Planning and Zoning Commission Board Member Knuckles moved to approve Z-30-2023 w/COD 243 and Commissioner Pauly seconded the motion, and it was passed with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Scott, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Britton Jobe. Abstain: None.

Bob Hosmer, AICP
Planning Manager

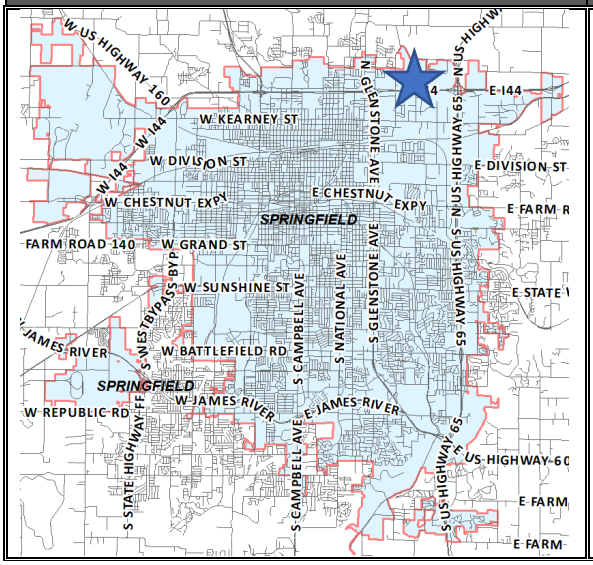
Exhibit D

DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION	
Case Number:	Z-30-2023 with Conditional Overlay District No. 243
Location:	2555 N. Neergard Avenue
Total Acres:	0.68 acre
Applicant:	Barbara Lorenz
Existing Land Use:	Automotive repair and office uses
Neighborhood Meeting:	October 18, 2023
Planning and Zoning Commission:	November 9, 2023
City Council:	December 11, 2023
Public Notification:	Mail, posted property, and legal in Daily Events
Staff:	Daniel Neal, Senior Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of rezoning case Z-30-2023 with Conditional Overlay District No. 243 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 0.68 acre of property generally located at 2555 N. Neergard Avenue from GM, General Manufacturing District to IC, Industrial Commercial District and establishing a new Conditional Overlay District No. 243.

LOCATION MAP	ZONING MAP
	

DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:

GOOGLE MAPS STREET VIEW:

DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

This property is has been zoned GM, General Manufacturing District since the 1995 remapping.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

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

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

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR IC DISTRICT
Use Limitations	(a) No dust, particulate matter, or noxious or toxic matter of any sort shall be emitted or discharged at any time. (b) All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards. (c) All industrial operations and activities, except off-street parking and loading facilities and storage, shall be conducted wholly inside a building, or buildings. (d) Storage may be maintained outside a building inside yards or rear yards if such storage area is screened from public streets, designated arterials, or greater street classifications, and from other property, except property located in an IC, LI, GM, or HM district. (e) All outdoor storage shall be at least 100 feet from any residential district boundary.

	(f) No use shall emit an odor that creates a nuisance as determined by chapter 2A, article X, Springfield City Code. (g) No building shall be used for residential purposes except that a watchman or custodian may reside on the premises. (h) Uses on parcels not served by public water and public sewer shall meet the requirements of subsection 36-303(22).
Minimum Lot Size	Not applicable to the IC District
Maximum Height	Not applicable to the IC District
Bulk Plane	None, except that all structures shall remain below a 30-degree bulk plane as measured from the boundaries of any R-SF or R-TH district.
Minimum Yard Requirements	1. *Front yard:* a. Twenty-five feet along a street classified as a collector or higher classification street or as required by section 36-453, supplemental open space, and yard regulations. b. Fifteen feet along a street classified as a local street or as required by section 36-453, supplemental open space, and yard regulations. 2. *Side yards:* None, except as required by section 36-453, supplemental open space, and yard regulations, and the bufferyard requirements in subsection (8). 3. *Rear yards:* None, except as required by the bufferyard requirements in subsection (8)).
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.
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 section 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 and vehicular use areas shall be screened from all residential uses in accordance with section 36-480, screening, and fencing. (d) All outdoor storage and 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 or nearby 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	Whenever any development in an IC industrial commercial 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 project area is located within the Industry & Logistics placetype, (see the Future Placetype Map on page 4 for reference). Per the *Land Use & Development* chapter of the *Comprehensive Plan,* this placetype primarily 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." Based on these primary functions, this placetype also accommodates other activities typically associated with industry and manufacturing, including outdoor activity involving storage or parking of vehicles and equipment.

Placetypes are not as rigid as zoning districts and allow for supporting or ancillary uses which complement and enhance its sense of place; as an extension of this, a single placetype is not likely to be defined by a single zoning district or even a collection of closely related zoning districts (e.g. industrial districts), but rather a mix of tangentially related zoning districts which together form a cohesive sense of place when developed with similar character, scale, and form. The Industry & Logistics placetype allows for certain supporting uses which complement the placetype's primary industrial or manufacturing uses, including office, hospitality, retail sales and service uses, universities, colleges, and vocational schools, and government, healthcare, and institutional uses, to name a few. As a result, this placetype should include a mix of industrial zones complemented by office or commercial zones were deemed suitable. The IC, Industrial commercial district, which allows for a variety of commercial and industrial uses, is a suitable match for the Industry & Logistics placetype.

PRIMARY USES

1. Personal and outdoor storage
2. Light industry
3. Warehousing and distribution facilities
4. Heavy industry and manufacturing
5. Airport, railroad, and freight facilities

SUPPORTING USES

1. Parks, greenways and open space
2. Urban agriculture
3. Office, hospitality, retail sales and service
4. Maker spaces, artisan, and innovation spaces
5. Universities, Colleges & Vocational Schools
6. Government, healthcare and institutional facilities

CHARACTERISTICS TRANSPORTATION & INFRASTRUCTURE

1. Direct new industrial and logistic dependent development to areas planned for more intense uses located near existing rail lines, major roadways, and Enterprise Zones.
2. Best management practices for stormwater management are required in development projects and within public rights-of-way, such as permeable paving, rain gardens, green roofs, native landscaping, and other low impact design strategies.
3. Freight traffic is diverted away from quieter residential or commercial streets to designated truck routes that are designed for anticipated capacity and have clear access to major routes and roadways.
4. Electric vehicle charging facilities, pedestrian and bicycle infrastructure, and automated vehicle parking and loading spaces are integrated along major corridors, installed at key destinations, and integrated into development plans.

URBAN DESIGN – BUILDING AND SITE TYPOLOGY

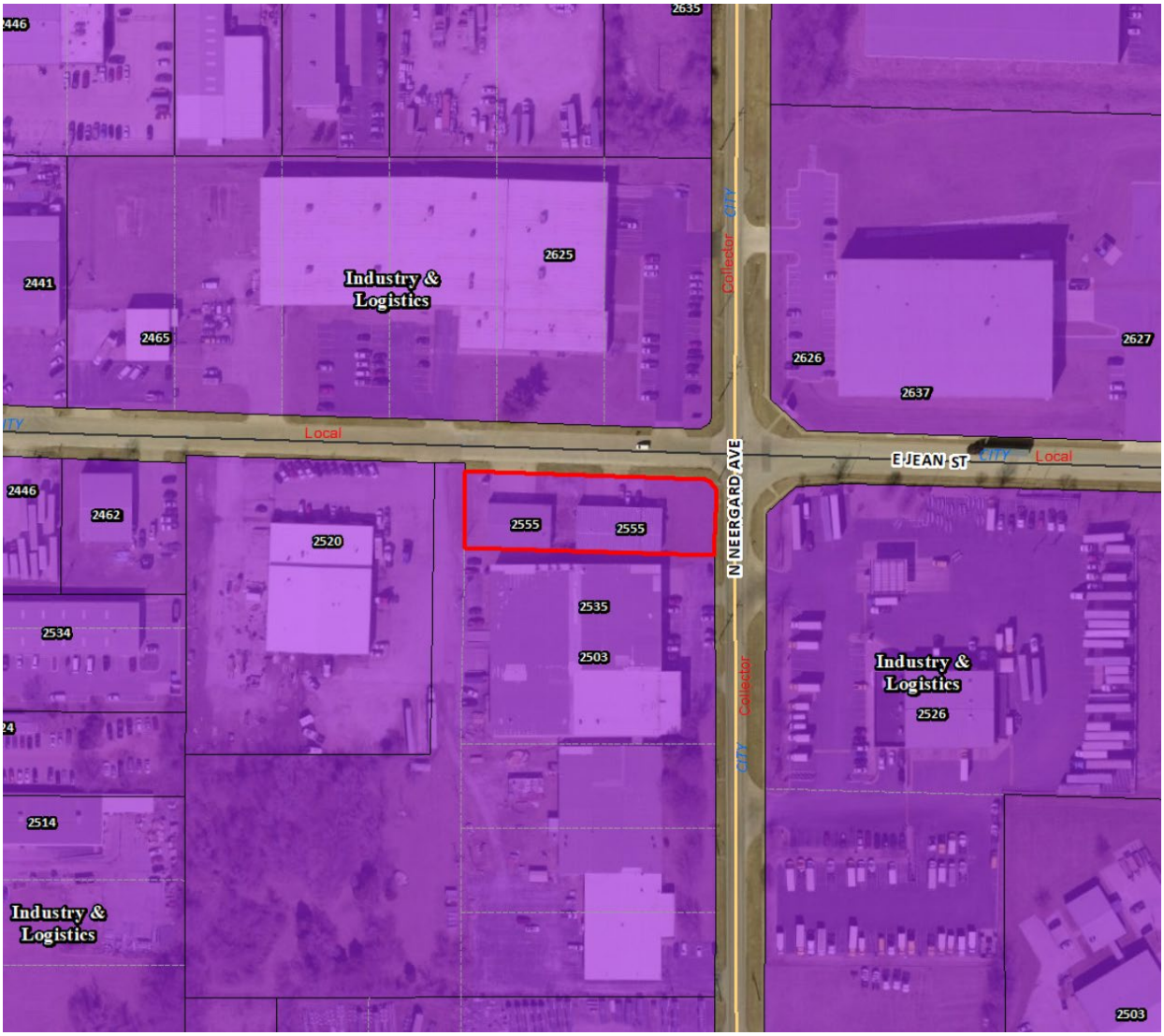
1. Industrial buildings exhibit quality façade designs and site layouts that enhance the character of the area and promote quality development and a sense of place.
2. Site design should discourage the placement or storage of materials and mechanical equipment along major roadways leading to the airport or along major routes into the City or should be completely screened, along with trash receptacles, and recycling bins.
3. Lighting, landscaping, signage, mail, and delivery accommodations are be proactively incorporated into the site design.
4. Industrial parks contain integrated paths and outdoor recreation areas that are used as amenities by employees.
5. Entrances into industrial parks are clearly marked with monument signage and landscaping.
6. Public art, gateway signage, and landscaping are incorporated into the
7. streetscape leading to and from the airport and interstate interchanges to
8. create a lasting, positive image of the community.

TRANSITIONS

1. Industrial uses are well screened and buffered when located near lower
2. intensity commercial or residential areas to reduce potential negative visual and noise impacts.

3. Less intense support sales, service, and supply of goods related to heavier manufacturing operations, airport, and other logistical operations are integrated along secondary roadways and around the periphery.

FUTURE PLACETYPE MAP:



DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:

SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	GM	GM	GM	GM
LAND USE	Manufacturing uses	Manufacturing uses	Manufacturing uses	Manufacturing uses

DEPARTMENT COMMENTS:

1. DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:
   No comments.

2. CITY UTILITIES:
   No issues with the proposed rezoning or COD language.

3. DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:
   a. No issues with rezoning. Public sewer is available to the property.

4. FIRE DEPARTMENT:
   No comments.

5. DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

   SITE DESCRIPTION & DRAINAGE PATTERN
   No existing detention or water quality Stormwater Control Measures are present. The property is in the **South Dry Sac** 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 has no concerns for the proposed Rezoning or COD language. 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.

   WATER QUALITY REQUIREMENTS
   N/A

   FLOODPLAIN
   N/A

   NATURAL CHANNEL & STREAM BUFFERS
   N/A

   SINKHOLES & KARST FEATURES
   N/A

   ADDITIONAL STORMWATER REQUIREMENTS
   N/A

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. Neergard Avenue	Collector	City	30	30	NA	No	Yes	No
Street 2	E. Jean Street	Local	City	25	30	NA	Yes	Yes	No

ACCESS - 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 Trail near the property. There are no bus stops near the property.

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

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 0.68 acre of property from GM, General Manufacturing District to IC, Industrial Commercial District and establishing a new Conditional Overlay District No. 243. The applicant intends to establish a used car sales business.

2. The 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. Areas zoned IC are intended to be located primarily at major intersections in or adjacent to industrial areas and on land that is designated as a mixed industrial/commercial use area in the comprehensive plan.

3. The proposed Conditional Overlay District will require perimeter landscaping to be triggered when the site is redeveloped. The landscape plantings along Neergard Avenue and Jean Street shall consist of at least one canopy tree, understory, ornamental, or evergreen trees; and four shrubs per 100 linear feet of street frontage.

4. The subject property is located along Neergard Avenue which is classified as a collector roadway and Jean Street which is a local roadway, respectively.

5. 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.

6. There are no known changing conditions in the area affected that make the proposed rezoning necessary.

7. The range of uses in the proposed IC district and COD are compatible with the uses permitted on other property in the immediate vicinity.

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 of the proposed uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity.

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.

12. The proposed rezoning was reviewed by City departments and comments are contained in the staff report (above).

13. The applicant held a neighborhood meeting on October 18, 2023, regarding the rezoning request. A summary of the meeting is attached (Attachment 2).

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

STAFF RECOMMENDATION:

1. Staff recommends approval of the rezoning request based on its compatibility with the *Comprehensive Plan's* Industry & Logistics Placetype.

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.

ATTACHMENT 1
Conditional Overlay District No. 243

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. Perimeter landscaping:
    a. Perimeter landscaping shall be provided along Neergard Avenue and Jean Street for any change of use, building permit or subdivision of the property. The plantings within the perimeter landscape area shall consist of at least one canopy tree, one understory, ornamental, or evergreen tree and four shrubs per 100 linear feet of street frontage.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: General Manufacturing to Industrial
   (existing zoning) *(proposed zoning)*
2. Meeting Date & Time: October 18, 2023 4:00 pm To 6:30pm
3. Meeting Location: 2555 N. Neergard
4. Number of invitations that were sent: 26 To 500' 10 Envelopes To 185'
5. How the mailing list was generated: Got Labels From Planning & Zoning
6. Number of neighbors in attendance (attach a sign-in sheet): 0 Attended
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, Barbara Lorenz (*print name*), attest that the neighborhood meeting was held on 10-18-2023 (*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."

Barbara - Barbara Lorenz
Signature of person completing affidavit

Barbara Lorenz
Printed name of person completing affidavit

EXPLANATION TO COUNCIL BILL 2023-295 (MCGULL)

FILED: 12/29/2023

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 1.70 acres of property generally located at 1650 South Ingram Mill Road, from GR, General Retail District, to CS, Commercial Service District, with Conditional Overlay District No. 244; establishing Conditional Overlay District No. 244; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: J&M Tillman, LLC; 1650 South Ingram Mill Road; Z-31-2023 with Conditional Overlay District No. 244)

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.70 acres of property generally located at 1650 South Ingram Mill Road from GR, General Retail District to a CS, Commercial Service District with Conditional Overlay District No. 244 (Staff and Planning and Zoning Commission recommend approval).

BACKGROUND INFORMATION:
ZONING CASE NUMBER Z-31-2023/ CONDITIONAL OVERLAY DISTRICT NO. 244

The applicant is requesting to rezone approximately 1.70 acres of property generally located at 1650 South Ingram Mill Road from GR, General Retail District to a CS, Commercial Service District with Conditional Overlay District No. 244. The applicant intends to build a commercial development.

This application is consistent with the Comprehensive Plan's supporting land uses for the mixed residential placetype as being appropriate for low-intensity neighborhood commercial uses.

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

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

FINDINGS FOR STAFF RECOMMENDATION:
1. The applicant is requesting to rezone approximately 1.70 acres of property generally located at 1650 South Ingram Mill Road from GR, General Retail District to a CS, Commercial Service District with Conditional Overlay District No. 244. The applicant intends to build a commercial development.

2. The Comprehensive Plan's Land Use & Development chapter identifies the subject property as the Mixed Residential placetype.

3. This application is consistent with the Mixed Residential placetype which recommends developments that are prioritized and supported in locations adjacent to major employment centers, activity centers, healthcare facilities, higher education facilities, schools, major parks, greenways, recreational facilities, and existing city corridors in need of an expanded customer-base and reinvestment.

4. The subject property is located near the Sunshine and U.S. Highway 65 intersection and activity center. These areas are intended to be locations of business and high-end housing development and that development be concentrated in and around activity centers so as to optimize transportation investments and compact growth pattern.

5. The proposed COD limits more intense uses which will lower the impact to surrounding properties. The COD prohibits the retail sales use group which is allowed in the current zoning when a traffic study is conducted.

6. This application is consistent with the Comprehensive Plan's supporting land uses for the mixed residential placetype as being appropriate for low-intensity neighborhood commercial uses.

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.

8. There are few changing conditions in the area affected that make the proposed rezoning necessary.

9. The range of uses in the proposed CS district and COD are compatible with the uses permitted on other property in the immediate vicinity.

10. 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.

11. The impact of the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic, or reduce traffic safety in the vicinity.

12. 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.

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 Mixed Residential neighborhood 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-31-2023 COD 244 _Ord
2. COD_exhA
3. Legal Description_exhB
4. ROP_exhC
5. Staff Report_exhD

One-rdg. _____
P. Hrngs. X
Pgs. 24
Filed: 12-05-23

Sponsored by: McGull

First Reading: _____ Second Reading: _____

COUNCIL BILL 2023-295 GENERAL ORDINANCE _____

AN ORDINANCE

AMENDING the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.70 acres of property generally located at 1650 South Ingram Mill Road, from GR, General Retail District, to CS, Commercial Service District, with Conditional Overlay District No. 244; establishing Conditional Overlay District No. 244; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.)

WHEREAS, an application has been filed for a zoning change of the property generally located at 1650 South Ingram Mill Road, from GR, General Retail District, to CS, Commercial Service District, with Conditional Overlay District No. 244; and

WHEREAS, Conditional Overlay District No. 244 shall modify the requirements of the Springfield Land Development Code Section 36-423, CS, Commercial Service District, by requiring that the property described in "Exhibit B" comply with the requirements described in "Exhibit A"; and

WHEREAS, following proper notice, the Planning and Zoning Commission held a public hearing on November 9, 2023, a copy of the Record of Proceedings from said public hearing being attached hereto and incorporated herein by this reference as "Exhibit C," and said Commission made its recommendation; and

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

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

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

Section 1 – The property described in "Exhibit B," which is attached hereto and incorporated herein by this reference, is hereby rezoned from GR, General Retail District, to CS, Commercial Service District, with Conditional Overlay District No. 244. Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' is hereby amended, changed, and modified consistent with this Ordinance.

Section 2 – City Council hereby establishes Conditional Overlay District No. 244, which shall contain the requirements and standards provided in "Exhibit A," which is attached hereto and incorporated herein by this reference as though set forth herein. The requirements of Conditional Overlay District No. 244 shall modify the requirements of the Springfield Land Development Code Section 36-423, CS, Commercial Service District, by requiring the property described in "Exhibit B" comply with the requirements contained in "Exhibit A."

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

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

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

Passed at meeting: _____

_____
Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: _____, Assistant City Attorney

Approved for Council action: _____, City Manager

EXHIBIT A

CONDITIONAL OVERLAY DISTRICT PROVISIONS NO. 244

The requirements of Section 36-423 of the Springfield Zoning Ordinance shall be modified herein for development within this district to include the following:

The following uses are prohibited:

(a) Any residential dwellings existing at the time the district is mapped.
(b) Ambulance services.
(c) Auction sales, entirely within enclosed buildings, and swap meets.
(d) Automobile service garages, including body and fender repair and paint shops.
(e) Automobile service stations.
(f) Automobile washing businesses, including automatic, coin-operated, and moving-line facilities.
(g) Awning and canvas sales and rental.
(h) Bus stations.
(i) Campgrounds and recreational vehicle parks.
(j) Cemeteries.
(k) Churches and other places of worship, including parish houses, and Sunday schools.
(l) Commercial gardens and/or farmers markets with retail and/or wholesale sales on-site.
(m) Commercial off-street parking lots and structures.
(n) Commercial outdoor recreation use group.
(o) Construction equipment storage yards.
(p) Day care centers
(q) Eating and drinking establishments use group.
(r) Entertainment-oriented use group.
(s) Feed stores.
(t) Frozen food lockers, for use by the general public.
(u) Funeral homes, mortuaries, and crematoriums.
(v) General office use group.
(w) Medical office/retail sales combinations.
(x) Glass and mirror retail sales.
(y) Household resource recovery collection centers
(z) Manufactured housing (mobile home) and trailer sales, leasing, service, and storage. (aa) Medical marijuana cultivation facility when not located adjacent to or across the street from any residential district. No facility shall be located within 1,000 feet of a then-existing elementary or secondary school, child day care center, church and, as prescribed and subject to all other requirements in section 36-474, medical marijuana facilities.
(bb) Medical marijuana dispensary facility.
(cc) Medical marijuana-infused products manufacturing type 2 post-extraction facility.
(dd) Medical office use group.
(ee) Monument sales.
(ff) Newspaper and magazine distribution agencies.

(gg) Nurseries, greenhouses, and garden stores.
(hh) Police and fire stations.
(ii) Private clubs and lodges.
(jj) Public and private parks, playgrounds, and golf courses, including miniature golf courses and driving ranges.
(kk Public or private vehicle and boat storage garages, yards, or lots.
(ll) Public service and public utility uses, as follows:
1. Tier I wireless facilities
2. Tier III wireless facilities
3. Tier IV wireless facilities
4. Water reservoirs, water standpipes, and elevated and ground-level water storage tanks.
(mm) Retail sales use group. (nn) Repair shops, small-engine.
(oo) Schools or development centers for persons with handicaps or development disabilities.
(pp) Schools, business and industrial. (qq) Self-service storage facilities.
(rr) Short-term rental type 3
(ss) Substance abuse treatment facilities for 50 or fewer residents, provided the facility:
1. Is located at least 2,000 feet from any other substance abuse treatment facility, or 2,000 feet from any emergency shelter, soup kitchen, transitional service shelter or community corrections facility, as measured from property lines; and
2. A plan of operation, including, but not limited to: administration contact information, patron access requirements, hours of operations and security measures, is on file with the City of Springfield Planning and Development Department.
(tt) Taxi dispatch yards and offices.
(uu) Temporary uses
(vv) Temporary vendors
(ww) Towers other than wireless facilities, less than 100 feet in height and related facilities.
(xx) Overnight shelters or transitional service shelters for 50 or fewer residents, which are located at least 500 feet from a residential district, as measured from property lines provided that no overnight shelter or transitional service shelter shall locate within a 2,000-foot radius of another transitional service shelter, soup kitchen, overnight shelter, substance abuse treatment facility or community correctional facility as measured from property lines, in accordance with subsection 36-363(10)(b)5. In no event shall a certificate of occupancy be issued for a transitional service shelter herein if it is less than 1,000 feet from an elementary or secondary school as measured from property lines.
(yy) Truck stops.
(zz) Veterinary clinics, animal hospitals and outdoor kennels provided that at the time the use is established any outdoor activities are clearly accessory to the primary use and provided that no outdoor activities are located closer than a 300-foot radius from a building used for a church, school, hotel, motel, or restaurant, or from a property zoned residential or a building used for residential purposes.
(aaa) Wholesale sales use group.
(bbb) Swimming pool sales & display

EXHIBIT B

LEGAL DESCRIPTION
ZONING CASE Z-31-2023 COD No. 244

BEGINNING AT A POINT 76.5 FEET NORTH AND 20 FEET EAST OF THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER {SW¼) OF THE SOUTHWEST QUARTER {SW¼) OF SECTION TWENTY-SEVEN (27), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-ONE {21), SAID POINT BEING THE INTERSECTION OF THE EAST LINE OF INGRAM MILL ROAD AS NOW USED AND THE RIGHT-OF-WAY LINE OF U.S. HIGHWAY 65; THENCE NORTH A DISTANCE OF 1252.77 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER {SW¼) OF THE SOUTHWEST QUARTER (SW¼), SAID POINT BEING 20 FEET EAST OF THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER {SW¼) OF THE SOUTHWEST QUARTER {SW¼); THENCE EAST ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER (SW¼) OF THE SOUTHWEST QUARTER (SW¼), A DISTANCE OF 52.5 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 65; THENCE SOUTHEASTERLY AND MAKING AN ANGLE OF 82°41' TO THE RIGHT OF THE NORTH LINE OF THE SOUTHWEST QUARTER {SW¼) OF THE SOUTHWEST QUARTER {SW¼) AND ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID HIGHWAY, A DISTANCE OF 410.4 FEET; THENCE SOUTHWESTERLY ALONG SAID RIGHT-OF-WAY MAKING AN ANGLE OF 7°01' TO THE RIGHT WITH THE LAST DESCRIBED COURSE, A DISTANCE OF 806.5 FEET; THENCE SOUTHWESTERLY ALONG SAID HIGHWAY RIGHT-OF-WAY LINE MAKING AN ANGLE OF 64°11' TO THE RIGHT WITH THE LAST DESCRIBED COURSE, A DISTANCE OF 89.05 FEET TO THE POINT OF BEGINNING, BEING A PART OF THE SOUTHWEST QUARTER {SW¼) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION TWENTY-SEVEN (27), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-ONE (21), IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI EXCEPT THE FOLLOWING:
BEGINNING AT A POINT 76.5 FEET NORTH AND 20 FEET EAST OF THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW¼) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION TWENTY-SEVEN (27), TOWNSHIP TWENTY-NINE {29), RANGE TWENTY-ONE {21), SAID POINT BEING THE INTERSECTION OF THE EAST LINE OF INGRAM MILL ROAD AS NOW USED AND THE RIGHT-OF-WAY LINE OF U.S. HIGHWAY 65; THENCE NORTH A DISTANCE OF 363.5 FEET; THENCE EAST TO THE RIGHT-OF-WAY LINE OF U.S. HIGHWAY 65; THENCE SOUTH ALONG SAID RIGHT-OF-WAY LINE TO A CONCRETE RIGHT-OF-WAY MONUMENT; THENCE SOUTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 89.05 FEET TO THE POINT OF BEGINNING, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

EXHIBIT C

RECORD OF PROCEEDING
ZONING CASE Z-31-2023 COD No. 244

Z-31-2023 w/COD 244
1650 South Ingram Mill Road
Applicant: J&M Tillman, LLC

Mr. Hosmer stated that this is a request to rezone approximately 1.70 acres of property from GR, General Retail District to a CS, Commercial Service District with Conditional Overlay District No. 244.

Mr. Knuckles asked what they could do on the site within the zoning classification.

Ms. Stephanie Ireland, 1908 E. Sunshine Street and representing the owner. The items that are left in the zoning are general office/warehouse combination as long as the warehouse is not over 85% of the gross building floor plan and went over the items.

Natalie Broekhoven closed the public hearing.

Planning and Zoning Commission Board Member Lebeck moved to approve Z-31-2023 w/COD 244 and Commissioner Colony seconded the motion, and it was passed with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Scott, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Britton Jobe. Abstain: None.

Bob Hosmer, AICP
Planning Manager

Exhibit D

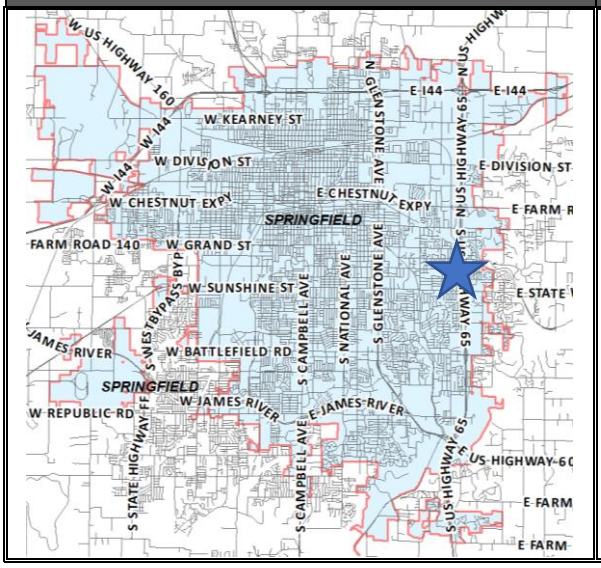
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-31-2023 with Conditional Overlay District No. 244
Location:	1650 South Ingram Mill Road
Total Acres:	1.70
Applicant:	J&M Tillman, LLC
Existing Land Use:	Undeveloped land
Neighborhood Meeting:	October 18, 2023
Planning and Zoning Commission:	November 9, 2023
City Council:	December 11, 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-31-2023 with Conditional Overlay District No. 244 as set forth in Attachment 1 (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 1.70 acres of property generally located at 1650 South Ingram Mill Road from GR, General Retail District to a CS, Commercial Service District with Conditional Overlay District No. 244.

LOCATION MAP	ZONING MAP
	

DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:

GOOGLE STREETVIEW:

DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

In December 1990, City Council approved General Ordinance No. 4178 rezoning the subject property from R-1, One-family District to Planned Development No. 129.

In November 2017, the subject property was rezoned from PD No. 129 to GR with COD No. 135.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

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

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

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR CS
Minimum Yard Requirements	1.Front yard: None. 2.Side yard: None, except as required by the bufferyard requirements in subsection (8). 3.Rear yard: None, except as required by the bufferyard requirements.
Maximum Structure Height	None, except that all structures shall remain below a 30-degree bulk plane as measured from the boundaries of R-SF or R-TH districts.
Minimum Open Space	Not less than 15 percent.
Buffering and Landscaping	Whenever any development in a CS district is located adjacent to a different zoning district, screening and a bufferyard shall be provided in accordance with sections

	36-480, screening and fencing, and 36-482, landscaping and bufferyards.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Mixed Residential neighborhood placetype. The Mixed Residential placetype contains primarily higher density single-family attached and multi-family residential dwellings. This includes townhomes, rowhomes, duplexes, apartments, student housing, and single-family detached homes that have been converted into multiunit dwellings. Residential uses are supported by key cultural and institutional centers, such as schools and places of worship. Housing for university and college students, young professionals looking for housing close to work, and seniors desiring to downsize are prioritized within this placetype. Encouraging investment to enhance existing properties as well as attracting new high-quality development with attention to scale and building design is a key focus to ensure desirable character within the placetype.

Primary Land Uses:
1. Single-family attached
2. Single-family detached
3. Multi-family

Supporting Land Uses:
1. Parks, greenways, and open space
2. Low-intensity urban agriculture
3. Public and private schools and places of worship
4. Low-intensity neighborhood commercial

Characteristics

TRANSPORTATION & INFRASTRUCTURE:
1. Access management is improved for vehicles through curb cut consolidation and cross-access between properties, reducing traffic conflicts and backups.
2. Electric vehicle charging facilities, pedestrian and bicycle infrastructure, and automated vehicle parking and loading spaces are integrated along major corridors and integrated into private development plans.
3. Traffic-calming measures, such as speed-humps, bump-outs, roundabouts, landscaped chicanes with integrated stormwater management, and on-street parking are used to slow traffic.
4. Quality of place and identity is enhanced through preserving and planting trees, and other landscaping and traffic calming improvements are made that double as streetscape elements.
5. As technology, trends, and funds permit, utilities are buried or are consolidated along rear property lines, reducing conflicts with street trees, pedestrian infrastructure, and viewsheds.

6. Sidewalk gaps are filled, and sidewalks connect to transit routes, greenways and trails, and supportive uses located within the neighborhood and around the perimeter.
7. Transit service is expanded along key commercial corridors over the long term with bus stops enhanced with shelters and live timetables.
8. Street network is well-connected, designed for slow traffic, and includes pedestrian facilities.
9. The higher density nature of the placetype prioritizes these areas for future transit access and Transit-Oriented Development (TOD) as the City looks to expand the system in the long term.
10. Best management practices for stormwater management are required in development projects and within public rights-of-way, such as permeable paving, rain gardens, green roofs, native landscaping, and other low impact design strategies.

URBAN DESIGN - BUILDING AND SITE TYPOLOGY:

1. Residential development and neighborhood-scale commercial buildings are oriented to the street and focus on pedestrian scale.
2. Parking is to be located behind or beside the primary buildings with abundant landscaping and screening. Pedestrian pathways to provide safe access to business entrances.
3. Preservation of neighborhood schools and adaptive reuse of existing residential and non-residential structures is encouraged.
4. New structures reflect the character and context of the historic neighborhood fabric and developed area.
5. A greater focus on site design, parking access, massing, and building orientation are adopted to ensure new development is complementary to adjacent lower density residential development.
6. Multi-story buildings designed with active ground floor spaces are visible and inviting to the pedestrian with transparent, glass windows and doors.
7. Quality materials, construction methods, workmanship, and design are incorporated into new development and redevelopment.
8. A mix of building heights is supported through structured site and building design strategies to soften the impact on adjacent lower intensity residential development.
9. The main entrance of new development is oriented towards the primary street.
10. Windows, balconies, and porches are encouraged on upper stories to provide informal security with “eyes on the street” and activation.
11. Lighting, signage, landscaping, mail, and delivery accommodations are proactively incorporated into the site design.
12. Mechanical equipment, trash receptacles, and recycling bin storage areas are fully screened or located away from major roadway view.

TRANSITIONS:

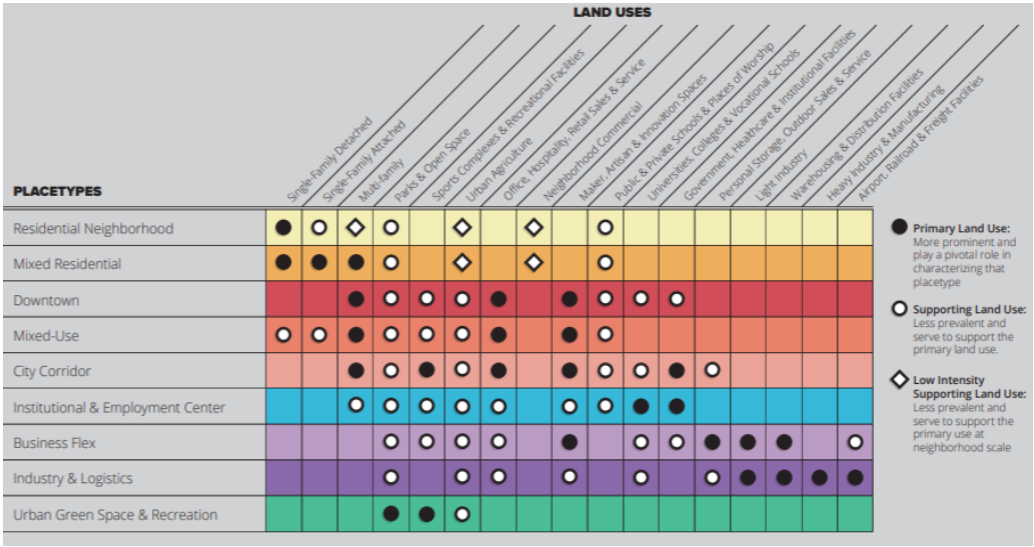
1. Mixed Residential Placetypes near the Downtown and city corridors help generate activity and increase access to local shoppers, while providing high-quality, affordable housing options.
2. Mixed Residential developments are prioritized and supported in locations adjacent to major employment centers, activity centers, healthcare facilities, higher education

facilities, schools, major parks, greenways, recreational facilities, and existing city corridors in need of an expanded customer-base and reinvestment.

3. Higher density residential is sufficiently screened and buffered from lower density uses.

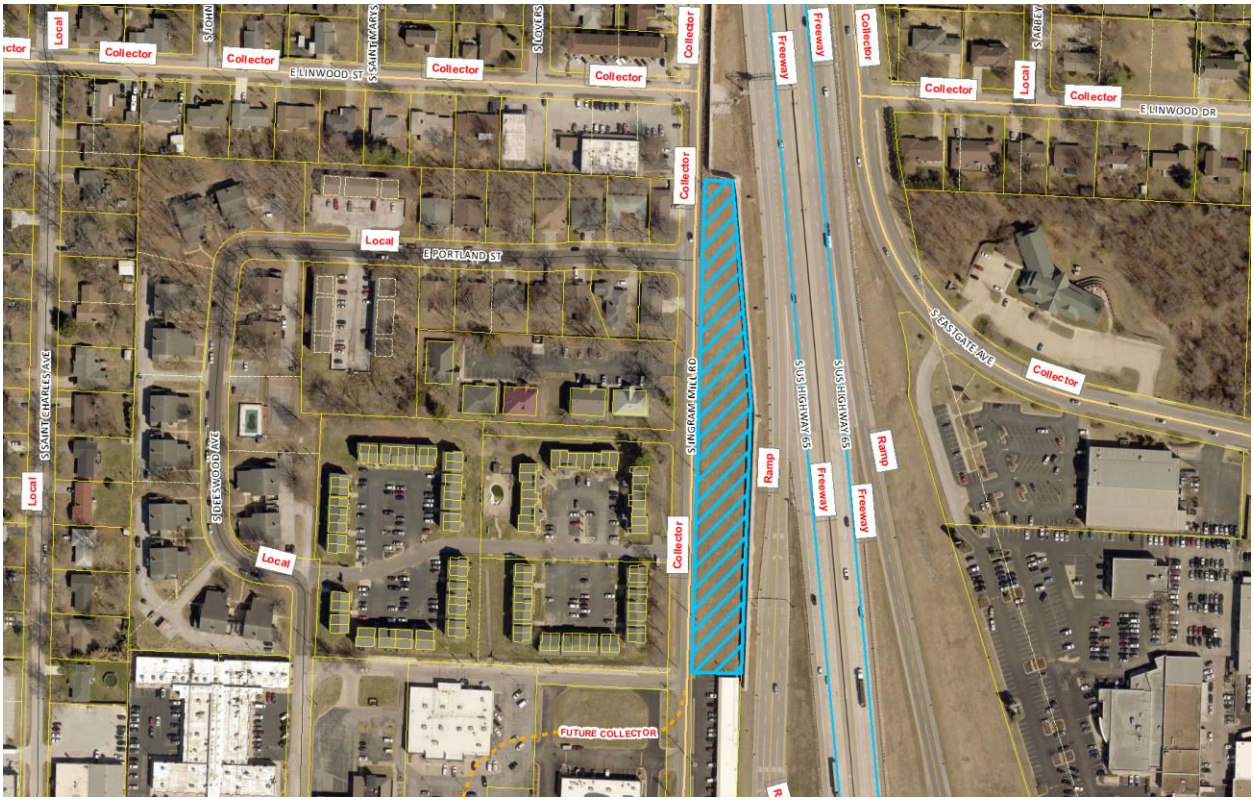
DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:



DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	N/A	HC	HC, PD 210	R-LD, PD 105, R-TH
LAND USE	U.S Hwy 65	Commercial uses	Car sales, commercial uses, U.S. Hwy 65	Multi-family residential, single-family uses and office uses.
PLACETYPES	N/A	City Corridor	City Corridor	Mixed Residential

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues. Tract has access to public sewer.

FIRE DEPARTMENT:

No objections to rezoning.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING 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	S. Ingram Mill Road	Collector	City	30	25	NA	No	Yes	No

ACCESS - There are currently no driveway access points onto the property from S. Ingram Mill Road. 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 S. Ingram Mill Road 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
1.7 acre site drains primarily to the south and should discharge to the MODOT (US 65) ROW. No existing detention or water quality Stormwater Control Measures are present. The property is in the Galloway Creek drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of flooding problems in the 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 change to COD language. 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.

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
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 1.70 acres of property generally located at 1650 South Ingram Mill Road from GR, General Retail District to a CS, Commercial Service District with Conditional Overlay District No. 244. The applicant intends to build a commercial development.

2. The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Mixed Residential placetype.

3. This application is consistent with the Mixed Residential placetype which recommends developments that are prioritized and supported in locations adjacent to major employment centers, activity centers, healthcare facilities, higher education facilities, schools, major parks, greenways, recreational facilities, and existing city corridors in need of an expanded customer-base and reinvestment.

4. The subject property is located near the Sunshine and U.S. Highway 65 intersection and activity center These areas are intended to be locations of business and high-end housing development and that development be concentrated in and around activity centers so as to optimize transportation investments and compact growth pattern.

5. The proposed COD limits more intense uses which will lower the impact to surrounding properties. The COD prohibits the retail sales use group which is allowed in the current zoning when a traffic study is conducted.

6. This application is consistent with the Comprehensive Plan's supporting land uses for the mixed residential placetype as being appropriate for low-intensity neighborhood commercial uses.

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.

8. There are few changing conditions in the area affected that make the proposed rezoning necessary.

9. The range of uses in the proposed CS district and COD are compatible with the uses permitted on other property in the immediate vicinity.

10. 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.

11. The impact of the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity.

12. 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.

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

<u>STAFF RECOMMENDATION:</u>

1. Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Mixed Residential 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.
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.

ATTACHMENT 1

CONDITIONAL OVERLAY DISTRICT PROVISIONS NO. 244

The requirements of Section 36-423 of the Springfield Zoning Ordinance shall be modified herein for development within this district to include the following:

The following uses are prohibited:

(a) Any residential dwellings existing at the time the district is mapped.
(b) Ambulance services.
(c) Auction sales, entirely within enclosed buildings, and swap meets.
(d) Automobile service garages, including body and fender repair and paint shops.
(e) Automobile service stations.
(f) Automobile washing businesses, including automatic, coin-operated, and moving-line facilities.
(g) Awning and canvas sales and rental.
(h) Bus stations.
(i) Campgrounds and recreational vehicle parks.
(j) Cemeteries.
(k) Churches and other places of worship, including parish houses, and Sunday schools.
(l) Commercial gardens and/or farmers markets with retail and/or wholesale sales on-site.
(m) Commercial off-street parking lots and structures.
(n) Commercial outdoor recreation use group.
(o) Construction equipment storage yards.
(p) Day care centers
(q) Eating and drinking establishments use group.
(r) Entertainment-oriented use group.
(s) Feed stores.
(t) Frozen food lockers, for use by the general public.
(u) Funeral homes, mortuaries, and crematoriums.
(v) General office use group.
(w) Medical office/retail sales combinations.
(x) Glass and mirror retail sales.
(y) Household resource recovery collection centers
(z) Manufactured housing (mobile home) and trailer sales, leasing, service, and storage.
(aa) Medical marijuana cultivation facility when not located adjacent to or across the street from any residential district. No facility shall be located within 1,000 feet of a then-existing elementary or secondary school, child day care center, church and, as prescribed and subject to all other requirements in section 36-474, medical marijuana facilities.
(bb) Medical marijuana dispensary facility.
(cc) Medical marijuana-infused products manufacturing type 2 post-extraction facility.
(dd) Medical office use group.
(ee) Monument sales.
(ff) Newspaper and magazine distribution agencies.
(gg) Nurseries, greenhouses, and garden stores.
(hh) Police and fire stations.

(ii) Private clubs and lodges.
(jj) Public and private parks, playgrounds, and golf courses, including miniature golf courses and driving ranges.
(kk Public or private vehicle and boat storage garages, yards, or lots.
(ll) Public service and public utility uses, as follows:
1. Tier I wireless facilities
2. Tier III wireless facilities
3. Tier IV wireless facilities
4. Water reservoirs, water standpipes, and elevated and ground-level water storage tanks.

(mm) Retail sales use group. (nn) Repair shops, small-engine.
(oo) Schools or development centers for persons with handicaps or development disabilities.
(pp) Schools, business and industrial. (qq) Self-service storage facilities.
(rr) Short-term rental type 3
(ss) Substance abuse treatment facilities for 50 or fewer residents, provided the facility:
1. Is located at least 2,000 feet from any other substance abuse treatment facility, or 2,000 feet from any emergency shelter, soup kitchen, transitional service shelter or community corrections facility, as measured from property lines; and
2. A plan of operation, including, but not limited to: administration contact information, patron access requirements, hours of operations and security measures, is on file with the City of Springfield Planning and Development Department.

(tt) Taxi dispatch yards and offices.
(uu) Temporary uses
(vv) Temporary vendors
(ww) Towers other than wireless facilities, less than 100 feet in height and related facilities.
(xx) Overnight shelters or transitional service shelters for 50 or fewer residents, which are located at least 500 feet from a residential district, as measured from property lines provided that no overnight shelter or transitional service shelter shall locate within a 2,000-foot radius of another transitional service shelter, soup kitchen, overnight shelter, substance abuse treatment facility or community correctional facility as measured from property lines, in accordance with subsection 36-363(10)(b)5. In no event shall a certificate of occupancy be issued for a transitional service shelter herein if it is less than 1,000 feet from an elementary or secondary school as measured from property lines.
(yy) Truck stops.
(zz) Veterinary clinics, animal hospitals and outdoor kennels provided that at the time the use is established any outdoor activities are clearly accessory to the primary use and provided that no outdoor activities are located closer than a 300-foot radius from a building used for a church, school, hotel, motel, or restaurant, or from a property zoned residential or a building used for residential purposes.
(aaa) Wholesale sales use group.
(bbb) Swimming pool sales & display.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: General Retail (GR) to Commercial Services with COD
   (existing zoning) *(proposed zoning)*
2. Meeting Date & Time: October 18, 2023 4:00 - 6:30pm
3. Meeting Location: On the site
4. Number of invitations that were sent: 63
5. How the mailing list was generated: from the Planning & Zoning department
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).

   No one attended therefore there are no verbal comments

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

   No one attended therefore no written comments

I, Stephanie D. Ireland (*print name)*, attest that the neighborhood meeting was held on October 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

Stephanie D. Ireland
Printed name of person completing affidavit

EXPLANATION TO COUNCIL BILL 2023-296 (SIMPSON)

FILED: 12/29/2023

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A special ordinance approving the final development plan of Planned Development District No. 12, 12th Amendment, generally located at 1249 East Kingsley Street. (Planning and Zoning Commission and Staff recommend approval.) (By: East Wichita Development, LLC; 1249 E. Kingsley Street; Final Development Plan – Planned Development 12, 12th Amend.)

PURPOSE: Approving the final development plan for Planned Development District No. 12, 12th Amendment generally located at 1249 East Kingsley Street. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION:
PLANNED DEVELOPMENT DISTRICT NO. 379 – FINAL DEVELOPMENT PLAN

The subject property was originally rezoned to Planned Development No. 12 in 1982 and developed with a new restaurant in 1996 and rezoned to Planned Development No. 12, 12th Amendment in 1997. The applicant is proposing to construct a new five-story hotel.

REMARKS:

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

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

FINDINGS FOR STAFF RECOMMENDATION:
1. The applicant is requesting approval of the final development plan of Planned Development No. 12, Amendment 12, on approximately 1.8 acres of property generally located at 1249 E. Kingsley Street for a new five story hotel.

2. The Comprehensive Plan's Land Use & Development chapter identifies the subject property as the City Corridor placetype.

3. A parking easement has been established between the adjoining property owner to the east that allows for a shared off-street parking area. This easement has been in place since the Final Development Plan for Zio's in 1996.

STAFF RECOMMENDATION: The final development plan is in substantial conformity to the Planned Development Ordinance approved by City Council and staff recommends approval.

Submitted By: Daniel Neal, Senior City Planner

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

Attachments:

1. FINAL DEVELOPMENT PLAN OF PLANNED DEVELOPMENT 12_ord
2. Legal Description_exhA
3. ROP _exhB
4. Staff Report_exhC

One-rdg. _____
P. Hrngs. X
Pgs. 15
Filed: 12-05-23

Sponsored by: Simpson

First Reading: _____ Second Reading: _____

COUNCIL BILL 2023-296 SPECIAL ORDINANCE _____

AN ORDINANCE

APPROVING the final development plan of Planned Development District No. 12, 12th Amendment, generally located at 1249 East Kingsley Street. (Planning and Zoning Commission and Staff recommend approval.)

_____

WHEREAS, City Council originally rezoned a certain parcel of land described on "Exhibit A," which is attached hereto and incorporated herein, to Planned Development No. 12 in 1982 and again rezoned to Planned Development No. 12, 12th Amendment in 1997; and

WHEREAS, a final development plan for the above-described tract has been prepared and submitted; and

WHEREAS, on November 9, 2023, the Planning and Zoning Commission conducted a public hearing, a copy of the Record of Proceedings from said public hearing being attached hereto and incorporated herein by this reference as "Exhibit B" and recommended approval of the proposed final development plan.

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

Section 1 – Subject to all regulations and standards of Planned Development District No. 12, 12th Amendment, City Council hereby approves the final development plan as shown in "Exhibit C – Attachment 1," which is attached hereto, and all of "Exhibit C" is incorporated herein by this reference.

Section 2 – This Ordinance shall be in full force and effect from and after passage.

Passed at meeting: _____

_____
Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: _____, Assistant City Attorney

Approved for Council action: _____, City Manager

EXHIBIT A

LEGAL DESCRIPTION
PLANNED DEVELOPMENT 12, 12th AMENDMENT – FINAL DEVELOPMENT PLAN

TRACT II ACCORDING TO THE CERTIFICATE OF APPROVAL FOR ADMINISTRATIVE SUBDIVISON FILE NO. AS-7557 FILED IN BOOK 2018, PAGE 33388-17 AND NOTICE OF SURVEY RECORDING IN SRB-5490 PAGE 2948 FILED IN BOOK 2018, PAGE 33389-18.

ALL THAT PART OF LOT TWO (2) OF BRADFORD PARK SOUTH PHASE THREE IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN EXISTING RIGHT-OF-WAY MARKER ON THE SOUTH RIGHT-OF-WAY LINE OF JAMES RIVER EXPRESSWAY (U.S. HIGHWAY 360), SAID POINT BEING THE COMMON CORNER BETWEEN LOTS ONE (1) AND TWO (2) OF SAID BRADFORD PARK SOUTH PHASE THREE; THENCE NORTH 69°58'02" EAST, ALONG AND WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID JAMES RIVER EXPRESSWAY, A DISTANCE OF 230.10 FEET TO AN EXISTING RIGHT-OF-WAY MARKER; THENCE NORTH 73°55'12" EAST, CONTINUING ALONG AND WITH SAID SOUTH LINE, A DISTANCE OF 218.84 FEET TO AN EXISTING IRON PIN; THENCE SOUTH 39°53'28" EAST, LEAVING SAID SOUTH LINE, A DISTANCE OF 179.63 FEET TO AN EXISTING 60d NAIL; THENCE SOUTH 68°47'11" WEST, A DISTANCE OF 93.03 FEET TO AN EXISTING IRON PIN AND THE POINT OF BEGINNING; THENCE SOUTH 17°31'31" EAST, A DISTANCE OF 222.95 FEET TO AN EXISTING IRON PIN ON THE NORTH RIGHT-OF-WAY LINE OF KINGSLEY AVENUE; THENCE SOUTHWESTERLY, ALONG AND WITH SAID NORTH LINE ON A 551.97 FOOT RADIUS CURVE TO THE LEFT, HAVING A CHORD BEARING OF SOUTH 63°28'57" WEST AND CHORD LENGTH OF 248.73 FEET, AN ARC DISTANCE OF 250.89 FEET; THENCE SOUTH 50°21'54" WEST, CONTINUING ALONG AND WITH SAID NORTH LINE, A DISTANCE OF 11.78 FEET; THENCE SOUTHWESTERLY, ALONG AND WITH A 335.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CHORD BEARING OF SOUTH 58°14'07" WEST AND CHORD LENGTH OF 92.87 FEET, AN ARC DISTANCE OF 93.17 FEET TO AN EXISTING IRON PIN AT THE CORNER BETWEEN LOTS ONE (1) AND TWO (2); THENCE NORTH 08°41'23" WEST, ALONG AND WITH THE COMMON LINE BETWEEN SAID LOTS ONE (1) AND TWO (2), A DISTANCE OF 273.07 FEET TO AN EXISTING IRON PIN; THENCE CONTINUE NORTH 08°41'23" WEST, A DISTANCE OF 7.96 FEET; THENCE NORTH 68°51'43" EAST, A DISTANCE OF 304.04 FEET; THENCE SOUTH 17°31'31" EAST, A DISTANCE OF 7.75 FEET TO THE POINT OF BEGINNING

EXHIBIT A

RECORD OF PROCEEDINGS
Planning and Zoning Commission – November 9, 2023

Final Development Plan of Planned Development 12, 12th Amendment
1249 East Kingsley Street
Applicant: East Wichita Development, LLC

Mr. Neal stated that this is a request to approve the Final Development Plan of Planned Development No. 12, Amendment 12, on approximately 1.8 acres of property for a new five-story hotel.

Mr. Geoff Butler, 4449 E. Valley Road, is the location of the closed Zio's restaurant and wants to build a hotel on the site.

Natalie Broekhoven closed the public hearing.

Planning and Zoning Commission Board Member Knuckles moved to approve Final Development Plan of Planned Development 12, 12th Amendment and Commissioner Pauly seconded the motion, and it was passed with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Scott, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Britton Jobe. Abstain: None.

Bob Hosmer, AICP
Planning Manager

Exhibit C

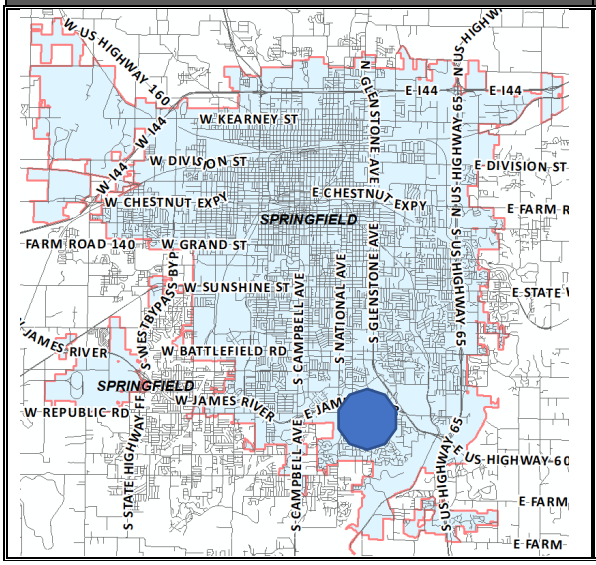
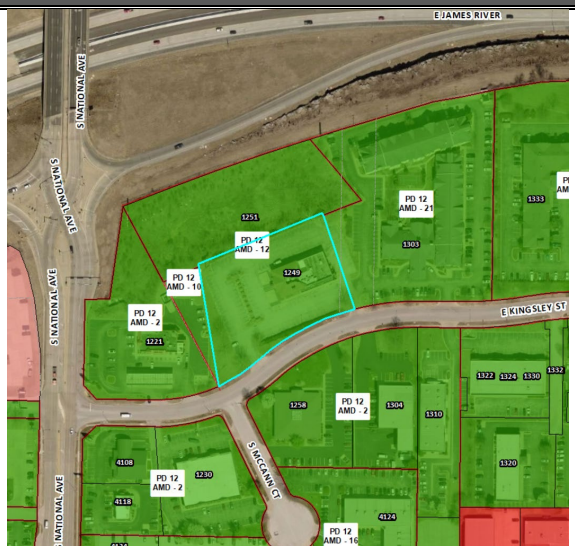
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Final Development Plan – Planned Development 12, 12th Amend.
Location:	1249 E. Kingsley Street
Total Acres:	1.8 acres
Applicant:	East Wichita Development, LLC
Existing Land Use:	Vacant commercial building
Planning and Zoning Commission:	November 9, 2023
City Council:	December 11, 2023
Staff:	Daniel Neal, Senior Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	Move to approve as submitted in 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 approve the final development plan of Planned Development No. 12, Amendment 12, on approximately 1.8 acres of property generally located at 1249 E. Kingsley Street for a new five story hotel.

LOCATION MAP	ZONING MAP
	

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 originally rezoned to Planned Development No. 12 in 1982 and developed with a new restaurant in 1996 and rezoned to Planned Development No. 12, 12th Amendment in 1997.

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.

ZONING ORDINANCE REQUIREMENTS:

Sec. 36-405 (9), states in part:

(e) *Action by planning and zoning commission.* Within 45 days following the submission by the applicant or referral from the administrative review committee of a complete application for the final development plan, or such longer period as may be agreed to by the applicant, the planning and zoning commission shall review the plan with respect to its conformity to the approved preliminary development plan; with respect to the merit or lack of merit of any departure of the final development plan from substantial conformity with the preliminary development plan; and with respect to compliance of the final development plan with any conditions imposed by approval of the preliminary development plan, and with the provisions of this article and all other applicable federal, state and city codes, ordinances and regulations.

If the planning and zoning commission finds that there is substantial conformity between such plans and shall further find the final development plan to be in all other respects complete and in compliance with any conditions imposed by approval of the preliminary development plan, and with the provisions of this article and all other applicable, federal, state and city codes, ordinances and regulations, it shall approve the final development plan. Planning and zoning commission action shall constitute final approval of the final development plan.

If the planning and zoning commission shall find that the final development plan lacks substantial conformity to the preliminary development plan but merits approval

notwithstanding such lack of conformity, it shall transmit such plan to the city council together with its recommendation that the final development plan be approved.

In any case, where the planning and zoning commission finds that the final development plan lacks substantial conformity to the preliminary development plan and does not merit approval, it shall transmit such plan to the city council, together with its recommendation that the final development plan not be approved. The failure of the commission to act within the aforesaid time period shall be deemed a recommendation to the city council to deny the final development plan as submitted.

(f) *Action by city council.* Within 45 days, or such longer period as may be agreed to by the applicant, following the action of the planning and zoning commission, or its failure to act as provided, the city council shall either refuse to approve the final development plan, shall refer it back to the planning commission for further consideration of specified matters; or shall, by ordinance duly adopted, approve the final development plan, with or without modifications to be accepted by the applicant, as a condition of such approval. The failure of the city council to act within the aforesaid time period shall be deemed a final denial of final development plan approval.

(g) *Notice and recording of final development plan.* Within seven days following the final disposition of an application for final development plan approval, the secretary of the planning and zoning commission shall mail notice thereof to the applicant and to all city officials, departments, bureaus, boards and commissions whose duties might be affected by such disposition. When a final development plan is approved, the secretary shall, within ten days of its approval, file a copy of the entire final development plan in the permanent records of the planning and zoning commission.

DEPARTMENT COMMENTS:

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues with Final Development Plan.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues with FDP. Tract is served by public sewer.

FIRE DEPARTMENT:

No comments.

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING 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	E. Kingsley Street	Local	City	25	30	NA	Yes	No	No

ACCESS - All access to the development shall be per current City of Springfield standards for the street classification.

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There are no Greenway Trail near the property. There is one bus stop near the property on S. National Avenue.

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

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN
The property is in the **Ward Branch** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is not** aware of flooding problems in the 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 **is not applicable because detention is already provided.**

PW Stormwater has no concerns for the Final Development 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 Detention is provided by the Bradford Park South Ph3 Regional Basin. No detention improvements are required.

WATER QUALITY REQUIREMENTS
1. The proposed development site plan is showing under 1 acre of disturbance. No Water Quality is required the proposed development.

FLOODPLAIN
N/A

DEVELOPMENT REVIEW STAFF REPORT

NATURAL CHANNEL & STREAM BUFFERS
N/A

SINKHOLES & KARST FEATURES
N/A

ADDITIONAL STORMWATER REQUIREMENTS
N/A

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting approval of the final development plan of Planned Development No. 12, Amendment 12, on approximately 1.8 acres of property generally located at 1249 E. Kingsley Street for a new five story hotel.

2. A final development plan in Planned Development 12 requires recommendation by Planning and Zoning Commission and approval by City Council.

3. A parking easement has been established between the adjoining property owner to the east that allows for a shared off-street parking area. This easement has been in place since the Final Development Plan for Zio's in 1996.

STAFF RECOMMENDATION:

1. The final development plan is in substantial conformity to the Planned Development Ordinance approved by City Council and staff recommends approval.

LEGAL DESCRIPTION:

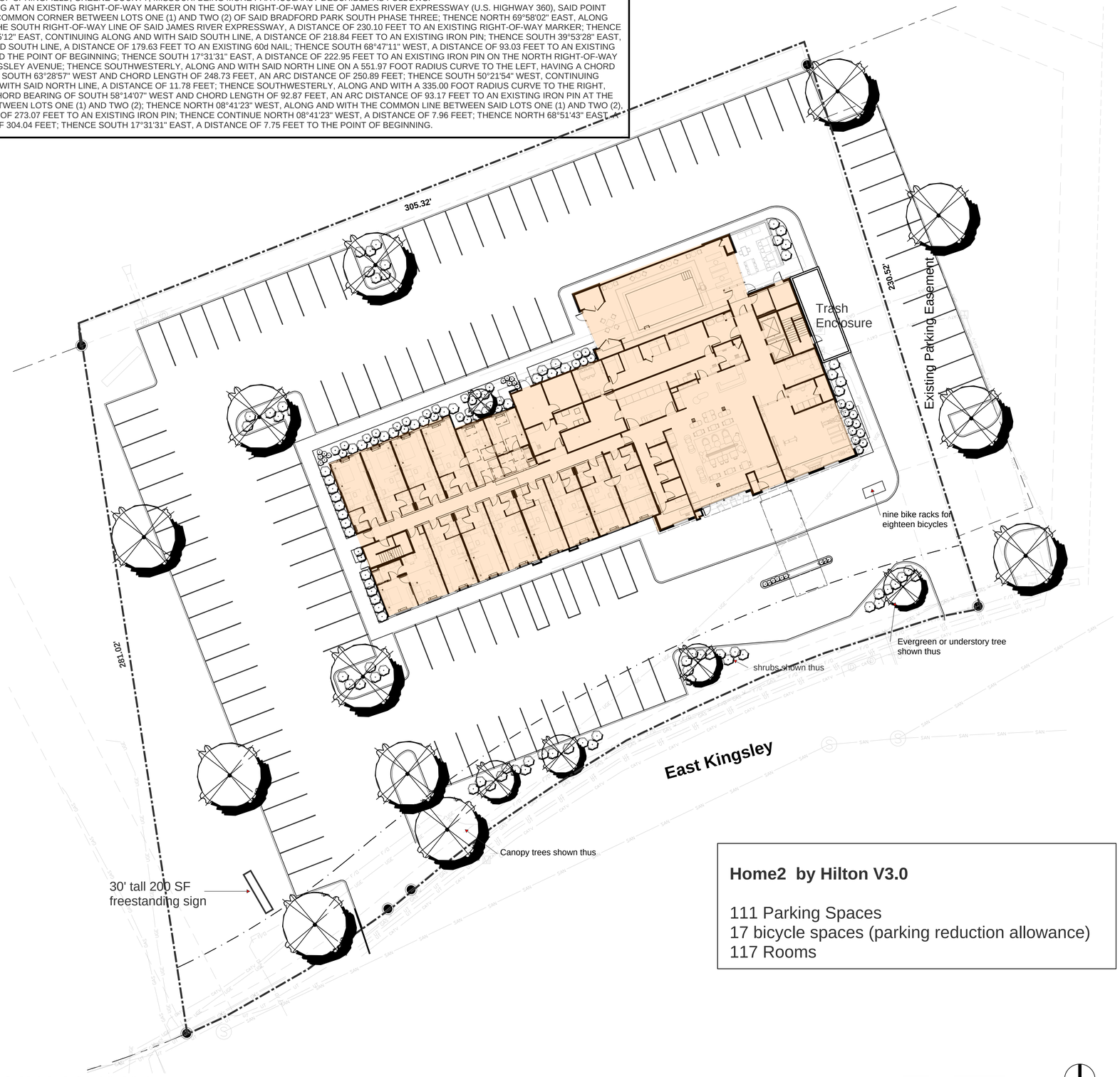
TRACT II ACCORDING TO THE CERTIFICATE OF APPROVAL FOR ADMINISTRATIVE SUBDIVISON FILE NO. AS-7557 FILED IN BOOK 2018, PAGE 33388-17 AND NOTICE OF SURVEY RECORDING IN SRB-5490 PAGE 2948 FILED IN BOOK 2018, PAGE 33389-18 ALL THAT PART OF LOT TWO (2) OF BRADFORD PARK SOUTH PHASE THREE IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN EXISTING RIGHT-OF-WAY MARKER ON THE SOUTH RIGHT-OF-WAY LINE OF JAMES RIVER EXPRESSWAY (U.S. HIGHWAY 360), SAID POINT BEING THE COMMON CORNER BETWEEN LOTS ONE (1) AND TWO (2) OF SAID BRADFORD PARK SOUTH PHASE THREE; THENCE NORTH 69°58'02" EAST, ALONG AND WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID JAMES RIVER EXPRESSWAY, A DISTANCE OF 230.10 FEET TO AN EXISTING RIGHT-OF-WAY MARKER; THENCE NORTH 73°55'12" EAST, CONTINUING ALONG AND WITH SAID SOUTH LINE, A DISTANCE OF 218.84 FEET TO AN EXISTING IRON PIN; THENCE SOUTH 39°53'28" EAST, LEAVING SAID SOUTH LINE, A DISTANCE OF 179.63 FEET TO AN EXISTING 60d NAIL; THENCE SOUTH 68°47'11" WEST,

A DISTANCE OF 93.03 FEET TO AN EXISTING IRON PIN AND THE POINT OF BEGINNING; THENCE SOUTH 17°31'31" EAST, A DISTANCE OF 222.95 FEET TO AN EXISTING IRON PIN ON THE NORTH RIGHT-OF-WAY LINE OF KINGSLEY AVENUE; THENCE SOUTHWESTERLY, ALONG AND WITH SAID NORTH LINE ON A 551.97 FOOT RADIUS CURVE TO THE LEFT, HAVING A CHORD BEARING OF SOUTH 63°28'57" WEST AND CHORD LENGTH OF 248.73 FEET, AN ARC DISTANCE OF 250.89 FEET; THENCE SOUTH 50°21'54" WEST, CONTINUING ALONG AND WITH SAID NORTH LINE, A DISTANCE OF 11.78 FEET; THENCE SOUTHWESTERLY, ALONG AND WITH A 335.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CHORD BEARING OF SOUTH 58°14'07" WEST AND CHORD LENGTH OF 92.87 FEET, AN ARC DISTANCE OF 93.17 FEET TO AN EXISTING IRON PIN AT THE CORNER BETWEEN LOTS ONE (1) AND TWO (2); THENCE NORTH 08°41'23" WEST, ALONG AND WITH THE COMMON LINE BETWEEN SAID LOTS ONE (1) AND TWO (2), A DISTANCE OF 273.07 FEET TO AN EXISTING IRON PIN; THENCE CONTINUE NORTH 08°41'23" WEST, A DISTANCE OF 7.96 FEET; THENCE NORTH 68°51'43" EAST, A DISTANCE OF 304.04 FEET; THENCE SOUTH 17°31'31" EAST, A DISTANCE OF 7.75 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION

TRACT II ACCORDING TO THE CERTIFICATE OF APPROVAL FOR ADMINISTRATIVE SUBDIVISON FILE NO. AS-7557 FILED IN BOOK 2018, PAGE 33388-17 AND NOTICE OF SURVEY RECORDING IN SRB-5490 PAGE 2948 FILED IN BOOK 2018, PAGE 33389-18 ALL THAT PART OF LOT TWO (2) OF BRADFORD PARK SOUTH PHASE THREE IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT AN EXISTING RIGHT-OF-WAY MARKER ON THE SOUTH RIGHT-OF-WAY LINE OF JAMES RIVER EXPRESSWAY (U.S. HIGHWAY 360), SAID POINT BEING THE COMMON CORNER BETWEEN LOTS ONE (1) AND TWO (2) OF SAID BRADFORD PARK SOUTH PHASE THREE; THENCE NORTH 69°58'02" EAST, ALONG AND WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID JAMES RIVER EXPRESSWAY, A DISTANCE OF 230.10 FEET TO AN EXISTING RIGHT-OF-WAY MARKER; THENCE NORTH 73°55'12" EAST, CONTINUING ALONG AND WITH SAID SOUTH LINE, A DISTANCE OF 218.84 FEET TO AN EXISTING IRON PIN; THENCE SOUTH 39°53'28" EAST, LEAVING SAID SOUTH LINE, A DISTANCE OF 179.63 FEET TO AN EXISTING 60d NAIL; THENCE SOUTH 68°47'11" WEST, A DISTANCE OF 93.03 FEET TO AN EXISTING IRON PIN AND THE POINT OF BEGINNING; THENCE SOUTH 17°31'31" EAST, A DISTANCE OF 222.95 FEET TO AN EXISTING IRON PIN ON THE NORTH RIGHT-OF-WAY LINE OF KINGSLEY AVENUE; THENCE SOUTHWESTERLY, ALONG AND WITH SAID NORTH LINE ON A 551.97 FOOT RADIUS CURVE TO THE LEFT, HAVING A CHORD BEARING OF SOUTH 63°28'57" WEST AND CHORD LENGTH OF 248.73 FEET, AN ARC DISTANCE OF 250.89 FEET; THENCE SOUTH 50°21'54" WEST, CONTINUING ALONG AND WITH SAID NORTH LINE, A DISTANCE OF 11.78 FEET; THENCE SOUTHWESTERLY, ALONG AND WITH A 335.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CHORD BEARING OF SOUTH 58°14'07" WEST AND CHORD LENGTH OF 92.87 FEET, AN ARC DISTANCE OF 93.17 FEET TO AN EXISTING IRON PIN AT THE CORNER BETWEEN LOTS ONE (1) AND TWO (2); THENCE NORTH 08°41'23" WEST, ALONG AND WITH THE COMMON LINE BETWEEN SAID LOTS ONE (1) AND TWO (2), A DISTANCE OF 273.07 FEET TO AN EXISTING IRON PIN; THENCE CONTINUE NORTH 08°41'23" WEST, A DISTANCE OF 7.96 FEET; THENCE NORTH 68°51'43" EAST, A DISTANCE OF 304.04 FEET; THENCE SOUTH 17°31'31" EAST, A DISTANCE OF 7.75 FEET TO THE POINT OF BEGINNING.



Home2 by Hilton V3.0

111 Parking Spaces
17 bicycle spaces (parking reduction allowance)
117 Rooms

1 SITE DEVELOPMENT PLAN
1"=20'-0"

0' 10' 20' 40'

NORTH

PROJECT DATA

ZONING - Tract D1 PLANNED DEVELOPMENT #12 - 2A and 12TH AMENDMENT

Land Use - Hotel Five Stories - 60' height
117 Rooms - 70,000 gsf

Required Parking - 1/Room = 113 spaces plus 5 bicycle spaces
Provided parking -111 spaces plus 18 bicycle spaces (bicycle parking reduction allowance)

Lot Size - 1.80 acres 62,200 sf

Required Greenspace - 20% = 12,400 SF
Provided Greenspace - 23% = 14,364 SF

No Bufferyards required = entire tract is in Tract D1 of PD12-2A

No bulk planes apply.

Perimeter Landscaping Required:
350' frontage on Kingsley
Required Perimeter landscape area - 10 sf/lineal foot = 3500 sf
Provided perimeter landscape area - 5,850 sf
Required plantings
4 canopy trees
4 understory or evergreen trees
16 shrubs
Provided Plantings
4 canopy trees
4 evergreen trees
30 shrubs

Interior Landscaping required 5% of parking lot.
Total parking lot area: 44,600 sf x 5% = 2,230 sf required
Interior landscaping provided - 2,400 sf

Public Facilities required per PD12 have been provided and are existing

Storm water management is existing and on common property north of the tract.

Land Disturbance area is 28,957 sf and less than one acre - see FDP2. No additional storm water management or water quality work required.

All utilities are available with no public improvements needed.

Signage plan - 1 30 foot tall freestanding sign of 200 sf surface area will be provided. Wall signs per Sign Ordinance will be provided.

REVISION #	REVISION NAME	DATE
-	-	-

FINAL DEVELOPMENT PLAN

HOME2 AT MEDICAL MILE
1249 EAST KINGSLEY SPRINGFIELD, MO.

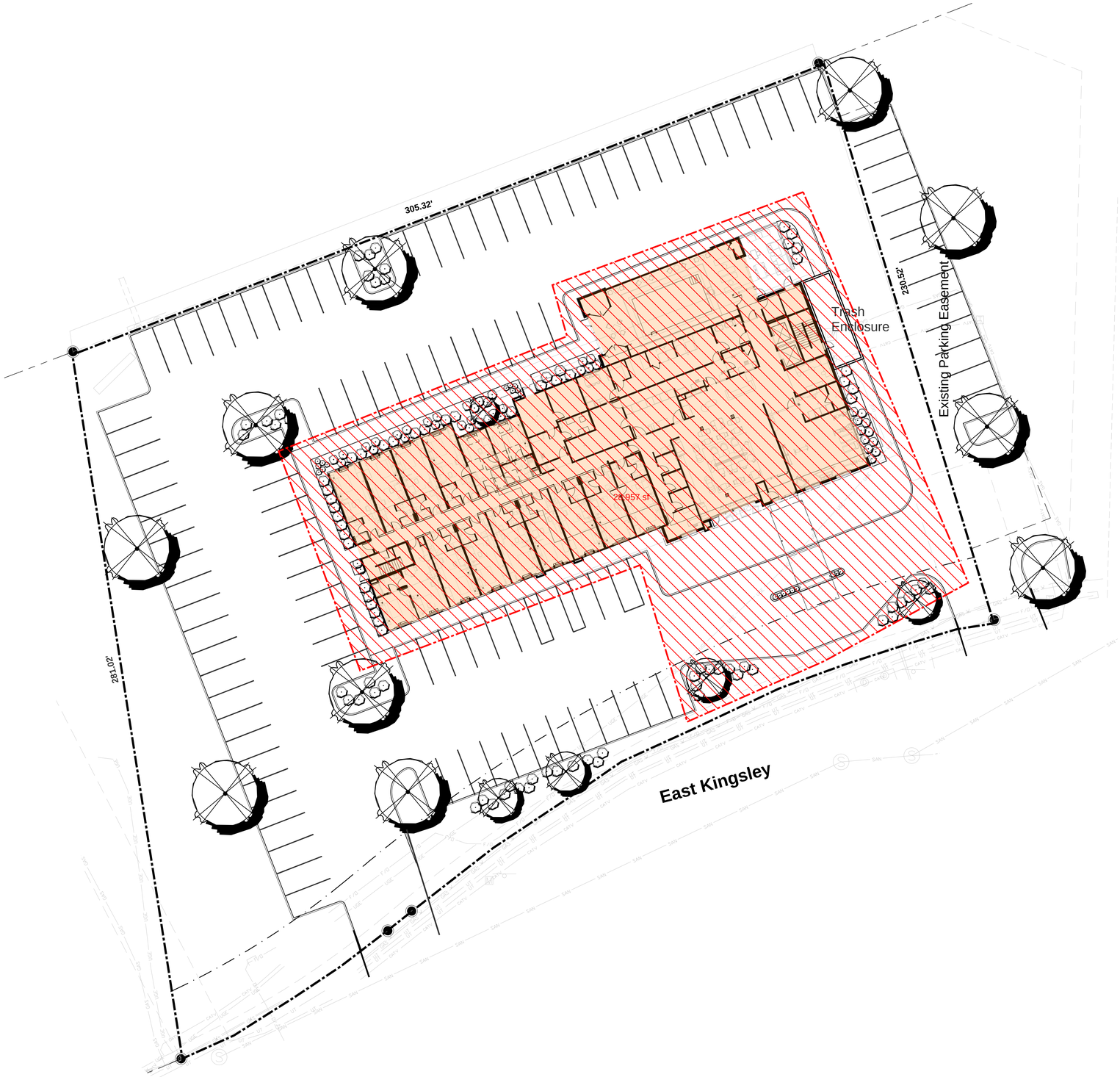
BUTLER, ROSENBURY & PARTNERS, INC.
319 N MAIN ST. SUITE 200, SPRINGFIELD, MISSOURI, 65806 T: 417-865-6100
STATE OF MISSOURI CERTIFICATE OF AUTHORITY #6038208 FOR ARCHITECTURE

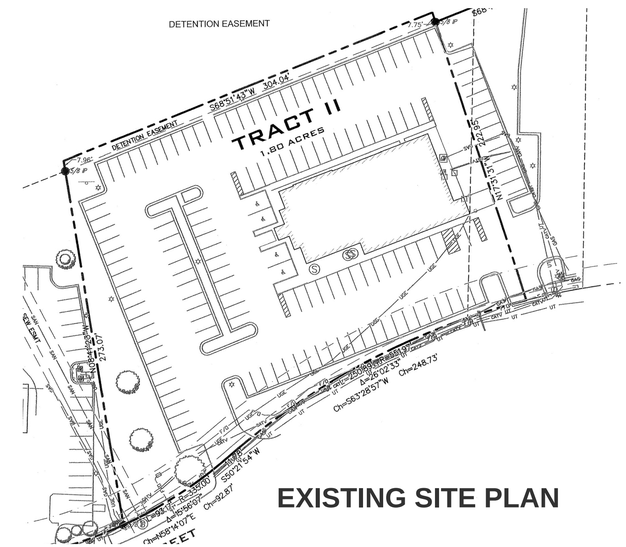
COPYRIGHT 2022 BUTLER, ROSENBURY & PARTNERS, INC.

STATE OF MISSOURI
GEOFFREY HARDIN BUTLER
NUMBER A-3730
REGISTERED ARCHITECT
9/21/23

DRAWN BY	ISSUE DATE
FJZ	9/21/23
CHECKED BY	PROJECT
GHB	-

FDP1





EXISTING SITE PLAN

LAND DISTURBANCE MAP - AREA OF LAND DISTURBANCE - 28,957 SF

REVISION #	REVISION NAME	DATE
-	-	-

FINAL DEVELOPMENT PLAN

HOME2 AT MEDICAL MILE

1249 EAST KINGSLEY SPRINGFIELD, MO.

BUTLER, ROSENBURY & PARTNERS, INC.
319 N MAIN ST. SUITE 200, SPRINGFIELD, MISSOURI, 65806 T: 417-865-6100
STATE OF MISSOURI CERTIFICATE OF AUTHORITY #00380208 FOR ARCHITECTURE

COPYRIGHT 2022 BUTLER, ROSENBURY & PARTNERS, INC.

STATE OF MISSOURI
GEOFFREY HARDIN BUTLER
NUMBER A-3730
REGISTERED ARCHITECT
9/21/23

DRAWN BY	ISSUE DATE
FJZ	9/21/23
CHECKED BY	PROJECT
GHB	-

FDP2

EXPLANATION TO COUNCIL BILL 2023-301 (JENSON, MCGULL)

FILED: 12/29/2023

ORIGINATING DEPARTMENT: Public Works

TITLE: A special ordinance authorizing the City Manager, or designee, to enter into a Carbon Reduction Program Agreement with the Missouri Highways and Transportation Commission; and approving a budget adjustment amending the Fiscal Year 2023-2024 budget of the Department of Public Works in the amount of $240,000 to appropriate the federal grant funds.

PURPOSE: Authorizing the City Manager, or his designee, to enter into a Carbon Reduction Program Grant with the Missouri Highways and Transportation Commission and amending the Fiscal Year 2023-2024 budget for the Department of Public Works in the amount of $240,000 to appropriate federal grant funds.

BACKGROUND INFORMATION: This Carbon Reduction Program ("CRP") Grant Agreement allows for reimbursement of up to 80 percent ($240,000) of the total estimated design and planning cost of $300,000 for pedestrian and bicycle improvements along Grand Street Corridor from Kansas Expressway to National Avenue. These proposed design plans will connect Missouri State University and surrounding neighborhoods to Grant Avenue Parkway and the Jordan Creek Trail.

The required minimum local match of 20 percent ($60,000) would be funded from the 1/8-cent Transportation Sales Tax – Walkability Program and is already budgeted.

Supports the following 2022 City Council priorities:

- Quality of Place
- Economic Vitality
- Public Safety

REMARKS: A Carbon Reduction Program ("CRP") project has been prepared to allow for the use of federal CRP funds for design of this project. Once design is completed, this will make the corridor more attractive in pursuing future grant opportunities to fund construction. Public Works recommends approval of this Council bill and budget adjustment.

Submitted By: Martin Gugel, Assistant Director of Public Works

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

Attachments:

1. Grand Street Ped and Bike Improvements_ord
2. Grand Street Ped and Bike Agree_exh A
3. Grand Street Ped and Bike BA_exh B

One-rdg. _____
P. Hrngs. _____
Pgs. 17
Filed: 12-05-23

Sponsored by: Jenson, McGull

First Reading: _____ Second Reading: _____

COUNCIL BILL 2023-301 SPECIAL ORDINANCE _____

AN ORDINANCE

AUTHORIZING the City Manager, or designee, to enter into a Carbon Reduction Program Agreement with the Missouri Highways and Transportation Commission; and approving a budget adjustment amending the Fiscal Year 2023-2024 budget of the Department of Public Works in the amount of $240,000 to appropriate the federal grant funds.

_____

WHEREAS, the Infrastructure Investment and Jobs Act established the Carbon Reduction Program ("CRP") to provide funds for projects designed to reduce transportation emissions; and

WHEREAS, the Missouri Highways and Transportation Commission ("MHTC") has determined a pedestrian and bike pathway along Grand Street Corridor from Kansas Expressway to National Avenue is consistent with the goals of the CRP; and

WHEREAS, total design and planning costs for the project are estimated at $300,000; and

WHEREAS, the CRP allows for reimbursement of up to 80 percent ($240,000) of the total estimated design and planning cost; and

WHEREAS, the required minimum local match of 20 percent ($60,000) would be funded from the 1/8-cent Transportation Sales Tax – Walkability Program and is already budgeted.

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

Section 1 – The City Manager, or designee, is authorized to enter into a Carbon Reduction Program Agreement with the Missouri Highways and Transportation Commission to cost share in the design of a pedestrian and bike pathway along Grand Avenue from Kansas Expressway to National Avenue, with MHTC reimbursing the federal share for the engineering phase up to 80 percent ($240,000), said agreement to

be in substantial conformity with “Exhibit A,” which is attached hereto and incorporated herein by this reference.

Section 2 – City Council hereby authorizes the amendment of the budget of the Department of Public Works upon the awarding of grant funds for Fiscal Year 2023-2024 in the accounts and in the amounts shown on Budget Adjustment No. 048, a copy of which is attached hereto and incorporated herein by reference as “Exhibit B.”

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

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

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

Passed at meeting: _____

_____
Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: _____, Assistant City Attorney

Approved for Council action: _____, City Manager

Exhibit A

CCO Form: FS37
Approved: 12/22 (MWH)
Revised:
Modified:

CFDA Number:	CFDA #20.205
CFDA Title:	Highway Planning and Construction
Award name/number:	CRP – 5901(831)
Award Year:	SFY2024
Federal Agency:	Federal Highway Administration, Department of Transportation

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
CARBON REDUCTION PROGRAM (CRP) AGREEMENT

THIS AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the City of Springfield (hereinafter, "City").

WITNESSETH:

WHEREAS, the Infrastructure Investment and Jobs Act (IIJA), 23 U.S.C. §175 authorizes the funding of projects providing for the reduction of transportation emissions; and

WHEREAS, the Commission is the agency designated to receive and dispense such funds; and

WHEREAS, the Commission has determined that Grand Street Trail Design is consistent with the goals of the CRP funding; and

WHEREAS, the City has the resources to develop and provide such services.

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations in this Agreement, the parties agree as follows:

(1) PURPOSE: The United States Congress has authorized, in 23 U.S.C. §175, funds to be used for activities for carbon reduction. The purpose of this Agreement is to grant the use of such funds to design bicycle and pedestrian improvements along Grand Street Corridor from Kansas Expressway to National Avenue.

(2) SCOPE OF WORK: City shall provide design of pedestrian and bicycle improvements along the Grand Street Corridor as more fully described in the attached Exhibit A which is incorporated herein by reference.

(3) REASONABLE PROGRESS POLICY: The project as described in this agreement is subject to the reasonable progress policy set forth in the Local Public Agency (LPA) Manual and the final deadline specified in Exhibit B attached hereto and incorporated herein by reference. In the event, the LPA Manual and the final deadline within Exhibit B conflict, the final deadline within Exhibit B controls. If the project is within a Transportation Management Area that has a reasonable progress policy in place, the project is subject to that policy. If the project is withdrawn for not meeting reasonable progress, the City agrees to repay the Commission for any progress payments made to the City for the project and agrees that the Commission may deduct progress payments made to the City from future payments to the City.

(4) INDEMNIFICATION:

(A) To the extent allowed or imposed by law, the City shall defend, indemnify and hold harmless the Commission, including its members and the Missouri Department of Transportation (MoDOT or Department) employees, from any claim or liability whether based on a claim for damages to real or personal property or to a person for any matter relating to or arising out of the City's wrongful or negligent performance of its obligations under this Agreement.

(B) The City will require any contractor procured by the City to work under this Agreement:

1. To obtain a no cost permit from the Commission's district engineer prior to working on the Commission's right-of-way, which shall be signed by an authorized contractor representative (a permit from the Commission's district engineer will not be required for work outside of the Commission's right-of-way); and

2. To carry commercial general liability insurance and commercial automobile liability insurance from a company authorized to issue insurance in Missouri, and to name the Commission, and MoDOT and its employees, as additional named insureds in amounts sufficient to cover the sovereign immunity limits for Missouri public entities as calculated by the Missouri Department of Insurance, Financial Institutions and Professional Registration, and published annually in the Missouri Register pursuant to Section 537.610, RSMo. The City shall cause insurer to increase the insurance amounts in accordance with those published annually in the Missouri Register pursuant to Section 537.610, RSMo.

(C) In no event shall the language of this Agreement constitute or be construed as a waiver or limitation for either party's rights or defenses with regard to each party's applicable sovereign, governmental, or official immunities and protections as provided by federal and state constitution or law.

(5) AMENDMENTS: Any change in this Agreement, whether by modification or supplementation, must be accomplished by a formal contract amendment signed and approved by the duly authorized representatives of the City and the Commission.

(6) COMMISSION REPRESENTATIVE: The Commission's Southwest District Engineer is designated as the Commission's representative for the purpose of administering the provisions of this Agreement. The Commission's representative may designate by written notice other persons having the authority to act on behalf of the Commission in furtherance of the performance of this Agreement.

(7) NONDISCRIMINATION ASSURANCE: With regard to work under this Agreement, the City agrees as follows:

(A) Civil Rights Statutes: The City shall comply with all state and federal statutes relating to nondiscrimination, including but not limited to Title VI and Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. §2000d and §2000e, *et seq*.), as well as any applicable titles of the "Americans with Disabilities Act" (42 U.S.C. §12101, *et seq*.). In addition, if the City is providing services or operating programs on behalf of the Department or the Commission, it shall comply with all applicable provisions of Title II of the "Americans with Disabilities Act".

(B) Administrative Rules: The City shall comply with the administrative rules of the United States Department of Transportation relative to nondiscrimination in federally-assisted programs of the United States Department of Transportation (49 C.F.R. Part 21) which are herein incorporated by reference and made part of this Agreement.

(C) Nondiscrimination: The City shall not discriminate on grounds of the race, color, religion, sex, disability, national origin, age or ancestry of any individual in the selection and retention of subcontractors including procurement of materials and leases of equipment. The City shall not participate either directly or indirectly in the discrimination prohibited by 49 C.F.R. §21.5, including employment practices.

(D) Solicitations for subcontracts, Including Procurements of Material and Equipment: These assurances concerning nondiscrimination also apply to subcontractors and suppliers of the City. These apply to all solicitations either by competitive bidding or negotiation made by the City for work to be performed under a subcontract including procurement of materials or equipment. Each potential subcontractor or supplier shall be notified by the City of the requirements of this Agreement relative to nondiscrimination on grounds of the race, color, religion, sex, disability or national origin, age or ancestry of any individual.

(E) Information and Reports: The City shall provide all information and reports required by this Agreement, or orders and instructions issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Commission or the United States Department of transportation to be necessary to ascertain compliance with other contracts, orders and instructions. Where any information required of the City is in the exclusive possession of another who fails or refuses to furnish this information, the City shall so certify to the Commission or the United States Department of Transportation as appropriate and shall

set forth what efforts it has made to obtain the information.

(F) Sanctions for Noncompliance: In the event the City fails to comply with the nondiscrimination provisions of this Agreement, the Commission shall impose such contract sanctions as it or the United States Department of Transportation may determine to be appropriate, including but not limited to:

1. Withholding of payments under this Agreement until the City complies; and/or

2. Cancellation, termination or suspension of this Agreement, in whole or in part, or both.

(G) Incorporation of Provisions: The City shall include provisions of paragraph (7) of this Agreement in every subcontract, including procurements of materials and leases of equipment, unless exempted by the statutes, executive order, administrative rules or instructions issued by the Commission of the United States Department of Transportation. The City will take such action with respect to any subcontract or procurement as the Commission or the United States Department of Transportation may direct as a means of enforcing such provisions, including sanctions for noncompliance; provided that in the event the City becomes involved or is threatened with litigation with a subcontractor or supplier as a result of such direction, the City may request the United States to enter into such litigation to protect the interests of the United States.

(8) DISADVANTAGED BUSINESS ENTERPRISES (DBE): It is the policy of the U.S. Department of Transportation and the Commission that businesses owned by socially and economically disadvantaged individuals (DBE's), as defined in 49 C.F.R. Part 26, have the maximum opportunity to participate in the performance of contracts financed in whole or in part with federal funds.

(9) ASSIGNMENT: The City shall not assign, transfer or delegate any interest in this Agreement without the prior written consent of the Commission.

(10) LAW OF MISSOURI TO GOVERN: This Agreement shall be construed according to the laws of the State of Missouri. The City shall comply with all local, state and federal laws and regulations relating to the performance of this Agreement.

(11) VENUE: It is agreed by the parties that any action at law, suit in equity, or other judicial proceeding to enforce or construe this Agreement, or regarding its alleged breach, shall be instituted only in the Circuit Court of Cole County, Missouri.

(12) CANCELLATION: The Commission may cancel this Agreement at any time for a material breach of contractual obligations by providing the City with written notice of cancellation. Should the Commission exercise its right to cancel this Agreement for such

reasons, cancellation will become effective upon the date specified in the notice of cancellation sent to the City.

(13) ACCESS TO RECORDS: The City and its contractors must maintain all records relating to this Agreement, including but not limited to invoices, payrolls, etc. These records must be available at no charge to the Federal Highway Administration (FHWA) and the Commission and/or their designees or representatives during the period of this Agreement and any extension, and for a period of three (3) years after the date on which the City receives reimbursement of their final invoice from the Commission.

(14) BUDGET: The City shall incur obligations in connection with the performance of the period only in conformity with the latest budget approved by the Commission as specified in Appendix A - Project Budget. This budget may be revised as necessary; however no budget or revision shall be effective unless approved by the Commission's representative and FHWA.

(15) ELIGIBLE EXPENDITURES: No expenditure or charges shall be eligible for reimbursement that are contrary to the provisions of this Agreement or not required for the carrying out of the project.

(16) REIMBURSEMENT: The cost of the contemplated improvements will be borne by the United States Government and by the City as follows:

***DRAFTER'S NOTE**: Choose only one option below. Option 1 and 2 may be further refined by the district to fit the situation. However, any revisions must be reviewed by CCO prior to execution. Delete the Option not chosen and this Drafter's Note.*

Any federal funds for project activities shall only be available for reimbursement of eligible costs which have been incurred by City. Any costs incurred by City prior to authorization from FHWA and notification to proceed from the Commission are **not** reimbursable costs. All federally funded projects are required to have a project end date. Any costs incurred after the project end date are not eligible for reimbursement. The federal share for this project will be 80 percent not to exceed $240,000. The calculated federal share for seeking federal reimbursement of participating costs for the herein improvements will be determined by dividing the total federal funds applied to the project by the total participating costs. Any costs for the herein improvements which exceed any federal reimbursement or are not eligible for federal reimbursement shall be the sole responsibility of the City. The Commission shall not be responsible for any costs associated with the herein improvement unless specifically identified in this Agreement or subsequent written amendments.

(17) PROGRESS PAYMENTS: The City may request progress payments be made for the herein improvements as work progresses but not more than once every two weeks. Progress payments must be submitted monthly. All progress payment requests must be submitted for reimbursement within 90 days of the project completion date for the final phase of work. The City shall repay any progress payments which

involve ineligible costs.

(18) PROMPT PAYMENTS: Progress invoices submitted to MoDOT for reimbursement more than thirty (30) calendar days after the date of the vendor invoice shall also include documentation that the vendor was paid in full for the work identified in the progress invoice. Examples of proof of payment may include a letter or e-mail from the vendor, lien waiver or copies of cancelled checks. Reimbursement will not be made on these submittals until proof of payment is provided. Progress invoices submitted to MoDOT for reimbursement within thirty (30) calendar days of the date on the vendor invoice will be processed for reimbursement without proof of payment to the vendor. If the City has not paid the vendor prior to receiving reimbursement, the City must pay the vendor within two (2) business days of receipt of funds from MoDOT.

(19) PERMITS: The City shall secure any necessary approvals or permits from any federal or state agency as required for the completion of this project.

(20) INSPECTION OF CONTRACTOR'S RECORDS: The City shall assure that its contractors, and all subcontractors, if any, maintain all books, documents, papers and other evidence pertaining to costs incurred in connection with this Agreement. The City shall make such materials available at such contractor's office at all reasonable times during the contract period, and for three (3) years from the date of final payment under the contract, for inspection by the Commission, FHWA or any authorized representatives of the Federal Government and the State of Missouri. Copies thereof shall be furnished at no charge, upon request, to authorized representatives of the Commission, State, FHWA, or other Federal agencies.

(21) FINAL AUDIT: The Commission will perform a final audit of project costs. The United States Government shall reimburse the City, through the Commission, any monies due. The City shall refund any overpayments as determined by the final audit.

(22) AUDIT REQUIREMENTS: If the City expend(s) seven hundred fifty thousand dollars ($750,000) or more in a year in federal financial assistance it is required to have an independent annual audit conducted in accordance with 2 CFR Part 200. A copy of the audit report shall be submitted to MoDOT within the earlier of thirty (30) days after receipt of the auditor's report(s), or nine (9) months after the end of the audit period. Subject to the requirements of 2 CFR Part 200, if the City expend(s) less than seven hundred fifty thousand dollars ($750,000) a year, the City may be exempt from auditing requirements for that year but records must be available for review or audit by applicable state and federal authorities.

(23) FHWA APPROVAL: This Agreement is made and entered into subject to the approval of the FHWA.

(24) FEDERAL-AID PROVISIONS: Because responsibility for the performance of all functions or work contemplated as part of this project is assumed by the City, and the City may elect to construct part of the improvement contemplated by this Agreement

with its own forces, a copy of Section II and Section III, as contained in the United States Department of Transportation Form Federal Highway Administration (FHWA) 1273 "Required Contract Provisions, Federal-Aid Construction Contracts," is attached and made a part of this Agreement as Exhibit C. Wherever the term "the contractor" or words of similar import appear in these sections, the term “the City”is to be substituted. The City agrees to abide by and carry out the condition and obligations of "the contractor" as stated in Section II, Equal Opportunity, and Section III, Nonsegregated Facilities, as set out in Form FHWA 1273.

(25) FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT OF 2006: The City shall comply with all reporting requirements of the Federal Funding Accountability and Transparency Act (FFATA) of 2006, as amended. This Agreement is subject to the award terms within 2 C.F.R. Part 170.

(26) ACQUISITION OF RIGHT OF WAY: With respect to the acquisition of right of way necessary for the completion of the project, the City shall acquire any additional necessary right of way required for this project and in doing so agrees that it will comply with all applicable federal laws, rules and regulations, including 42 U.S.C. 4601-4655, the Uniform Relocation Assistance and Real Property Acquisition Act, as amended and any regulations promulgated in connection with the Act.

(27) CONFLICT OF INTEREST: The City shall comply with conflict of interest policies identified in 23 CFR 1.33. A conflict of interest occurs when an entity has a financial or personal interest in a federally funded project.

(28) MANDATORY DISCLOSURES: The City shall comply with 2 CFR 200.113 and disclose, in a timely manner, in writing all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below.

Executed by the City on _____(DATE).

Executed by the Commission on _____(DATE).

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION

_____

Title_____

ATTEST:

_____
Secretary to the Commission

Approved as to Form:

_____
Commission Counsel

CITY OF SPRINGFIELD

By_____

Title_____

ATTEST:

By_____

Title_____

By_____

Title_____

By_____

Title_____

By_____

Title_____

Approved as to Form:

_____

Title_____

Ordinance _____

Appendix A - Project Budget

Description	Total Cost	Federal Share	Local match	Match Source	Total
Preliminary Engineering	$300,000	$240,000	$60,000	City of Springfield	$300,000

Exhibit A – Scope of Work

Design of bicycle and pedestrian improvements along the Grand Street Corridor from Kansas Expressway to National Avenue for future construction projects.

Exhibit B – Project Schedule

Project Description: CRP-5901(831)

Task	**Date**
Date funding is made available or allocated to recipient	10/2023
Engineering Services Contract Approved	2/2024
Preliminary and Right-of-Way Plans Submittal (if Applicable)	8/2024
Plans, Specifications & Estimate (PS&E) Submittal	12/2024

*Note: the dates established in the schedule above will be used in the applicable ESC between the sponsor agency and consultant firm.

**Schedule dates are approximate as the project schedule will be actively managed and issues mitigated through the project delivery process. The Award Date or Planning Study Date deliverable is not approximate and requires request to adjust.

Exhibit C - Required Contract Provisions
Federal-Aid Construction Contracts

***DRAFTER'S NOTE**: Print Form 1273 from the following website and attach as Exhibit B http://www.fhwa.dot.gov/programadmin/contracts/1273.pdf.*

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit B

Budget Adjustment
048

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
46040	20	73020	416010	000000	00000	$240,000	Carbon Reduction Program Federal Grant Revenues through the Missouri Highways & Transportation Commission
Net Revenue Adjustment						$240,000	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
46040	20	73020	508530	000000	00000	$240,000	Design of Pedestrian & Bicycle Improvements along Grand Street Corridor from Kansas Expressway to National Avenue
Net Expenditure Adjustment						$240,000	

Fund Balance Appropriation:

Fund		Title	Amount

Explanation: To amend the FY2023-24 Budget by appropriating $240,000 of federal Carbon Reduction Program grant funds for the partial funding of the design of pedestrian and bicycle improvements along Grand Street Corridor from Kansas Expressway to National Avenue. City matching funds will be provided by the 1/8 Cent Transportation Sales Tax Walkability Program and is already budgeted.

Requested By:

Dan Smith 12-05-2023
Department Head Date

Approved By:

12-05-2023
Director of Finance Date

City Manager Date

Authorization:

Council Bill No. 2023-301
Ordinance No.
1st Reading
2nd Reading
Journal Imp No.

EXPLANATION TO COUNCIL BILL 2023-302 (MCGULL)

FILED: 12/29/2023

ORIGINATING DEPARTMENT: Parks

TITLE: A special ordinance approving Olsson as the consultant to provide professional services for Phase II improvements at City's Cooper Park and Sports Complex, in the amount of $887,770, as an approved project for use of American Rescue Plan Act Funds received by City; and authorizing the Park Board Chair, or designee, to enter into a contract with Olsson for these purposes.

PURPOSE: To approve Olsson as the consultant to provide professional services for Phase II improvements at City's Cooper Park and Sports Complex, in the amount of $887,770, as an approved project for use of American Rescue Plan Act Funds received by City; and authorizing the Park Board Chair, or their designee, to enter into a contract with Olsson for these purposes.

BACKGROUND INFORMATION: The City, by and through the Springfield-Greene County Park Board ("City"), desires to complete a series of Phase II improvements at its 5-field Cooper Youth Baseball Facility and its 6-field Killian Softball Facility (collectively referred to herein as the "Cooper Park and Sports Complex Project"), including design services and surveying and geotechnical evaluation services, at the price and sum of $887,770, except as said sum may be lawfully increased or decreased by the actual quantities of work units involved. These improvements include but are not limited to the following at Cooper Youth Baseball Facility: five new synthetic turf fields, converting one field to a stadium field with a press box and stadium bleacher seating, new sports lighting, new facility signage, fence work, concrete walks, site utilities and storm water improvements; and the following at Killian Softball Facility: six new synthetic turf fields, stadium bleacher seating for the first base side of the Stadium Field, new sports lighting, new facility signage, site utilities, storm water improvements and grading and drainage. An aerial site map of the Cooper Park and Sports Complex is attached to this explanation for review and reference.

Phase I design work, which was approved by City Council in Council Bill 2022-216 on September 6, 2022, is now at completion for the Cooper Soccer Complex and includes the installation of artificial turf for eight soccer fields, along with a variety of other Complex improvements. This construction project will be out for formal bid in December 2023, with bids due in late January 2024.

This Cooper Park and Sports Complex Project supports the following City Council Priorities:

- Economic Vitality
- Quality of Place
- Fiscal Sustainability

Request for qualifications were advertised February 7, 2023, with qualification submittals due back by March 9, 2023, for development of plans, specifications, and construction documents for various improvements at City's Cooper Park and Sports Complex Project. Two submittals were received and both submittals deemed responsive. Following evaluation by Parks' officials, the two firms were interviewed on or about May 2, 2023, and June 5, 2023, with Olsson receiving the highest ratings from the interview team. A request for proposal of construction-related services was then made to Olsson and was provided to City on or about September 25, 2023.

This Project will be funded using a portion of the City's Coronavirus State and Local Fiscal Recovery Funds, established by the American Rescue Plan Act ("ARPA") of 2021, as approved by City Council on July 25, 2022, as part of Council Bill 2022-176.

REMARKS: The Park Board respectfully requests and recommends acceptance and approval of Olsson as the professional consultant for this Phase II Cooper Park and Sports Complex Project, and for authority to enter into the proposed contract with Olsson for the purposes of renovating City's Cooper Youth Baseball Facility and its Killian Softball Facility.

Submitted By: Lana Woolsey, Assistant City Attorney

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

Attachments:
1. Phase II Improvements at Cooper Park_ord
2. Contact_ Exh 1
3. Aerial of Cooper Park and Sports Complex_ Exh 2

One-rdg. _____
P. Hrngs. _____
Pgs. 15
Filed: 12-05-23

Sponsored by: McGull

First Reading: _____ Second Reading: _____

COUNCIL BILL 2023-302 SPECIAL ORDINANCE _____

AN ORDINANCE

APPROVING Olsson as the consultant to provide professional services for Phase II improvements at City's Cooper Park and Sports Complex, in the amount of $887,770, as an approved project for use of American Rescue Plan Act Funds received by City; and authorizing the Park Board Chair, or designee, to enter into a contract with Olsson for these purposes.

_____

WHEREAS, on July 25, 2022, City Council approved using a portion of the City's Coronavirus State and Local Fiscal Recovery Funds, established by the American Rescue Plan Act ("ARPA") of 2021, for various improvements at its Cooper Park and Sports Complex; and

WHEREAS, the City of Springfield, Missouri, by and through the Springfield-Greene County Park Board ("City"), desires to complete a portion of the necessary Phase II consulting services for significant improvements at its 5-field Cooper Youth Baseball Facility and its 6-field Killian Softball Facility (collectively referred to herein as "Cooper Park and Sports Complex Project"); and

WHEREAS, request for qualifications were advertised February 7, 2023, with qualification submittals due back by March 9, 2023, for development of plans, specifications and construction documents for City's Cooper Park and Sports Complex Project improvements. Two submittals were received, both deemed responsive and, following an evaluation, the two firms were interviewed on or about May 2, 2023, and June 5, 2023, with Olsson receiving the highest ratings by the interview team. A request for proposal of construction-related services, including but not limited to surveying, geotechnical and environmental reports, Phases of the Design including Pre-Design, Consultation and Evaluation Phase, Schematic Design Phase, Subconsultant and Evaluation Phase, Schematic Design Phase, Subconsultant (Sports Facilities Development) scope of services, Design Development Phase, Construction Document Phase, Bidding and Permitting Phase, Construction Administration Phase, and Post-Construction Phase, was then made to Olsson and was provided to City on or about September 25, 2023.

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

Section 1 – City Council hereby approves retaining Olsson as the consultant to provide professional consulting services for various improvements at City's Cooper Youth Baseball Facility and its Killian Softball Facility (collectively referred to as "Cooper Park and Sports Complex Project"), at the price and sum of $887,770, except as said sum may be lawfully increased or decreased by the actual quantities of work units involved.

Section 2 – The Park Board Chair, or designee, is hereby authorized to enter into a contract with Olsson for such work, said contract to be in substantially similar form to the document attached hereto and incorporated herein by reference as "Exhibit 1," and in accordance with the terms of the proposal, plans, and specifications.

Section 3 – City Council approved this Project for use of a portion of the City's Coronavirus State and Local Fiscal Recovery Funds, established by the American Rescue Plan Act ("ARPA") of 2021, on July 25, 2022.

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

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

Passed at meeting: _____

_____
Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: _____, Assistant City Attorney

Approved for Council action: _____, City Manager

EXHIBIT 1

ROUTING ORDER	(1) ORIGINATING DEPARTMENT	(2) PROFESSIONAL CONSULTANT	(3) FINANCE DEPARTMENT
	(4) LAW DEPARTMENT	(5) CITY MANAGER'S OFFICE	(6) CITY CLERK'S OFFICE

EFFECTIVE DATE	TERMINATION DATE	CONTRACT NUMBER:

CITY		PROFESSIONAL CONSULTANT/ENGINEER	
SPRINGFIELD-GREENE COUNTY PARK BOARD 1923 N. WELLER AVENUE SPRINGFIELD, MO 65803		Name: **Olsson** Address: **550 E. St. Louis Street, Springfield, MO 65806**	
Attention: **Miles Park**		Attention: **Ricky Haase, P.E.**	
Department: **Springfield-Greene County Park Board**		Phone: **(417) 890-8802**	Fax:
Phone: **(417) 864-1049**	Fax:		

AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES

THIS AGREEMENT, made and entered into this _____ day of _____, 20___, by the parties identified above.

WITNESSETH:

THAT, WHEREAS, the City of Springfield, Missouri, by and through the Springfield-Greene County Park Board ("City" hereinafter) desires to engage the Professional Consultant/Engineer ("Engineer" hereinafter) to render certain technical and professional services hereafter described in connection with a project known as **Cooper Park and Sports Complex Improvements Phase II (Cooper Youth Baseball & Killian Softball Complex Additions & Improvements)**, and more particularly described in ***Exhibit A***;

WHEREAS, the Engineer made certain representations and statements to the City with respect to the provision of such services and the City has accepted said proposal; and

WHEREAS, the Engineer represents Engineer is licensed by the Missouri Board for Architects, Professional Engineers, and Land Surveyors to perform the services designated under this contract, and further represents that all survey services shall be done under the direction of a Land Surveyor licensed by the Missouri Board for Architects, Professional Engineers, and Land Surveyors;

NOW, THEREFORE, for the considerations herein expressed, it is agreed by and between the City and the Engineer as follows:

1. **Services**. The City agrees to engage the services of the Engineer and the Engineer agrees to perform the services hereinafter set forth in connection with projects described in ***Exhibit A***.

2. **Addition to Services**. The City may add to the Engineer services or delete therefrom activities of a similar nature to those set forth in ***Exhibit A***, provided that the total cost of such work does not exceed the total cost allowance as specified in Paragraph 6 hereof. The Engineer shall undertake such changed activities only upon the direction of the City. All such directives and changes shall be in written form and prepared and approved by the office of the City Manager and shall be accepted and countersigned by the Engineer.

3. **Exchange of Data**. All information, data, and reports as are in the City's possession and necessary for the carrying out of the work, shall be furnished to the Engineer without charge, and the parties shall cooperate with each other in every way possible in carrying out the scope of services.

4. **Personnel**. The Engineer represents that Engineer will secure at Engineer's own expense, all personnel required to perform the services called for under this contract by Engineer. Such personnel shall not be employees of or have any contractual relationship with the City except as employees of the Engineer. All of the services required hereunder will be performed by the Engineer or under Engineer's direct supervision and all personnel engaged in the work shall be fully qualified and shall be authorized under state and local law to perform such services. None of the work or services covered by this contract shall be subcontracted without the written approval of the City.

5. **Term**. The services of the Engineer shall commence as soon as practicable after the execution of this contract, unless otherwise directed in writing, and shall be undertaken and completed in such sequence as to assure their expeditious completion in the light of the purposes of the contract, but in any event, all of the services required hereunder shall be completed as set forth in the schedule for the project which is attached hereto as ***Exhibit A***.

6. **Costs not to Exceed**. The City of Springfield is limited by law with respect to the amount of money it can pay. Therefore, the City has established a fixed sum for this contract, which cannot be exceeded unless this contract is amended. The Engineer providing services hereunder shall be required to keep track of the amount of hours billable under this contract at all times; and any work in excess of the fixed sum shall not be eligible for payment. The Engineer shall notify the City if Engineer anticipates that the contract amount may be exceeded, in order to determine whether or not the City is prepared to increase the total compensation. The Engineer shall establish a billing system showing the amount of money remaining on the contract, which shall be shown in each monthly billing.

7. **Payment**.

a. **Conditioned upon acceptable performance**. The City agrees to pay the Engineer in accordance with the terms set forth in ***Exhibit A***, which shall constitute complete compensation for all services to be rendered under this contract; provided, that where payments are to be made periodically to Engineer for services rendered under this contract, the City expressly reserves the right to disapprove in whole or in part a request for payment where the services rendered during the period for which payment is claimed are not performed in a timely and satisfactory manner in accordance with the schedule and description of services set forth in ***Exhibit A***.

b. **Total compensation not to exceed**. It is expressly understood that in no event will the total compensation and reimbursement to be paid to the Engineer under the terms of this contract exceed the sum of **Eight Hundred Eight Seven Thousand Seven Hundred Seventy Dollars** (**$887,770.00**).

8. **Termination of Contract.**

a. Termination for breach. Failure of the Engineer to fulfill Engineer's obligations under this contract in a timely and satisfactory manner in accordance with the schedule and description of services set forth in ***Exhibit A*** shall constitute a breach of the contract, and the City shall thereupon have the right to immediately terminate the contract. The City shall give written notice of termination to the Engineer by one of three different means: Facsimile Transmission ("FAX") if Engineer has a FAX number; U.S. Postal Service Mails; or by hand delivering a copy of the same to the Engineer; or may give notice by any combination of the above methods. The date of termination shall be the date upon which notice of termination is hand delivered to Engineer or given by FAX, or the third day following mailing of the notice of termination, whichever first occurs. In the event of termination for breach, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs, and reports or other materials prepared by the Engineer under this contract shall at the option of the City become its property, and the Engineer shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents and other materials; provided, that the Engineer shall not be relieved of liability to the City for damages sustained by the City by virtue of any such breach of the contract by the Engineer.

b. Right to terminate in the absence of breach. Either party may terminate this contract for any reason, by serving notice of intent to terminate upon the other party by the means specified in paragraph A of this section. Such notice shall specify the date of termination, but in no event shall either party terminate the contract under this provision upon less than thirty (30) days' notice to the other party; provided, that the parties may mutually agree to waive the thirty (30) day requirement and to shorten the time for notice of termination. In the event of termination in the absence of breach, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs, and reports or other materials prepared by the Engineer under this contract shall at the option of the City become its property, and the Engineer shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents and other materials.

9. **Conflicts**. No salaried officer or employee of the City, and no member of the City Council shall have a financial interest, direct or indirect, in this contract. A violation of this provision renders the contract void. Any federal regulations, and applicable provisions in Section 105.450 et seq. RSMo. shall not be violated. Engineer 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 Engineer further covenants that in the performance of this contract no person having such interest shall be employed.

10. **Assignment**. The Engineer shall not assign any interest in this contract, and shall not transfer any interest in the same (whether by assignment or novation), without prior written consent of the City thereto. Provided, however, that claims for money due or to become due to the Engineer from the City under this contract may be assigned to a bank, trust company, or other financial institution without such approval. Notice of such assignment or transfer shall be furnished in writing promptly to the City. Any such assignment is expressly subject to all rights and remedies of the City under this agreement, including the right to change or delete activities from the contract or to terminate the same as provided herein, and no such assignment shall require the City to give any notice to any such assignee of any actions which the City may take under this agreement, though City will attempt to so notify any such assignee.

11. **Confidentiality of Documents**. Any reports, data, design or similar information given to or prepared or assembled by the Engineer under this contract which the City requests to be kept as confidential shall not be made available to any individual or organization by the Engineer without prior written approval of the City.

12. **Non-Discrimination.** The Engineer agrees in the performance of this Contract not to discriminate on the ground or because of race, color, religion, sex, sexual orientation, gender identity, national origin, age, status as a protected veteran or status as a qualified individual with a disability, or political opinion or affiliation, against any employee of Engineer or applicant for employment and shall include a similar provision in all subcontracts let or awarded hereunder. The parties hereby incorporate the requirements of 41 C.F.R. §§ 60-1.4(a)(7), 29 C.F.R. Part 471, Appendix A to Subpart A, 41 C.F.R. § 60-300.5(a) and 41 C.F.R. § 60-741.5(a), if applicable.

a. This contractor and subcontractor shall abide by the requirements of 41 C.F.R. § 60-300.5(a). This regulation prohibits discriminations against qualified protected veterans, and requires affirmative action by covered prime contractors and subcontractors to employ and advance in employment qualified protected veterans.

b. This contractor and subcontractor shall abide by the requirements of 41 C.F.R. § 60-741.5(a). This regulation prohibits discrimination against qualified individuals on the basis of disability, and requires affirmative action by covered prime contractors and subcontractors to employ and advance in employment qualified individuals with disabilities.

13. **Occupational License**: The Engineer shall obtain and maintain an occupational license with the City of Springfield, Missouri, if required by city code and any required state or federal license. The cost for this occupational license shall be borne by the Engineer. No contract will be executed by the City until this occupational license has been obtained and that the Engineer is current on any City taxes is verified.

14. **Compliance with Laws**. Engineer agrees to comply with all applicable federal, state and local laws or rules and regulations applicable to the provision of services and products hereunder. Engineer affirmatively states that payment of all local, state, and federal taxes and assessments owed by Engineer is current.

15. **Affidavit for Contracts Over $5,000.00**. That pursuant to Missouri Revised Statute Sections 285.525 through 285.550, if this contract exceeds the amount of $5,000.00 and Engineer is associated with a business entity, Engineer shall provide an acceptable notarized affidavit stating that the associated business entity is enrolled in and participates in a federal work authorization program with respect to the employees working in connection with the contracted services, and that said business entity does not knowingly employ any person who is an unauthorized alien in connection with the contracted services. Additionally, Engineer must provide documentation for said business entity evidencing current enrollment in a federal work authorization program.

16. Certificate of Compliance with 34.600 RSMo. (Anti-Discrimination Against Israel Act). That pursuant to Missouri Revised Statute Sections 34.600 et., seq., A Contractor must provide a written certification of compliance with the Anti-Discrimination Against Israel Act, RSMo. 34.600 et., seq. that the contractor is not currently engaged in, and shall not, for the duration of the contract, engage in a boycott of goods or services from the State of Israel; companies doing business in or with Israel or authorized by, licensed by, or organized under the laws of the State of Israel; or persons or entities doing business in the State of Israel. This section shall not apply to contracts with a total potential value of less than one hundred thousand dollars or to contractors with fewer than ten employees.

17. **Nonresident/Foreign Contractors**. The Engineer shall procure and maintain during the life of this contract:

a. If the Engineer is a foreign corporation, a certificate of authority to transact business in the State of Missouri from the Secretary of State, unless exempt pursuant to the provisions of Section 351.572 RSMo.

b. A certificate from the Missouri Director of Revenue evidencing compliance with the transient employer financial assurance law, unless exempt pursuant to the provisions of Section 285.230 RSMo.

18. **General Independent Contractor Clause**. This agreement does not create an employee/employer relationship between the parties. It is the parties' intention that the Engineer will be an independent contractor and not the City's employee for all purposes, including, but not limited to, the application of the Fair Labor Standards Act minimum wage and overtime payments, Federal Insurance Contribution Act, the Social Security Act, the Federal Unemployment Tax Act, the provisions of the Internal Revenue Code, Missouri revenue and taxation laws, Missouri workers' compensation and unemployment insurance laws. The Engineer will retain sole and absolute discretion in the judgment of the manner and means of carrying out the Engineer's activities and responsibilities hereunder. The Engineer agrees that it is a separate and independent enterprise from the public employer, that it has a full opportunity to find other business, that it has made its own investment in its business, and that it will utilize a high level of skill necessary to perform the work. This agreement shall not be construed as creating any joint employment relationship between the Engineer and the City, and the City will not be liable for any obligation incurred by the Engineer, including but not limited to unpaid minimum wages and/or overtime premiums.

19. **City Benefits**. The Engineer shall not be entitled to any of the benefits established for the employees of the City nor be covered by the Worker's Compensation Program of the City.

20. **Liability and Indemnity**. The parties mutually agree to the following:

a. The Engineer shall defend, indemnify, and hold the City harmless from and against all damages, losses, liabilities, expenses, and costs with respect to all claims, including, but not limited to, claims for personal injuries, wrongful death, and damages to property, which may be asserted against the City by any person or entity as the result of Engineer's (or any of Engineer's subcontractors) violation of statutory law, misrepresentation, copyright infringement, breach of contract, professional negligence, or ordinary negligence in the course of the performance of this contract, provided that the Engineer is not obligated to indemnify or hold harmless the City from the City's own negligence or wrong doing.

b. The Engineer shall indemnify and hold the City harmless from all wages or overtime compensation due its employees in rendering services pursuant to this agreement, including payment of reasonable attorneys' fees and costs in the defense of any claim made under the Fair Labor Standards Act or any other federal or state law.

c. In no event shall the City be liable to the Engineer for special, indirect, or consequential damages, except those caused by the City's gross negligence or willful or wanton misconduct arising out of or in any way connected with a breach of this contract. The maximum liability of the City shall be limited to the amount of money to be paid or received by the City under this contract.

21. **Attorney Fees.** In the event of any litigation arising from breach of this Agreement the City shall be entitled to recover from the Contractor all reasonable costs incurred for such litigation, including staff time, court costs, attorney fees, and all other related expenses incurred in such litigation.

22. **Insurance**. Without limiting any of the other obligations or liabilities of the Engineer, the Engineer shall secure and maintain at its own cost and expense, throughout the duration of this Contract and until the work is completed and accepted by the City of Springfield, insurance of such types and in such amounts as may be necessary to protect it and the interests of the City of Springfield against all hazards or risks of loss as hereunder specified or which may arise out of the performance of the Contract Documents. The form and limits of such insurance, together with the underwriter thereof in each case, are subject to approval by the City of Springfield. Regardless of such approval, it shall be the responsibility of the Engineer to maintain adequate insurance coverage at all times during the term of the Contract. Failure of the Engineer to maintain coverage shall not relieve it of any contractual responsibility or obligation or liability under the Contract Documents.

The certificates of insurance, including evidence of the required endorsements hereunder or the policies, shall be filed with the City at the time that this contract is signed by the Engineer. All insurance policies shall provide thirty (30) days written notice to be given by the insurance company in question prior to modification or cancellation of such insurance. Such notices shall be mailed, certified mail, return receipt requested, to:

Springfield-Greene County Park Board, 1923 N Weller Avenue, Springfield, MO 65803

As of January 1, 2022, the minimum coverage for the insurance referred to herein shall be as set out below:

a. Workers' Compensation….Statutory coverage per RSMo 287.010 et seq.
Employer's Liability……. $1,000,000.00

b. Commercial General Liability Insurance, including coverage for Contractual Liability and Independent Contractors Liability. Such coverage shall apply to bodily injury and property damage on an "Occurrence Form Basis" with limits of at least Three Million and 00/100 Dollars ($3,000,000) for all claims arising out of a single accident or occurrence. Engineer agrees that the proceeds of such insurance policy shall first be used to pay any award, damages, costs, and/or attorneys' fees incurred by or assessed against City, its employees, officers and agents, before payment of any award, damages, costs or attorneys' fees of Engineer, its employees, officers or agents. Engineer agrees to cause its insurer to name City as an additional insured on such insurance policy, including the City as an additional insured for coverage under its products-completed operations hazard, and said policy shall be primary and noncontributory.

c. Automobile Liability Insurance covering bodily injury and property damage for owned, non-owned and hired vehicles, with limits of at least Three Million and 00/100 Dollars ($3,000,000) for all claims arising out of a single accident or occurrence. Engineer agrees to cause its insurer to name City as an additional insured on such insurance policy.

d. Errors and Omissions Insurance. The Engineer shall maintain a professional liability insurance policy in the amount of $1,000,000.00 and its terms shall be subject to the approval of the City. This policy shall remain in full force and effect for a period of one year after completion and acceptance by the City of the construction of the project. If insurance is written on a claims-made basis, vendor must maintain continuous coverage with a retro-active date prior to the effective date of the contract.

e. Subcontracts. In case any or all of this work is sublet, the Engineer shall require the subcontractor to procure and maintain all insurance required in subparagraphs (A), (B) and (C) hereof and in like amounts. Engineer shall require any and all subcontractors with whom it enters into a contract to perform work on this project to protect the City of Springfield through insurance against applicable hazards or risks and shall, upon request of the City, provide evidence of such insurance.

f. Notice. The Engineer and/or subcontractor shall furnish the City prior to beginning the work, the policy as specified in subparagraph (d), and satisfactory proof of carriage of all the insurance required by this contract, with the provision that policies shall not be canceled, modified or non-renewed without thirty (30) days written notice to the City of Springfield.

g. Legislative or Judicial Changes. In the event the scope or extent of the City's tort liability as a governmental entity as described in Section 537.600 through 537.650 RSMo is broadened or increased during the term of this agreement by legislative or judicial action, the City may require Engineer, upon 10 days written notice, to execute a contract addendum whereby the Engineer agrees to provide, at a price not exceeding Engineer's actual increased premium cost, additional liability insurance coverage as the City may require to protect the City from increased tort liability exposure as the result of such legislative or judicial action. Any such additional insurance coverage shall be evidenced by an appropriate certificate of insurance and shall take effect within the time set forth in the addendum.

23. **Ownership of Documents.** All files and information will be submitted before or upon final approval and acceptance of the contract documents. All documents, including original drawings, calculations, computer runs, field notes, drawings, estimates, specifications, written design criteria and written reports are and remain the property of the Engineer until such time as this Agreement is, for any reason, terminated, at which time they become the property of the City. The Engineer shall furnish to the City, one set of reproducible record Mylars of drawings, AutoCAD files and copies of estimates, specifications, written reports, and written design criteria, in consideration of which the City will use them fully in connection with the project and will not sell them.

24. **Notices**. All notices required or permitted hereinunder and required to be in writing may be given by FAX or by first class mail addressed to City and Engineer at the addresses shown above. The date of delivery of any notice given 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 shall be deemed to be the date transmission occurs, except where the transmission is not completed by 5:00 p.m. on a regular business day at the terminal of the receiving party, in which case the date of delivery shall be deemed to fall on the next regular business day for the receiving party.

25. **Jurisdiction**. This agreement and every question arising hereunder shall be construed or determined according to the laws of the State of Missouri. Should any part of this agreement be litigated, venue shall be proper only in the Circuit Court of Greene County, Missouri.

26. **Entire Agreement**. This agreement contains the entire agreement of the parties. No modification, amendment, or waiver of any of the provisions of this agreement shall be effective unless in writing specifically referring hereto, and signed by both parties.

IN WITNESS WHEREOF, the parties hereto evidence their agreement to the terms of this Contract by their signatures below.

CITY OF SPRINGFIELD, MISSOURI, BY AND THROUGH THE SPRINGFIELD-GREENE COUNTY PARK BOARD/CITY

By: _____
Director or Assistant Director of Parks
Date: _____

By: _____
Chair or Vice-Chair of Park Board
Date: _____

PROFESSIONAL CONSULTANT/ENGINEER

By: _____
Print Name: _____
Print Title: _____
Date: _____

If Engineer is a Disadvantaged Business Enterprise (DBE), please indicate classification
Minority Owned c Women Owned c Veteran Owned c

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.

By: _____
Director or Acting Director of Finance

APPROVED AS TO FORM BY: _____, City Attorney or Assistant City Attorney

CERTIFICATION REGARDING POTENTIAL CONFLICTS OF INTEREST

The City's Charter, Sec. 19.16, prohibits any Council member or employee of the City from having a financial interest, direct or indirect, in any contract with the City and any member of a City board or commission from having a financial interest, direct or indirect, in any contract with the department or administrative agency managed or operated by the board or commission on which he or she serves.

*****If the prohibition above is violated, <u>the contract is void</u> and the Council member, City board or commission member forfeits his or her office or the employee forfeits his or her employment*****

Vendor certifies that (check all that apply):

1. ____ No City Council member, City employee, or City board or commission member is an employee, officer, partner, owner, etc., of vendor.

2. ____ No spouse or dependent child of a City Council member, City employee, or City board or commission member is an employee, officer, partner, owner, etc., of vendor.

3. ____ A City Council member or spouse <u>is</u> an employee, officer, partner, owner, etc., of vendor.

4. ____ A City employee or spouse <u>is</u> an employee, officer, partner, owner, etc., of vendor.

5. ____ A City board/commission member or spouse <u>is</u> an employee, officer, partner, owner, etc., of vendor.

If choosing 3, 4, or 5, please provide name of Council member, employee, board or commission member, or spouse:
_____

Vendor Certification:

I certify the information above is true and accurate.

_____

By: _____

Title: _____

Company: _____

Please note whether the Charter is violated is fact-specific. City staff will follow up with you for additional information.

Exhibit A to Contract

Scope of Work

Name of Consultant	Olsson	
Scope of Work (Job Description)	Provide professional engineering, architectural, geotechnical and surveying services for the Cooper Youth Baseball & Killian Softball Complex Additions & Improvements PH II. The project generally consists of the following: <u>Cooper Youth Baseball Complex</u> • Installation of synthetic turf at 5 youth baseball fields • Converting one ball field to a stadium ball field • Miscellaneous associated improvements including fence work, concrete walks, site utility work, grading and drainage, storm water improvements <u>Killian Softball Complex</u> • Installation of synthetic turf at 6 softball fields • Installation of bleachers on first base side of the Stadium field • Miscellaneous associated improvements including site utility work, grading and drainage, storm water improvements	
Start Date	**Upon notice to proceed meeting**	
Interim Deadlines (if applicable)	**Date**	**Phase of Project To Be Completed** ***(Phases may overlap)***
Final Completion Deadline	30 days after final completion of construction	
Reimbursable Expenses	☐ None x Automobile Travel, Lodging, Meals, Printing, Copying, Postage, Faxing, Miscellaneous Materials & Supplies Applicable to Project, Copies of Deeds, Easement or other Project Related Documents, Fees for Applications or Permits, Sub-Consultants, Taxes Levied on Services and Reimbursable Expenses	
Maximum Payment	$ 882,770.00	Maximum Payment for Services Rendered
	$ 5,000.00	Maximum Amount Of Expenses To Be Reimbursed
	$ 887,770.00	Total Maximum Amount To Be Paid To Consultant
Method of Payment	☐ Lump Sum Of Entire Amount Upon Satisfactory Completion of Project ☐ Monthly Payments Based On Rate of $_____ Per Hour x Incremental Payments As Follows: Monthly based upon percentage of completion.	
City Official To Approve Payment(s)	Miles Park	

Department Head's Signature	Date:

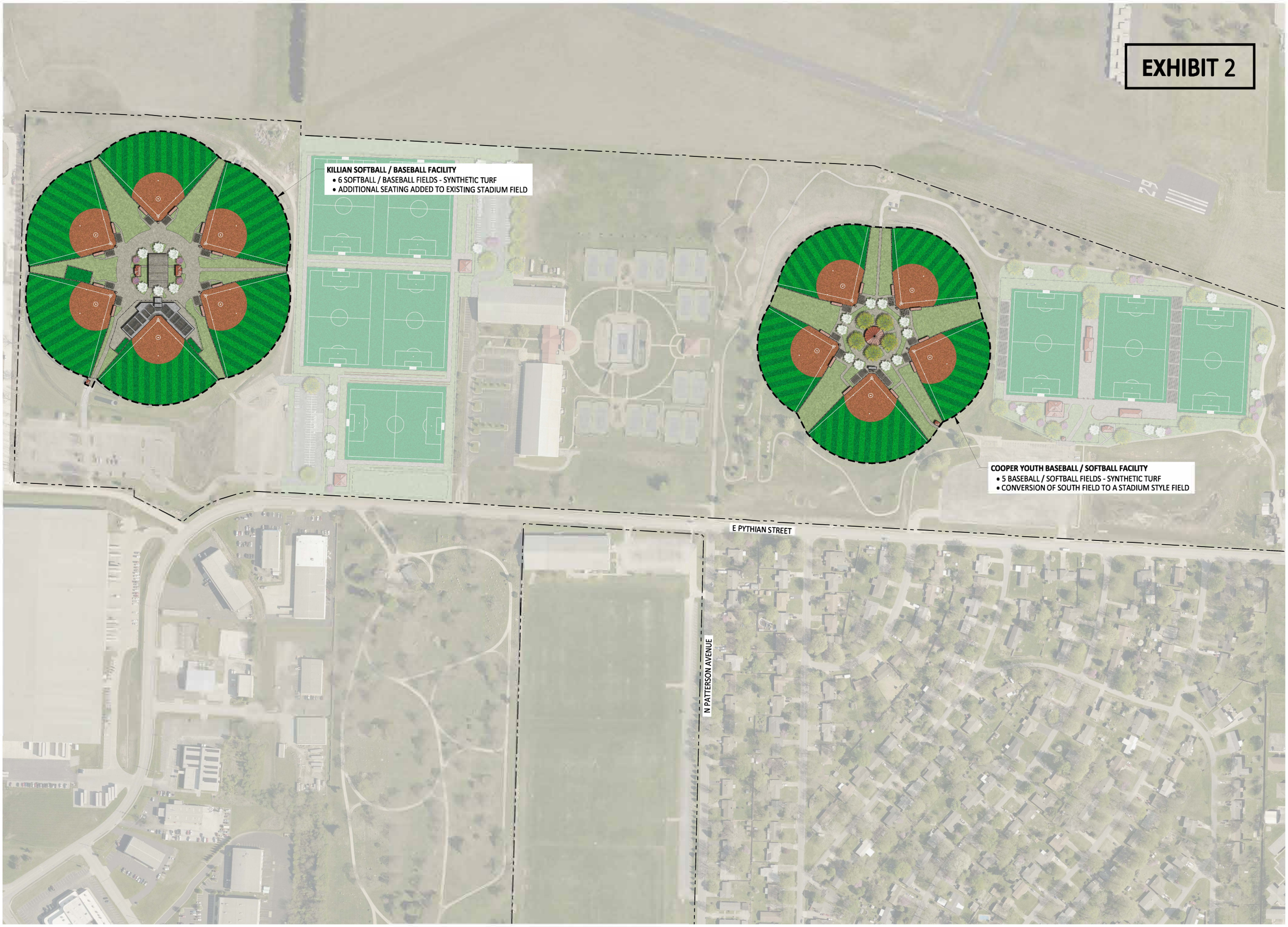


EXHIBIT A - COOPER YOUTH BASEBALL & KILLIAN SOFTBALL COMPLEX
FACILITY RENOVATIONS & ADDITIONS

NOVEMBER 8, 2023

NORTH 1"=100'-0"

0' 50' 100' 200'

EXPLANATION TO COUNCIL BILL 2023-303 (LEE)

FILED: 12/29/2023

ORIGINATING DEPARTMENT: Public Works

TITLE: A special ordinance authorizing the City Manager, or designee, to enter into intellectual property and service agreements with the City of Cape Girardeau, Missouri to authorize the use of the City's intellectual property and provide consultation and services necessary to implement the City of Springfield's SafeAcross pedestrian safety program; and authorizing the City Manager, or designee, to enter into similar intellectual property and service agreements with the State of Missouri, its political subdivisions, other states, or their political subdivisions, to implement the City of Springfield's SafeAcross pedestrian safety program in those other jurisdictions.

PURPOSE: To authorize the City Manager, or his designee, to enter into agreements with other cities, counties, states, or their consultants to adopt Springfield's SafeAcross pedestrian safety program. The SafeAcross Toolkit is offered to other communities free of charge, although there are future plans to offer additional services for a fee.

BACKGROUND INFORMATION: Springfield's pedestrian safety campaign, SGF Yields, has gained national attention and a federal grant provided resources for City staff to develop a generic version that other communities can use. While the SafeAcross program is free, interested agencies must enter a Service and Intellectual Property Agreement that spells out the rights and responsibilities of both parties. However, the City of Springfield reserves the right to charge for any additional services, travel, training, and other expenses that go beyond the scope of the free SafeAcross Toolkit.

REMARKS: Springfield's pedestrian safety efforts have been recognizedby the U.S. Department of Transportation as a noteworthy practice. Sharing our program not only gives Springfield national recognition and grant opportunities, but also may help our citizens be safer when walking or driving, both here and elsewhere.

Supports the following City Council Priorities:

- Public Safety
- Quality of Place

REMARKS: Public Works recommends passage of this Council bill.

Submitted By: Martin Gugel, Assistant Director of Public Works

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

Attachments:
1. SafeAcross Toolkit Agreements_ord
2. SafeAcross Toolkit - IP License Agreement - Cape G_Ex 1
3. SafeAcross Toolkit - Services Agreement - Cape G_Ex 2

One-rdg. _____
P. Hrngs. _____
Pgs. 20
Filed: 12-05-23

Sponsored by: Lee

First Reading: _____ Second Reading: _____

COUNCIL BILL 2023-303 SPECIAL ORDINANCE _____

AN ORDINANCE

AUTHORIZING the City Manager, or designee, to enter into intellectual property and service agreements with the City of Cape Girardeau, Missouri to authorize the use of the City's intellectual property and provide consultation and services necessary to implement the City of Springfield's SafeAcross pedestrian safety program; and authorizing the City Manager, or designee, to enter into similar intellectual property and service agreements with the State of Missouri, its political subdivisions, other states, or their political subdivisions, to implement the City of Springfield's SafeAcross pedestrian safety program in those other jurisdictions.

_____

WHEREAS, the City of Springfield developed a pedestrian safety campaign ("SGF Yields") which achieved high rates of driver compliance at crosswalks in Springfield and drew the attention of other communities and states; and

WHEREAS, in 2021, 2022, and 2023, the Missouri Department of Transportation funded production of a shareable version of SGF Yields named "SafeAcross" to make available to other communities to aid their efforts to increase pedestrian safety and awareness; and

WHEREAS, the City of Cape Girardeau, Missouri is currently interested in entering into agreements necessary to implement SafeAcross; and

WHEREAS, the U.S. Department of Transportation has recognized SafeAcross as a noteworthy practice; and

WHEREAS, other jurisdictions around the United States may be interested in implementing the SafeAcross program with guidance from staff; and

WHEREAS, while several components of the SafeAcross program are provided free of charge, additional services may be provided by staff for a fee.

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

Section 1 – The City Manager, or designee, is hereby authorized to enter into intellectual property and service agreements with the City of Cape Girardeau, Missouri, for the purpose of implementing the SafeAcross pedestrian safety program, said agreements to be substantially similar to the documents attached hereto and incorporated herein by reference as “Exhibit 1” and “Exhibit 2.”

Section 2 – The City Manager, or designee, is hereby authorized to enter into intellectual property and service agreements with the State of Missouri, any of its political subdivisions, other states, or any of their political subdivisions, for the purposes of implementing the SafeAcross program in those other jurisdictions, provided such agreements are approved by the City Attorney and are substantially similar to those forms attached as “Exhibit 1” and “Exhibit 2.”

Section 3 – This Ordinance shall be in full force and effect from and after its passage.

Passed at meeting: _____

_____
Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: _____, Assistant City Attorney

Approved for Council action: _____, City Manager

Exhibit 1

ROUTING ORDER	(1) ORIGINATING DEPARTMENT	(2) LICENSEE	(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	SAFEACROSS LICENSEE
City of Springfield **840 Boonville, P.O. Box 8368** **Springfield, MO 65802** **Phone: 417 864 0108 Fax: 417 8604 1983** **Attn: Mandy Buettgen-Quinn**	**City of Cape Girardeau** **44 North Lorimier** **Cape Girardeau, MO 63701** **Phone: Fax:** **Attn:** **Email:**

CITY OF SPRINGFIELD
"SAFE ACROSS" LICENSE AGREEMENT

Subject to the terms and conditions of this LICENSE AGREEMENT ("Agreement"), the City of Springfield, Missouri (the "City") hereby grants a license to the Licensee (defined below in the Definitions section) to use the intellectual property identified in ***Exhibit A*** ("Licensed Intellectual Property"), according to the terms and conditions below. The City and the Licensee may be referred to herein singularly as a "Party," or collectively as "Parties."

WHEREAS the City owns intellectual property rights in the Licensed Intellectual Property developed as part of the SafeAcross pedestrian safety program; and

WHEREAS, through distribution of the "SafeAcross" program, the City desires to promote pedestrian safety in crosswalks; and

WHEREAS, in connection with implementation of the "SafeAcross" program, the Licensee wishes to use the Licensed Intellectual Property depicted in the SafeAcross Implementation Guide, attached hereto as ***Exhibit A***; and

NOW, THEREFORE, in consideration of the following covenants and good and valuable consideration, the sufficiency of which has been acknowledged by the Parties, the Parties agree as follows:

1. Definitions:

(a) "City" means the City of Springfield, Missouri.

(b) "Confidential Information" means all non-public, confidential, or proprietary information of SafeAcross, whether in oral, written, electronic, or other form or media, whether or not such information is marked, designated, or otherwise identified as "confidential" and includes any information that, due to the nature of its subject matter or circumstances surrounding its disclosure, would reasonably be understood to be confidential or proprietary, including, specifically:

a. the SafeAcross Implementation Guide;

b. the Licensed Intellectual Property;
c. City's other unpatented inventions, ideas, methods, discoveries, know-how, trade secrets, unpublished patent applications, invention disclosures, invention summaries, and other confidential intellectual property; and
d. all notes, analyses, compilations, reports, forecasts, studies, samples, data, statistics, summaries, interpretations, and other materials prepared by or for City or that contain, are based on, or otherwise reflect or are derived from any of the foregoing in whole or in part.

(c) "Derivatives" means any variations or derivatives of the contents of ***Exhibit A*** to this Agreement.

(d) "Licensed Intellectual Property" means the contents of ***Exhibit A*** to this Agreement, along with any other state and federal copyright and trademark registrations and common law rights owned by the City and pertaining to the contents of ***Exhibit A***.

(e) "Licensee" means City of Cape Girardeau and its officers and employees.

(f) "License Fee" means the annual fee due from Licensee to the City, calculated as follows: $1.00

(g) "Licensed Use" means Licensee's use of the Licensed Intellectual Property in connection with the Safe Across program and any associated promotion or advertising, only to the extent that the City has preapproved Licensee's use of the Licensed Intellectual Property pursuant to this Agreement.

(h) "Mr. Walker" means the iconic statue (depicted in ***Exhibit A***) functioning as the spokesperson for the Safe Across program.

(i) "Safe Across" means the comprehensive pedestrian safety awareness initiative distributed by the City and including all training, implementation materials, and other resources and elements provided as part of initiating this program in a community.

(j) "Term" means the term during which this Agreement is in effect, which shall be as follows:

From ____January 1st, 2024_____ to _____December 31, 2026 (3 Years)

2. License:

Upon execution of this Agreement, the City grants to the Licensee a non-exclusive, non-transferrable, non-sublicensable license (the "License") to use the Licensed Intellectual Property and to make and use certain derivative works of the Licensed Intellectual Property for only the Licensed Use described in this Agreement. The License shall extend for the duration of the Term, subject to the remaining terms and conditions of this Agreement. Except as set forth in this Agreement, the City is not granting any rights to produce any items for sale or merchandise that incorporates any Licensed Intellectual Property, other than the Licensed Use.

Licensee agrees not to grant any license or sublicense of the Licensed Intellectual Property and shall not otherwise assign or transfer any rights granted by the City pursuant to this Agreement. It is understood by the Parties that the manufacture of any licensed product embodying the Licensed Use may be performed by a third-party manufacturer designated by the Licensee and acceptable to the City, but that the third party manufacturer shall not gain any rights in the Licensed Intellectual Property.

Licensee in return grants to the City, a non-exclusive, royalty free, limited right to use and display the Licensed Intellectual Property in City business, to the extent the Licensed Intellectual Property includes any proprietary elements owned by Licensee and requiring such a license. City may develop materials upon request of the Licensee if such content would be useful for other potential licensees, and City has funding and staff available to do so.

3. Intellectual property Ownership:

The City owns and retains all rights, title and interest in and to the Licensed Intellectual Property and has the right to control all uses, images and derivative works of, based upon, or confusingly similar to the Licensed Intellectual property. This Agreement does not confer any ownership rights in the Licensed Intellectual property to Licensee or any third party.

4. License Payment:

In consideration for the License, Licensee shall pay to the City an annual fee in the amount of the License fee set forth in the Definitions section above. The License Fee may be paid by check payable to:

City of Springfield, Attention: Mandy Buettgen-Quinn/SafeAcross
840 Boonville Ave, Springfield, MO 65802

Failure to pay the required License Fee within thirty (30) calendar days of the City's invoice will nullify this Agreement, and the City shall have the right to immediately enjoin Licensee's use of the Licensed Intellectual Property.

5. Licensed Use

(a) Licensee is authorized to use the Licensed Intellectual Property in connection with the Safe Across program and any associated promotion and advertising, only to the extent that the City has preapproved use of the Licensed Intellectual Property pursuant to this Section (the "Licensed Use"). Any and all Licensed Uses shall be subject to the conditions included in ***Exhibit B***, Intellectual Property Uses and Conditions.

(b) Licensee shall make all reasonable efforts to launch the SafeAcross program in accordance with the SafeAcross Implementation Guide, attached hereto as ***Exhibit A*** and incorporated herein by reference, and begin use of the Licensed Intellectual Property within one year of the execution of this Agreement, unless otherwise agreed upon in writing by the parties.

(c) Licensee shall not adopt or use, without the City's preapproval pursuant to this Section, any variations or derivatives of the Licensed Intellectual Property (collectively "Derivatives"). Upon such approval by the City, the approved Derivatives shall be included as part of the Licensed Intellectual Property and subject to the same terms and conditions, except as noted below.

(d) Licensee agrees that the nature and quality of the Licensed Use shall conform to standards prescribed by the City and consistent with the Safe Across Program Agreement, and that Licensee will not depart from such prescribed standards without the City's advance written permission. Prior to use, the City must review and provide written approval of final designs and materials specifications supplied by Licensee for any such materials to be produced, marketed, or given away by Licensee in connection with the Licensed Use. City shall not be held accountable for any design, production, or marketing cost involved with this Agreement. Licensee shall provide the City with the opportunity to inspect, approve (or disapprove) and control all proposed uses of the Licensed Intellectual Property before such use of the Licensed Intellectual Property is made public. The City has the right to reject any particular use of the Licensed Intellectual Property or Licensed Use as improper or below the City's quality standards, at the City's sole discretion.

(e) Licensee shall provide to the City (a) samples of the Licensed Use and (b) samples of any other proposed use of the Licensed Intellectual Property, including but not limited to, use on public right-of-way, advertising, packaging, signage, or other use, for approval by the City before any such use of the Licensed Intellectual Property is made public. Samples shall include such information on the surrounding area and/or context for the use sufficient to allow the City to determine whether the proposed use would be prejudicial. The Licensed Intellectual Property shall only be used in connection with the Licensed Use after approval by City. Licensee may not alter approved designs for the Licensed Use without the express written approval of the City. The Licensed Use that is made public shall conform to the quality levels specified by City and be in conformity with the representative samples approved by the City. Any samples attached to this Agreement in ***Exhibit A*** are hereby approved by the City for use by Licensee, but the City's authorization extends only to the Use(s) depicted in ***Exhibit A*** and other uses preapproved by the City in writing.

6. Goodwill in Licensed Marks:

Licensee agrees that all goodwill generated from the Licensed Use shall inure to the benefit of the City and the SafeAcross Program. Licensee agrees that the essence of this License Agreement is founded on the goodwill associated with the SafeAcross program and that it is critical that such goodwill be protected and enhanced and, towards this end, Licensee shall not during the Term or thereafter:

(a) Apply to register or maintain any copyright or trademark application or registration of the Licensed Intellectual Property (modified or otherwise) or any other mark confusingly similar to the Licensed Intellectual Property;

(b) Challenge the validity of any of the intellectual property rights covering the Licensed Intellectual Property or the ownership thereof by the City;

(c) Use any colorable imitation of any of the Licensed Intellection Property, or any variant form (including variant design forms, logos, colors, or type styles) of the Licensed Intellectual Property not specifically approved by City;

(d) Misuse the Licensed Intellectual Property, or variants or Derivatives thereof;

(e) Take any action that would bring the City or the Licensed Intellectual Property into public disrepute;

(f) Take any action that would tend to destroy or diminish the goodwill in the Licensed Intellection Property; or

(g) Use the Licensed Intellectual Property for any purpose that is unlawful, prohibited by or outside the terms of this Agreement.

Licensee shall indemnify, defend, and hold harmless SafeAcross and its officers, directors, employees, agents, successors, and assigns against all losses and damages arising out of or resulting from any third party claim, suit, action, or other proceeding related to or arising out of or resulting from (a) Licensee's breach of any representation, warranty, covenant, or obligation under this Agreement, or (b) use by Licensee of the Licensed Products, or (c) any use, sale, transfer, or other disposition by Licensee of Licensed· Products (each an "Action"). City shall notify Licensee in writing of any Action and cooperate with Licensee at Licensee's sole cost and expense. Subject to Section 10, Licensee shall immediately take control of the defense and investigation of the Action and shall employ counsel [of its choice/reasonably acceptable to Licensor] to handle and defend the Action, at Licensee's sole cost and expense. [Licensee shall not settle any Action in a manner that adversely affects the rights of Licensor [or its Affiliates] without Licensor's [or its Affiliates'] prior written consent] [, which consent may not be unreasonably withheld or delayed]. Licensor's [or its Affiliates'] failure to perform any obligations under this Section will not relieve Licensee of its obligation under Section 15 except to the extent Licensee can demonstrate that it has been materially prejudiced as a result of the failure. Licensor [and its Affiliates] may participate in and observe the proceedings at [its/their] own cost and expense with counsel of [its/their] own choosing.

7. Right to Inspect by the City.

After the initial approval by the City, the City shall have the right to inspect periodically samples of the Licensed Use, to ensure that Licensed Use remains of a proper quality. The City shall have the right at all reasonable times during the Term of this Agreement to inspect the Licensee’s marketing, products, materials, marketing plans or proposals, and any and all related materials for the purposes of confirming the Licensee’s use of the Licensed Intellectual Property is in conformity with the standards of quality outlined in this Agreement. If through such inspection the City determines that the Licensed Use fails to conform or no longer conforms to the City’s quality standards, then the City will describe the nonconformity to Licensee. In any notice disapproving the quality of the Licensed Use, the City shall provide the reasons for disapproval, which shall be based on reasonable criteria consistent with industry practices. Licensee shall correct or restore such quality within thirty (30) calendar days of being notified of such nonconformity. Failure to reach or restore acceptable quality by the deadline (or another deadline mutually agreed upon) shall immediately grant the City the right to terminate the Agreement, and Licensee shall immediately cease using and shall recall any such nonconforming Licensed Use.

8. Applicable Regulations.

The Parties agree to comply with all applicable government regulations. Licensee shall be responsible for, and bear all costs of, obtaining any necessary governmental approval needed in connection with the Licensed Use.

9. Third-Party Intellectual Property Rights.

The City expressly does NOT warrant the Licensee’s freedom to make, use or sell items embodying the Licensed Intellectual Property with respect to third party intellectual property rights, and does NOT indemnify the Licensee against third party claims of any type, including but not limited to claims of product liability, trademark infringement or copyright infringement, based on Licensee’s manufacture, use or sale of the Licensed Intellectual Property and the Licensed Use. Licensee accepts the risk of possible liability to third parties that Licensee incurs by virtue of the Licensed Use.

10. Indemnity and Hold Harmless.

The City shall not be liable for the quality of the Licensed Use or any complaint issued regarding same. Licensee shall indemnify, defend, and hold harmless the City, and the City’s officials, employees, agents, and representatives, from and against all liabilities, claims, actions, demand of liability, suits, and other proceedings, and any losses, damage, sanctions, fines, expenses, costs (including reasonable attorney fees or disbursements), and judgments (collectively “Claims”) that are or may be raised by any third party in connection with the manufacture, use, sale, or condition of the Licensed Use and the Licensed Intellectual Property, or related products produced by Licensee, including Claims related to infringement of third party intellectual property rights (including trademark and copyright infringement), industrial rights, bodily injury, product liability, environmental, and human rights. This provision shall be valid and enforceable regardless of whether or not Licensee is in compliance with any quality requirements of this Agreement. Licensee shall not settle any Claims in a manner that adversely affects the rights of the City without the City's prior written consent, which consent may not be unreasonably withheld or delayed.

11. Confidentiality.

Licensee agrees that it will not disclose any of the Confidential Information, directly or indirectly, or use any of it in any manner, either during the term of this Agreement or at any time thereafter, except as required in the implementation of the SafeAcross program. The Confidential Information shall remain the exclusive and sole property of the City. Licensee shall not retain any copies of the Confidential Information without City's prior written permission. Upon the expiration or earlier termination of this Agreement, or whenever requested by City, Licensee shall immediately deliver to City all such Confidential Information in its possession or under its control, and shall destroy any copies or electronic records embodying or derived from the Confidential Information. The Licensee shall maintain the Confidential Information in a reasonably secure location and employ precautions to restrict access to, and to protect the confidentiality of, the Confidential Information that, in the aggregate, are no less protective than the precautions it uses to protect the confidentiality of its own comparable confidential information and, in any event, no less than reasonable precautions. Licensee may disclose Confidential Information to the extent Licensee is compelled by law to do so, provided Licensee gives the City prior notice of the compelled disclosure and reasonable assistance, at City's cost, if the City wishes to contest the disclosure.

12. Open Records.

The confidentiality requirements of Section 11 of this Agreement apply only to the extent permitted by the Missouri Sunshine Law, Chapter 610 of the Revised Statutes of Missouri ("Sunshine Law"). This Section is not intended to be a waiver of any of the provisions of the applicable Sunshine Law, including, without limitation, the requirement for the Licensee to provide notice and opportunity for City to assert an exception to disclosure requirements in accordance with the Sunshine Law.

13. Legal Remedies.

The City shall have all legal remedies available for any unauthorized, unlicensed use of the Licensed Intellectual Property.

14. Term, Termination and Breach.

(a) Term: The Term of this agreement is as set out in the definitions section above. At any time prior to the end of the Term, the City and Licensee may agree to renew this Agreement via a written addendum, signed by the City and Licensee. Licensee has 120 days, calculated starting from the first day after the Term concludes, to remove and/or discontinue use of all Licensed Intellectual Property including any derivatives or variations. Licensee thereafter agrees not to use any mark which is substantially similar to or confusingly similar to any of the Licensed Intellectual Property.

(b) Breach: In the event of a breach by either Party, the non-breaching Party must provide written notice of the breach. If the breach is not cured within thirty (30) calendar days of receiving notice, the non-breaching Party may at its option pursue an action for specific performance or damages, and/or may immediately terminate this Agreement by providing written notice of termination.

(c) Termination: The License shall expire immediately upon termination of this Agreement, regardless of the reason for termination. Sections (6), (9) and (10) shall survive termination.

15. Miscellaneous Provisions.

(a) Mutual Representation. Each Party represents to the other Party that it has the full power and authority to enter into this Agreement, and that doing so does not conflict with any other agreement or obligation.

(b) Entire Agreement and Amendments. This Agreement supersedes all other agreements and understands among the Parties, either express or implied, and constitutes the entire agreement of the Parties with respect to the subject matter of this Agreement. The Parties may amend, modify, and/or alter any or all of the provisions of this Agreement, including adding new provisions, but only by a written instrument executed by both Parties.

(c) No Waiver. Failure by either Party to enforce any provision of this Agreement shall not be deemed a waiver of future enforcement of that or any other provision.

(d) Severability. If any provision of this agreement is held to be unenforceable, then that provision is to be construed either by modifying it to the minimum extent necessary to make it enforceable (if permitted by law) or disregarding it (if not). If an unenforceable provision is modified or disregarded, the rest of the Agreement shall remain in effect.

(e) Notices. Any notice required under this Agreement shall be sent to the addresses specified by the Parties in the signature block below.

(f) Relationship of the Parties. The Parties hereto are independent, and no Party is an employee, agent, partner, or joint venturer of the other Parties. Neither Party shall have the right to bind the other Party, whether directly or indirectly,

to any agreement with a third party or to incur any obligation or liability on behalf of such other Party, whether directly or indirectly.

(g) Disputes. The laws of the state of Missouri, without giving effect to its principles of conflicts of law, govern all adversarial proceedings arising out of this agreement. Each Party consents to personal jurisdiction and exclusive venue in a state or federal court located in Springfield, Missouri. If any legal or administrative proceeding arises out of this Agreement, the prevailing Party will be entitled to recover, in addition to costs, reasonable attorney fees incurred as a result of the proceeding.

(h) Force Majeure. Neither Party shall be liable for any failure or delay in the performance or obligation hereunder on account of strikes, riots, fires, explosions, acts of God, war, governmental action, or any other cause which is beyond the reasonable control of such Party.

(i) Counterparts. This Agreement may be executed in multiple counterparts and by facsimile and/or email, and all executed counterparts together shall constitute the original instrument. Faxed or emailed signatures shall be binding.

[Signature Page Follows]

IN WITNESS WHEREOF, the City and the Licensee have executed this Intellectual Property License Agreement this _____ day of _____, 202_.

CITY OF SPRINGFIELD, MISSOURI

By:_____
City Manager or designee

SAFEACROSS LICENSEE:

By:_____

Name & Title:_____

APPROVED AS TO FORM

_____
City Attorney or designee

APPROVED AS TO FORM

_____
City Attorney or designee

EXHIBIT A

[SafeAcross Implementation Guide]

EXHIBIT B

Intellectual Property Uses and Conditions

1) Logo usage – Whenever the Licensee shall follow the SafeAcross Branding Guide. When Licensee plans to purchase products that have the SafeAcross logos on them, the Licensee must obtain prior approval from SafeAcross. Whenever the Licensee plans to produce products, materials or other content outside of the existing SafeAcross toolkit (such as PSAs, graphics, etc.) that uses the logo or otherwise associates with the SafeAcross program, the Licensee shall obtain prior approval from SafeAcross.

2) Mr. Walker installations – the Licensee agrees to produce or purchase fluorescent yellow-green "Mr. Walker" statues and potentially "heart-signs" according to SafeAcross' specifications. The minimal amount of statues installed at program start is 3 and should increase to 4 within a year's time and not to exceed 10 at any point. SafeAcross must approve statue locations and reserves the right the veto locations that appear unsuitable according to SafeAcross's Installation Specifications and Considerations. Licensee commits to maintaining the statue in a timely manner if it becomes damaged, vandalized or faded. Upon contract termination, any Mr. Walker statues or signs must be removed.

3) Student Walkers - installations are allowable at schools which either have pedestrian safety in their curriculum or have a speaker provide SafeAcross content to grades 1st through 3rd (at a minimum) on an annual basis, or for the length of the student statue installation.

4) Pedestrian/Trail/School Crossing signs - The Licensee must utilize fluorescent yellow-green (FYG) crosswalk signs on the roadways that fall under their jurisdiction. If Licensee is updating a "warning yellow" sign inventory to FYG, they may start installing Mr. Walker statues when at least of 50% of the crosswalk signage has been updated to FYG. Licensee works toward having 80% of the crosswalks equipped with FYG signs and reasonably fresh high-visibility markings within a year. The Licensee is encouraged to work with their state or municipal counterpart to achieve uniformity across a community.

5) Crosswalk maintenance - Before program launch, crosswalks that fall under the jurisdiction of the Licensee must be inspected and improved as needed by Licensee. Faded or missing signs or markings must be mediated. Midblock crosswalks and crosswalks across uncontrolled approaches should have complete crosswalk assembly and follow best practices.

6) Crosswalks in need of enhancements – SafeAcross reserves the right to delay the launch of a local SafeAcross campaign if crosswalks under the jurisdiction of the Licensee do not provide sufficient protection for pedestrians based on the roadway characteristics. SafeAcross may allow the Licensee to proceed with the program launch if there is a plan to remediate the situation. A "Mr. Walker" statue may not be installed at a problematic crosswalk site as a remedial feature.

7) Compliance studies – The Licensee or their contractor must produce quarterly crosswalk compliance studies at 4 locations and publish the results with the local population and SafeAcross.

8) Public Education – The Licensee or their contractor or partner will promote pedestrian safety messages regularly digitally and/or in print and will strive to grow its audience. Communication should occur about once a week.

Exhibit 2

ROUTING ORDER	(1) ORIGINATING DEPARTMENT	(2) LICENSEE	(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			

SPRINGFIELD	SAFEACROSS LICENSEE
City of Springfield **840 Boonville, P.O. Box 8368** **Springfield, MO 65802** **Phone: (417) 864 1801 Fax: (417) 864 1983** **Attn: Mandy Buettgen-Quinn**	**City of Cape Girardeau** **44 North Lorimier** **Cape Girardeau, MO 63701** **Phone: Fax:** **Attn:** **Email:**

SAFEACROSS – SERVICES CONTRACT

THIS CONTRACT, made and entered into this _____ day of _____, 20___, by the parties identified above,

WITNESSETH:

THAT, WHEREAS, the City of Springfield ("Springfield") is the distributor of the program known as "SafeAcross", which is a pedestrian safety program that aims to increase safety in crosswalks; and

WHEREAS, the program implementation guide and generic resources of SafeAcross are available to this Licensee and other approved participating communities/states free of charge; and

WHEREAS, SafeAcross is comprehensive program that utilizes public education, engineering, public engagement, data evaluation and other elements to promote a pedestrian friendly culture within a community; and

WHEREAS, the SafeAcross campaign is built around an iconic statue installation, called "Mr. Walker" functions as the spokesperson relaying pedestrian safety information to the public; and

WHEREAS, the above-named community ("Licensee") has expressed interest in implementing the SafeAcross program and has received a license to use SafeAcross-related images, signs, and other intellectual property;

NOW, THEREFORE, for the considerations herein expressed, it is agreed by and between Springfield and Licensee as follows:

1. **Services**. Springfield agrees to provide the services and training hereinafter set forth in ***Exhibit A*** in accordance with the ordinary standard of care, skill and expertise in performing similar services. No services shall be provided by Springfield until this Contract has been fully executed.

2. **Addition to Services**. Licensee may add to the services or delete therefrom activities of a similar nature as provided in ***Exhibit B***, provided that the total cost of such work does not exceed the total cost allowance as specified in Paragraph 7 hereof. All such directives and changes shall be in written form and prepared and approved by the Licensee and accepted and countersigned by Springfield.

3. **Exchange of Data**. All information, data, and reports in a party's possession necessary for the carrying out of the services related to this Contract, shall be furnished to the other without charge, and the parties shall reasonably cooperate in connection with this Contract.

4. **Personnel**. Springfield represents that it will secure, at its own expense, all personnel required to perform the services called for under this Contract. Such personnel shall not be employees of or have any contractual relationship with the Licensee except as employees or independent contractors of Springfield. All of the services required hereunder will be performed by Springfield or under its direct supervision and all personnel engaged in the services shall be fully qualified and shall be authorized under state and local law to perform such services.

5. **Term**. The services of Springfield shall commence as soon as practicable after the execution of this Contract, unless otherwise directed in writing by Licensee, and shall be undertaken and completed in such sequence as to assure their expeditious completion in the light of the purposes of the Contract, but in any event, all of the services required hereunder shall be completed as set forth in the schedule for the project which is attached hereto as ***Exhibit A***.

6. **Costs not to Exceed**. The City of Springfield is limited by law with respect to the amount of money it can pay. Therefore, the City has established a fixed sum for this Contract which cannot be exceeded unless this Contract is amended in writing. The Contractor providing services hereunder shall be required to keep track of the amount of hours billable under this Contract at all times; and any work in excess of the fixed sum for this Contract shall not be eligible for payment. The Contractor shall promptly notify the City if Contractor anticipates that the Contract amount may be exceeded, in order to determine whether or not the City is prepared to increase the total compensation. The Contractor shall establish a billing system documenting the amount of money remaining on the Contract which shall be shown in each incremental billing statement.

7. **Payment**.

a. **Conditioned upon acceptable performance**. Provided Springfield performs the services in the manner set forth in Paragraph 1 hereof, Licensee agrees to pay Springfield in accordance with the terms set forth in ***Exhibit A***, which shall constitute complete compensation for all services to be rendered under this Contract. The services and resources in ***Exhibit A*** developed with the assistance of Highway Safety Program funds are available without charge.

b. **Total compensation not to exceed**. It is expressly understood that in no event will the total compensation and reimbursement to be paid to Springfield under the terms of this Contract exceed the sum of **Zero and no/100 Dollars ($0.00)**.

8. **Termination of Contract.**

a. **Termination for breach.** Failure of the Licensee to fulfill Licensee's obligations under this Contract, or under the terms of the SafeAcross Intellectual Property License Agreement, in a timely and satisfactory manner in accordance with the schedule and description of services set forth in ***Exhibit A*** shall constitute a breach of the Contract, and Springfield shall thereupon have the right to immediately terminate the Contract. The City shall give written notice of termination to the Contractor by one of four different means: Facsimile Transmission ("FAX") if Contractor has a FAX number; U.S. Postal Service Mail; or by hand delivering a copy of the same to the Contractor; or by electronic mail to the address indicated below; or may give notice by any combination of the above methods. The date of termination shall be the date upon which notice of termination is hand delivered to Contractor or given by FAX or electronic mail, or the third day following mailing of the notice of termination, whichever first occurs.

b. **Termination for Convenience.** The parties shall have the right at any time upon 15 days' written notice to terminate and cancel this Contract, without cause, for the convenience of the parties, and Springfield shall immediately stop work upon issuance of such notice. In such event Licensee shall not be liable to Springfield except for payment for actual work performed prior to such notice in an amount proportionate to the completed contract price and for the actual costs of preparations made by Springfield for the performance of the cancelled portions of the Contract, including a reasonable allowance of profit applicable to the actual work performed and such preparations. Anticipatory profits and consequential damages shall not be recoverable.

9. **Conflicts**. No salaried officer or employee of Springfield and no member of 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. Licensee 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. Licensee further covenants that in the performance of this Contract no person having such interest shall be employed or compensated by Licensee.

10. **Assignment**. This Contract shall extend to and be binding upon the parties hereto and their respective successors and assigns. Licensee shall not assign any interest in this Contract, and shall not transfer any interest in the same (whether by assignment or novation), without prior written consent of Springfield. In the event Springfield no longer administers the SafeAcross program, Springfield may assign this Contract without Licensee's prior written consent.

11. **Confidentiality of Documents**. Any reports, data, design or similar information given to or prepared or assembled by the parties under this Contract which a party requests to be kept as confidential shall not be made available to any individual or organization by without prior written approval of the other party, unless disclosure is otherwise required by law.

12. **Discrimination**. The parties agree in the performance of this Contract not to discriminate on the ground or because of race, color, religion, sex, sexual orientation, gender identity, national origin, age, status as a protected veteran or status as a qualified individual with a disability, or political opinion or affiliation, against any employee of the parties or applicant for employment and shall include a similar provision in all subcontracts let or awarded hereunder. The parties hereby incorporate the requirements of 41 C.F.R. §§ 60-1.4(a)(7), 29 C.F.R. Part 471, Appendix A to Subpart A, 41 C.F.R. § 60-300.5(a) and 41 C.F.R. § 60-741.5(a), if applicable.

a. The parties and any authorized subcontractor shall abide by the requirements of 41 C.F.R. § 60-300.5(a). This regulation prohibits discriminations against qualified protected veterans, and requires affirmative action by covered prime contractors and subcontractors to employ and advance in employment qualified protected veterans.

b. The parties and any authorized subcontractor shall abide by the requirements of 41 C.F.R. § 60-741.5(a). This regulation prohibits discrimination against qualified individuals on the basis of disability, and requires affirmative action by covered prime contractors and subcontractors to employ and advance in employment qualified individuals with disabilities.

13. **Compliance with Laws**. The parties agree to comply with all applicable federal, state and local laws and rules and regulations applicable to the provision of services and products hereunder.

14. **General Independent Contractor Clause**. This Contract does not create an employee/employer relationship between the parties. It is the parties' intention that Springfield will be an independent contractor and not the Licensee's employee for all purposes, including, but not limited to: the application of the Fair Labor Standards Act minimum wage and overtime payments, Federal Insurance Contribution Act, the Social Security Act, the Federal Unemployment Tax Act, the provisions of the Internal Revenue Code, Missouri revenue and taxation laws, Missouri workers' compensation and unemployment insurance laws.

15. **Liability and Indemnity**. The parties mutually agree to the following:

a. To the fullest extent permitted by law, Springfield will not be liable to Licensee or any other person for any injury or loss of goodwill, reputation, business, production, revenues, profits, anticipated profits, contracts, or opportunities (regardless of how these are classified as damages), or for any consequential, incidental, indirect, exemplary, special, punitive, or enhanced damages whether arising out of breach of contract, tort (including negligence), strict liability, product liability, or otherwise (including the entry into, performance, or breach of this Agreement), regardless of whether such loss or damage was foreseeable or the party against whom such liability is claimed has been advised of the possibility of such loss or damage, and notwithstanding the failure of any agreed or other remedy of its essential purpose.

b. In no event shall Springfield be liable to Licensee for special, indirect, or consequential damages, except those caused by the City's gross negligence or willful or wanton misconduct directly and solely resulting in a breach of this contract. The maximum liability of the City shall be limited to the amount of money to be paid or received by the City under this Contract.

c. Licensee shall defend, indemnify, and hold Springfield harmless from and against all claims, including but not limited to losses, and liabilities arising out of personal injuries, including death, and damage to property, which are caused by Licensee arising out of or in any way connected with this Contract.

d. Licensee shall indemnify and hold Springfield harmless from all wages or overtime compensation due Licensee's employees in rendering services pursuant to this Contract, including payment of reasonable attorney fees and costs in the defense of any claim made under the Fair Labor Standards Act or any other federal or state law.

16. **Attorney Fees.** In the event of any litigation arising from breach of this Agreement Springfield shall be entitled to recover from Licensee all reasonable costs incurred for such litigation, including staff time, court costs, attorney fees, and all other related expenses incurred in such litigation.

17. **Insurance**. Without limiting any of the other obligations or liabilities of the Contractor, the Contractor shall secure and maintain at its own cost and expense, throughout the duration of this Contract and until the work is completed and accepted by the City of Springfield, insurance of such types and in such amounts as may be necessary to protect it and the interests of the City of Springfield against all hazards or risks of loss as hereunder specified or which may arise out of the performance of the Contract Documents. The form and limits of such insurance, together with the underwriter thereof in each case, are subject to approval by the City of Springfield. Regardless of such approval, it shall be the responsibility of the contractor to maintain adequate insurance coverage at all times during the term of the Contract. Failure of the Contractor to maintain coverage shall not relieve it of any contractual responsibility or obligation or liability in general or under the Contract Documents.

The certificates of insurance, including evidence of the required endorsements hereunder or the policies, shall be filed with the City within ten (10) days after the date of the receipt of Notice of Award of the Contract to the Contractor and prior to the start of work. All insurance policies shall require that the insurance company in question provide thirty (30) days written notice prior to modification or cancellation of such insurance. Such notices shall be mailed, certified mail, return receipt requested, to:

City of Springfield - Public Works, P.O. Box 8368, Springfield, MO 65801-8368; and

Such policies shall name the City as an additional insured.

As of January 1, 2022, the minimum coverage for the insurance referred to herein shall be as set out below:

a. Workers' Compensation….Statutory coverage per RSMo 287.010 et seq.
Employer's Liability……. $1,000,000.00

b. Commercial General Liability Insurance, including coverage for Contractual Liability and Independent Contractors Liability. Such coverage shall apply to bodily injury and property damage on an "Occurrence Form Basis" with limits of at least Three Million and 00/100 Dollars ($3,000,000) for all claims arising out of a single accident or occurrence. Contractor agrees that the proceeds of such insurance policy shall first be used to pay any award, damages, costs, and/or attorneys' fees incurred by or assessed against City, its employees, officers and agents, before payment of any award, damages, costs or attorneys fees of Contractor, its employees, officers or agents. Contractor agrees to cause its insurer to name City as an additional insured on such insurance policy, including the City as an additional insured for coverage under its products-completed operations hazard, and said policy shall be primary and noncontributory.

c. Automobile Liability Insurance covering bodily injury and property damage for owned, non-owned and hired vehicles, with limits of at least Three Million and 00/100 Dollars ($3,000,000) for all claims arising out of a single accident or occurrence.

18. **Notices**. All notices required or permitted hereinunder and required to be in writing may be given by FAX, electronic mail (if to Contractor), or by first class mail addressed to Springfield or Licensee 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.

19. **Force Majeure**. Neither party will be in default by reason of any failure or delay in the performance of such party's obligations hereunder where such failure or delay is due to any circumstance or cause beyond its reasonable control, including strikes, labor disputes, civil disturbances, riot, rebellion, invasion, epidemic, hostilities, war, pandemic, terrorist attack, embargo, natural disaster, acts of God, flood, fire, sabotage, or fluctuations or non-availability of electrical power.

20. **DISCLAIMERS OF WARRANTIES**. EXCEPT AS EXPRESSLY SET FORTH ABOVE, SPRINGFIELD DISCLAIMS ALL REPRESENTATIONS AND WARRANTIES, WHETHER WRITTEN, ORAL, EXPRESS, IMPLIED, STATUTORY, OR OTHERWISE, CONCERNING THE VALIDITY, ENFORCEABILITY, AND SCOPE OF THE LICENSED PRODUCTS, THE ACCURACY, COMPLETENESS, SAFETY, USEFULNESS FOR ANY

PURPOSE, OR LIKELIHOOD OF SUCCESS (COMMERCIAL, REGULATORY OR OTHER) OF THE LICENSED PRODUCTS, AND ANY OTHER TECHNICAL INFORMATION, TECHNIQUES, MATERIALS, METHODS, PRODUCTS, PROCESSES, OR PRACTICES AT ANY TIME MADE AVAILABLE BY RIVER SPEED LLC, INCLUDING ALL IMPLIED WARRANTIES OF MERCHANTABILITY, QUALITY, FITNESS FOR A PARTICULAR PURPOSE, NON-INFRINGEMENT, AND WARRANTIES ARISING FROM A COURSE OF DEALING, COURSE OF PERFORMANCE, USAGE, OR TRADE PRACTICE. WITHOUT LIMITATION TO THE FOREGOING, RIVER SPEED LLC WILL HAVE NO LIABILITY WHATSOEVER TO LICENSEE OR ANY OTHER PERSON FOR OR ON ACCOUNT OF ANY INJURY, LOSS, OR DAMAGE, OF ANY KIND OR NATURE, SUSTAINED BY, OR ANY DAMAGE ASSESSED OR ASSERTED AGAINST, OR ANY OTHER LIABILITY INCURRED BY OR IMPOSED ON LICENSEE OR ANY OTHER PERSON, ARISING OUT OF OR IN CONNECTION WITH OR RESULTING FROM (A) THE MANUFACTURE, USE, OFFER FOR SALE, SALE, OR IMPORT OF A LICENSED PRODUCT; (8) THE USE OF OR ANY ERRORS OF OMISSIONS IN ANY KNOW-HOW, TECHNICAL INFORMATION, TECHNIQUES, OR PRACTICES DISCLOSED BY SAFEACROSS; OR (C) ANY ADVERTISING OR OTHER PROMOTIONAL ACTIVITIES CONCERNING ANY OF THE FOREGOING.

21. **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.

22. **Entire Agreement**. This Contract and all referenced Exhibits 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.

CITY OF SPRINGFIELD, MISSOURI

By:_____
City Manager or designee

APPROVED AS TO FORM

_____
City Attorney or designee

SAFEACROSS LICENSEE:

By:_____

Name & Title:_____

APPROVED AS TO FORM

_____
City Attorney or designee

Exhibit A to SafeAcross Agreement **Products and Services**	
Basic Scope of Work (Job Description)	1) Login Information – SafeAcross will supply licensee with a login and password to the password-protected resources on www.safeacross.com. 2) Implementation Manual – The step-by-step outline of the implementation will be accessible online and routinely updated by SafeAcross to provide updated and relevant information. 3) Forms, Reports, Templates, Guidance Documents – SafeAcross.com provides digital access to all generic documents and SafeAcross will notify host communities about important updates. 4) Educational and Promotional Materials - SafeAcross provides digital access to all generic documents and notifies host communities about important updates. 5) The following services are available only if City receives grant funding to administer the SafeAcross program: a. Quarterly Host Meetings – SafeAcross facilitates quarter-annual virtual meetings for all license holders to attend and exchange updates. b. Telephone support – SafeAcross representatives will be on call once a week for an hour to provide guidance and support to the Licensee. c. Commitment to process - SafeAcross will provide Licensee with periodic updates to materials and program strategies based upon research results and continuous program improvement.

Exhibit B

Additional Services Available
No additional services available at this time.

EXPLANATION TO COUNCIL BILL 2024-002 (CITY COUNCIL)

FILED: 12/15/2023

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A resolution accepting the 2023 City of Springfield Housing Study and Neighborhood Revitalization Strategy.

PURPOSE: To accept the 2023 City of Springfield Housing Study and Neighborhood Revitalization Strategy. (Staff recommends approval.)

BACKGROUND INFORMATION: Through a peer evaluation with the City of Des Moines, it was recognized the City needed to have complete and updated housing study and align recommendations with the key strategies outlined in the Restore SGF initiative, Consolidated Plan, and Comprehensive Plan.

The ARPA Review Committee recommended to Springfield City Council to allocate funding for the Housing Study and Neighborhood Revitalization Strategy as one of eight “Transformative Growth Package” projects through direct ARPA allocation from the State of Missouri in July 2021.

The 2023 City of Springfield Housing Study and Neighborhood Revitalization Strategy ("Exhibit A") focused on four aspirational goals to guide future policies and decision-making:

- Support the creation of complete neighborhoods.
- Diversify housing choices.
- Revitalize Springfield’s neighborhoods.
- Cultivate neighborhood identity and cohesion.

Based on the analysis included in the study, 58 implementation strategies were outlined that focus on neighborhood - housing improvement and stabilization.

REMARKS: APD Urban Planning and Management, LLC gave a comprehensive overview of the Housing Study and Neighborhood Revitalization Strategy to City Council on December 5, 2023, as well as the Springfield Housing Study Steering Committee and Restore SGF Board of Directors.

Forward SGF recommended a comprehensive housing study to identify areas in greatest need and determine suggested policy changes to maintain and improve Springfield’s housing stock. The Comprehensive Plan was adopted in November 2022.

Submitted By: Randall Whitman, Principal City Planner

Authorized for inclusion on the agenda pursuant to City Code section 2-33:
Maurice S. Jones, Deputy City Manager 12/28/2023

Attachments:
1. Housing Study_ Res
2. Housing Study_exhA

One-rdg. X
P. Hrngs. _____
Pgs. 116
Filed: 01-02-24

Sponsored by: City Council

COUNCIL BILL 2024-002 RESOLUTION _____

A RESOLUTION

ACCEPTING the 2023 City of Springfield Housing Study and Neighborhood Revitalization Strategy.

_____

WHEREAS, through a peer evaluation with the City of Des Moines, Iowa, it was recognized the City needed to have a complete and updated housing study and align recommendations with the key strategies outlined in the Restore SGF initiative, Consolidated Plan, and Comprehensive Plan; and

WHEREAS, the ARPA Review Committee recommended to Springfield City Council to allocate funding for the Housing Study and Neighborhood Revitalization Strategy as one of eight "Transformative Growth Package" projects through direct ARPA allocation from the State of Missouri in July 2021; and

WHEREAS, the 2023 City of Springfield Housing Study and Neighborhood Revitalization Strategy ("Exhibit A") focused on four aspirational goals to guide future policies and decision-making: support the creation of complete neighborhoods, diversity housing choices, revitalize Springfield's neighborhoods, and cultivate neighborhood identity and cohesion; and

WHEREAS, based on the analysis included in the study, 58 implementation strategies were outlined that focus on neighborhood - housing improvement and stabilization.

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

Section 1 – City Council hereby accepts the 2023 City of Springfield Housing Study and Neighborhood Revitalization Strategy, which is attached hereto as "Exhibit A."

Section 2 - This Resolution shall be in full force and effect from and after passage.

Passed at meeting: _____

_____
Mayor

Attest: _____, City Clerk

Filed as Resolution _____

Approved as to form: _____, Assistant City Attorney

Approved for Council action: _____, ~~City~~ Manager

EXHIBIT A

CITY OF SPRINGFIELD
HOUSING STUDY
AND NEIGHBORHOOD REVITALIZATION STRATEGY

2023

DRAFT

PREPARED BY APD URBAN PLANNING & MANAGEMENT

DRAFT

TABLE OF CONTENTS

SECTION 01 **Analysis**

Previous Plans and Studies 14
City Profile 16
Existing Zoning 22

SECTION 02 **Housing Market Study**

Housing Market Analysis 26

SECTION 03 **Housing Condition & Neighborhood Evaluation**

Windshield Survey Methodology 34
Building Conditions 38
Existing Tenure 40
Building Age 42
Undeveloped Property/Investment Ownership 44

SECTION 04 **Neighborhood Suitability Analysis**

Analysis Summary 50

SECTION 05 **Community Input**

Community Outreach Strategy 60
Community Engagement 63

SECTION 06 **Implementation Strategies**

Implementation Strategies/Tables 74

SECTION 07 **Appendix**

DRAFT

ACKNOWLEDGEMENTS

CITY OF SPRINGFIELD

Susan Istenes, Planning Director
Brendan Griesemer, FAICP, Interim Director
Randall Whitman, Principal Planner
Alana Owen, Senior Planner
Ben Tegeler
Judy White
Jeff Prior, SFD Division Chief
Brock Rowe, Director BDS
Sgt. Ryan Russell, SPD
Jason Gage, City Manager

SPRINGFIELD HOUSING STUDY STEERING COMMITTEE

Jeff Kester
Vicki Pratt
Ben Shantz
Brent Haselhorst
Dr. Sarah Khorshidifard
Nancy Williams
Dr. Yvania Garcia-Pusateri
Rusty Worley
Molly Holtmann
Isabelle Jimenez Walker
Eric Pauly
Aishwarya Shrestha
Yani Ortiz
Adrianna Bruening
Kylee Brown

ELECTED OFFICIALS

Mayor Ken McClure
Monica Horton, Council Zone 1
Brandon Jenson, Council Zone 3

SPRINGFIELD STAKEHOLDERS

Craig Edwards
Amy Blansit
Andrew Doolittle
Melanie Bach
Cabot Brothers
Michelle Garand
Becky Volz
Vee Sanchez
Brian Fogle
Katrina Wolfram

RESTORE SGF BOARD OF DIRECTORS

Dana Elwell, Interim Executive Director
Joselyn Baldner
Andrew Doolittle
Amy Blansit
Brian Fogle
Rusty Worley
Adrianna Breuning
Becky Volz
Heather Hardinger
Richard Ollis
Andrea Brady
John Everett

APD URBAN PLANNING AND MANAGEMENT, LLC

Deborah Jensen, AICP
Reginald White
Tia Maxwell-Farmer, AICP-C
Steven Gonzales

DRAFT

EXECUTIVE SUMMARY

Plan Background

Adequate, safe and cost appropriate housing is a concern for the City of Springfield, as well as cities around the nation. In 2022, following extensive community engagement and robust public support, the City adopted a new comprehensive plan, Forward SGF - 2040. A key component of the Plan focuses on housing and neighborhoods, with four aspirational goals to guide future policies and decision-making.

- Support the Creation of Complete Neighborhoods
- Diversify Housing Choices
- Revitalize Springfield's Neighborhoods
- Cultivate Neighborhood Identity and Cohesion

To support decision-making, the City needed a fresh, unbiased evaluation of the physical conditions of housing, neighborhoods, demographics and the marketplace. This report examined these conditions through on-the-ground data gathering, research, and considerable community engagement.

APD Urban Planning and Management, LLC was commissioned to develop the Springfield Housing Study, completed between November 2022 and October 2023. The study documents data on housing, neighborhoods, and the residential market in Springfield. Throughout the process, community feedback was elicited on multiple levels, and implementation strategies for both neighborhoods and housing were proposed.

Neighborhoods

The housing study area includes all 34 neighborhoods within the city boundary, excluding adjacent, unincorporated areas. The 34 neighborhoods are divided into four quadrants of city council zones, with downtown Springfield located approximately in the center. Older aged neighborhoods are concentrated north of downtown, and newer neighborhoods are found in the City's southern half. Springfield's older communities contain homes from as early as the 1800s, with the majority constructed during the post WWII era of the 1950s through 1960s. Many of Springfield's southernmost neighborhoods were built during the 1970s and 1980s as the City continued to expand.

Downtown enjoyed a renaissance with considerable investment beginning in the 1990s and the Vision 2020 program. Missouri State University expanded into the area, buildings were renovated and new businesses moved in. Today, a second vibrant commercial area, dating to 1870 around the arrival of the Atlantic and Pacific Railroad, is located about one mile north of downtown and named Commercial Street. It is listed on the National Register of Historic Places and is a place of revival on the north side of Springfield with shops and restaurants occupying the historic buildings in a very pedestrian friendly environment.

DRAFT

Demographics

As of 2021, the population of the City of Springfield is 169,724 and growing. With four universities and colleges, there is a substantial student population and the 20-29 year old cohort is the largest in the City. There is also an expanding senior population with a nearly 25% increase in seniors expected by 2030. The median household income is $37, 491, which is lower than any of Springfield's peer cities in Missouri. The City's poverty rate stands at 22%. Forty-two percent of households are owner-occupied homes, with the remainder renting.

HOME OWNERSHIP AND RESIDENTIAL TRENDS

- The home ownership rate decreased over the past decade and is now 42%.
- In Springfield, 2-person households are most frequently found, with a median gross annual income of $37,491 and cannot afford market-rate sales prices.
- The majority of residential parcels are zoned for single family detached homes; a minority of residential parcels are zoned for other types of housing.
- There is a growing senior population, and a significant population of university students, each of which could benefit from housing options.
- The largest gap in affordable, available rental housing exists for those households earning up to 30% AMI ($17,420).
- The Springfield community supports the inclusion of missing middle housing within their neighborhoods, including tiny homes, cottage courts, townhomes, small apartments and accessory dwelling units. These housing types can create opportunities for affordability and increase the available housing stock.

HOUSING MARKET STUDY

The housing market study examined the supply and demand for housing in Springfield, which included both for-sale and for-rent properties.

OWNER OCCUPIED HOUSING

- Households earning 150% AMI, or those earning 1.5 times more than the median income of $37,491, are the largest home-owning cohort.
- A typical 2-person household at or above 150% AMI earns more than $77,280 a year and can afford to own a home priced at $348,473 and greater. There are 1,603 homes priced in this range.
- There is a shortage of homes priced for owner households at more than 100% AMI, or $61,824 a year. At the same time, there is a surplus of affordable homes priced for those earning less than $61,824. This dynamic signifies that higher-income households occupy homes valued below what they can afford.

RENTAL HOUSING

- Households below 30% AMI experience the greatest shortage of affordable rental units. Units at this level of affordability require a substantial investment to create and maintain affordability.

DRAFT

- The deficit of housing priced for high-end incomes suggests renter households with higher incomes have access to a surplus of rental housing priced below what they can afford.
- Conversely, there is a shortage of available rental units for lower income households as well.

Community Engagement

The Springfield Housing Study featured bi-monthly steering committee meetings, informational meetings with Restore SGF and the Neighborhood Advisory Committee, three community meetings and numerous stakeholder interviews.

A key goal of community engagement was to raise awareness of the full range of housing types needed over a lifetime, and at all income levels. The engagement process emphasized the importance of including a wide range of housing typologies for sale and rent, and access to everyday goods and services within neighborhoods.

- Residents, at large, support missing middle housing types and have a particular interest in developing cottage and tiny homes.
- There is a significant need for rental housing regulation programs to ensure the quality and safety of existing rental housing.

IMPLEMENTATION STRATEGIES

The implementation strategies are a guide to address the housing and neighborhood challenges and opportunities documented in the study. Strong partnerships and community support are critical to successful implementation. The steering committee members may serve as champions of the study and continue to build political and community support for implementation. Implementation strategies focus on four broad areas.

- Neighborhood stabilization strategies halt neighborhood decline.
- Neighborhood improvement strategies are interventions to increase vibrancy and attractiveness.
- Housing stabilization strategies prevent the housing stock from falling into further decline.
- Housing improvement strategies provide methods and programs to improve the housing stock.

NEIGHBORHOOD STABILIZATION

Healthy neighborhoods promote the health and welfare of residents. Neighborhood stabilization implementation strategies outline methods to halt neighborhood decline and begin to make improvements, including:

- Increasing the home ownership rate
- Ensuring all neighborhoods include resident amenities
- Community retention strategies to prevent displacement of long term residents
- Strategies to improve safety

NEIGHBORHOOD IMPROVEMENT

Strategies to improve neighborhoods address the City's desire for the 15-minute neighborhood, where a full range of housing, amenities, and daily needs are within a 15-minute walk, and vacant

DRAFT

and abandoned properties are converted into needed housing. Neighborhood improvement strategies include:

- Connectivity improvements for all modes and abilities
- Complete neighborhoods strategies
- Improved aesthetics
- Economic development
- Increased public safety

HOUSING STABILIZATION

A high percentage of Springfield's housing stock is aged and could benefit from reinvestment and strategic infill. There is also the threat of losing naturally occuring affordable housing stock due to deterioration. There are three (3) housing stabilization strategies.

- Historic and affordable housing preservation strategies
- Improvement of existing owner-occupied housing
- Improvement of existing rental housing conditions

HOUSING IMPROVEMENT

Housing improvement strategies address the need for mixed-income housing in Springfield, along with regulatory and funding strategies to achieve this goal. Housing improvement strategies include:

- Development of mixed-income housing
- Development code, regulatory and policy changes
- Funding strategies

DRAFT

THIS PAGE INTENTIONALLY LEFT BLANK

DRAFT

INTRODUCTION

The City of Springfield is a large municipality with a population of 169,176, and the third largest city in Missouri. Located in the Ozarks region of southwestern Missouri, the City is the Greene County seat and includes about 84 square miles. Since 2000, population growth increased by 11.23%, and the greater Springfield MSA grew by 25%. Springfield is the area's major employment center, regional provider of medical care and a hub for higher education.

Following extensive investment in the downtown and Commercial Street districts, the City's focus turned to housing and neighborhood revitalization efforts. Springfield neighborhoods are organized and well-represented under the umbrella of the Neighborhood Advisory Council. The Council represents twenty-four neighborhood organizations, meets regularly, is unified in voicing neighborhood issues, and provides input to the City Council on budget and policy matters.

In 2023, the Forward SGF 2040 comprehensive plan was adopted. The community voiced a preference for significant focus on neighborhood improvement, and especially housing stock. In addition, a new non-profit organization, Restore SGF, was formed to focus on neighborhood revitalization. This report, the Housing Needs and Conditions Study and Recommendations on a Neighborhood Revitalization Strategy aims to provide substantive data to inform decision-making around these issues, and implementation recommendations to guide a path to significant neighborhood and housing improvements.

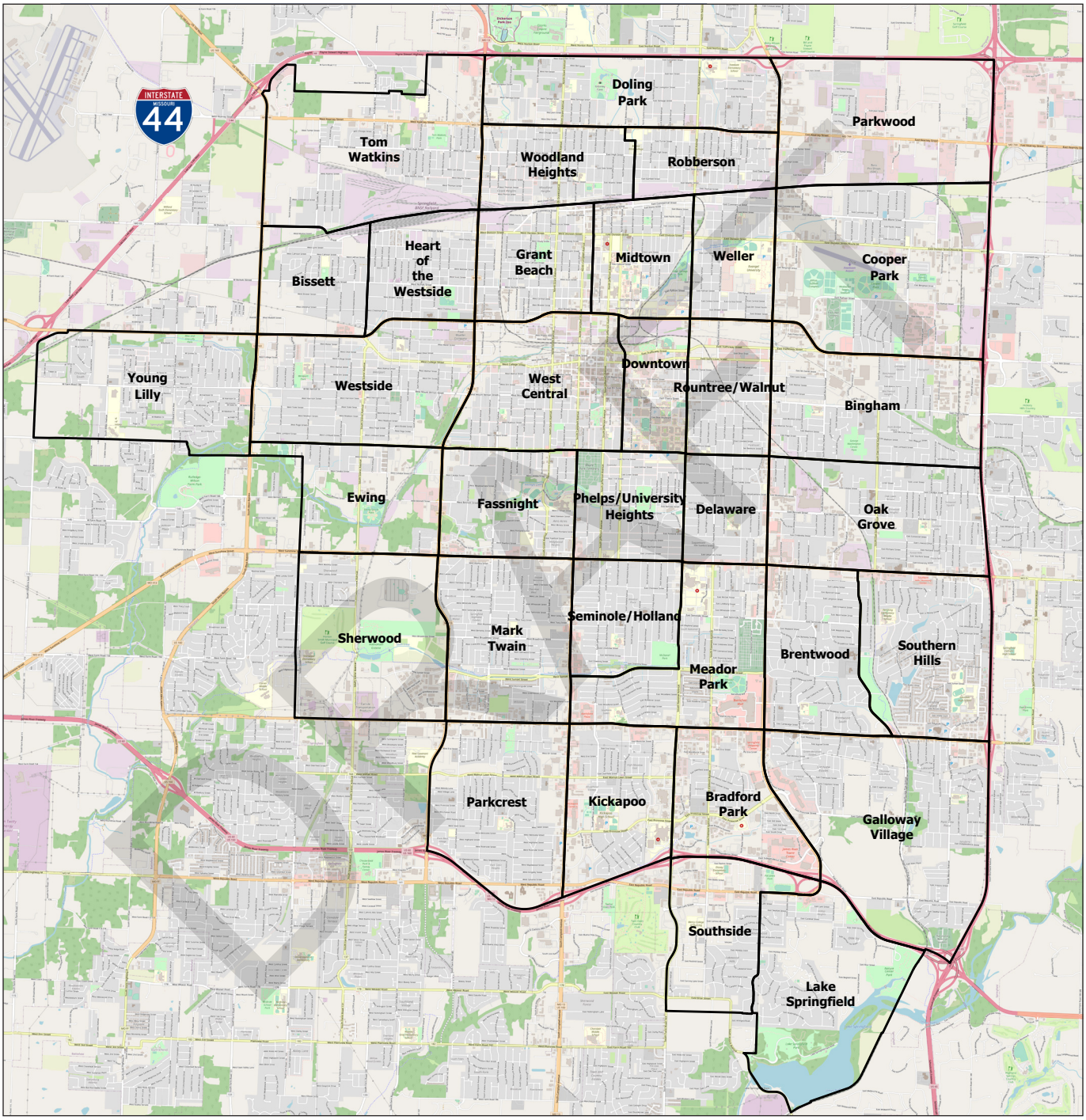
Forward SGF 2040 Vision Statements

"Quality of Place should serve as a north star used to guide all future decision making."

"Quality Places begin with healthy neighborhoods that host a range of diverse housing types, that are well connected with multi-modal facilities and access to goods, services, and community facilities."

DRAFT

STUDY AREA



The study area is comprised of incorporated Springfield and includes 34 distinct neighborhoods and four city council zones. The study area encompasses the parcels incorporated within City boundaries, and includes approximately 49,000 residential parcels. There are housing areas outside of the city boundaries where city services are provided. **These unincorporated areas are not included within the limits of this study.**

DRAFT

SECTION 01

ANALYSIS

DRAFT

PREVIOUS PLANS AND STUDIES

A list of previous plans and studies that affect Springfield are described on a timeline, briefly describing each plan. Previous recommendations from these plans are considered in assessments and incorporated where appropriate in the recommendations.

Previous plans and studies provide valuable historical context and data on past housing and social initiatives, and help to identify trends, successes, and opportunities. Understanding Springfield's contextual environment informs the development of effective housing policies and strategies tailored to the specific needs and challenges of the City.

Some common themes may be drawn from Springfield's previous plans and studies.

1

QUALITY OF LIFE

Springfield is intentional about attracting and retaining young families by focusing on efforts that improve livability, aesthetics, affordabiiity, and infrastructure improvements. The Capital Improvements Plan and the Forward SGF 2040 Plan illustrate these themes through future visioning and municpal spending priorities.

2

NEIGHBORHOOD-LEVEL

Neighborhood-level data and community engagement are core to initiatives and consistency in planning. Programs such as Great Neighborhoods, Neighborhood Advisory Council, and the neighborhood associations indicate success in using neighborhoods as an evaluation parameter and mode to engage the public.

3

COMMUNITY ENGAGEMENT

Nearly all plans and studies conducted by or on behalf of Springfield included extensive civic engagement activities, including:

- Listening Tours
- Community Workshops
- Visioning Sessions

Engagement recordings and their results were consistent, and data was made public.

DRAFT

The following plans impacted Springfield and the recommendations of this study.

2022

FORWARD SGF 2040
This comprehensive plan encompassed all of the planning areas that contribute to future growth and development in Springfield. The goals and plan items are aligned with the community vision and inform future initiatives for the 20-year time horizon.

CAPITAL IMPROVEMENT PLAN
Serves to outline long-range planning initiatives that respond to the vision for the City with support from residents and the larger community. Included sidewalks, sanitation, and neighborhood improvement programs to take place in 2022.

2021

NEIGHBORHOOD HEALTH INDICATORS
Quarterly report that assesses neighborhood health based on several indicators that contribute to the quality of life and health of neighborhoods. Results in neighborhood ranking and heat maps.

2020

FORWARD SGF ISSUES AND OPPORTUNITIES REPORT
Summarized existing conditions to identify key issue areas, actions, and assets using a range of community engagement strategies. Assessed those issues and opportunities through community lenses, including land use, industry, housing, and transportation.

2017

NEIGHBORHOOD INDICATORS
The last recorded report to assess the socio-economic health of Springfield neighborhoods. Variables included crime, owner occupancy, service requests, and foreclosures.

2005

NEIGHBORHOOD ASSESSMENTS
Residents were empowered, in response to the Vision 2020 Comprehensive Plan, to participate in the development of their own neighborhood assessments. Assessed neighborhood quality, identified areas for neighborhood improvement, and developed an action plan in alignment with current issues.

NUISANCE PROPERTY WORK GROUP FINAL REPORT
Community members collaborated to develop a report that assessed the prevalence of nuisance properties have a negative affect on neighborhoods in contrast to the goals of neighborhood revitalization in Springfield. Recommendations provided methods to mitigate further deterioration.

ANNUAL ACTION PLAN
Outlined the programs and efforts to be undertaken for the fiscal year to receive CDBG funds for community development projects, as outlined by HUD objectives.

ECONOMIC & MARKET ANALYSIS RENEW JORDAN CREEK PROJECT AREA
Evaluated real estate market, demographic, and economic trends around a downtown area that was ripe for commercial development. Identified vacant and underutilized properties in a 16-block area.

COMMERCIAL STREET HISTORIC DISTRICT STRATEGY FOR SUCCESS
Outlined a vision and priorities for future development of the Commercial Street district. Dictated the ideal land use, community activities, residential uses based on then-current activity in the area, and projects' usage and impact on the local economic market and existing businesses.

DRAFT

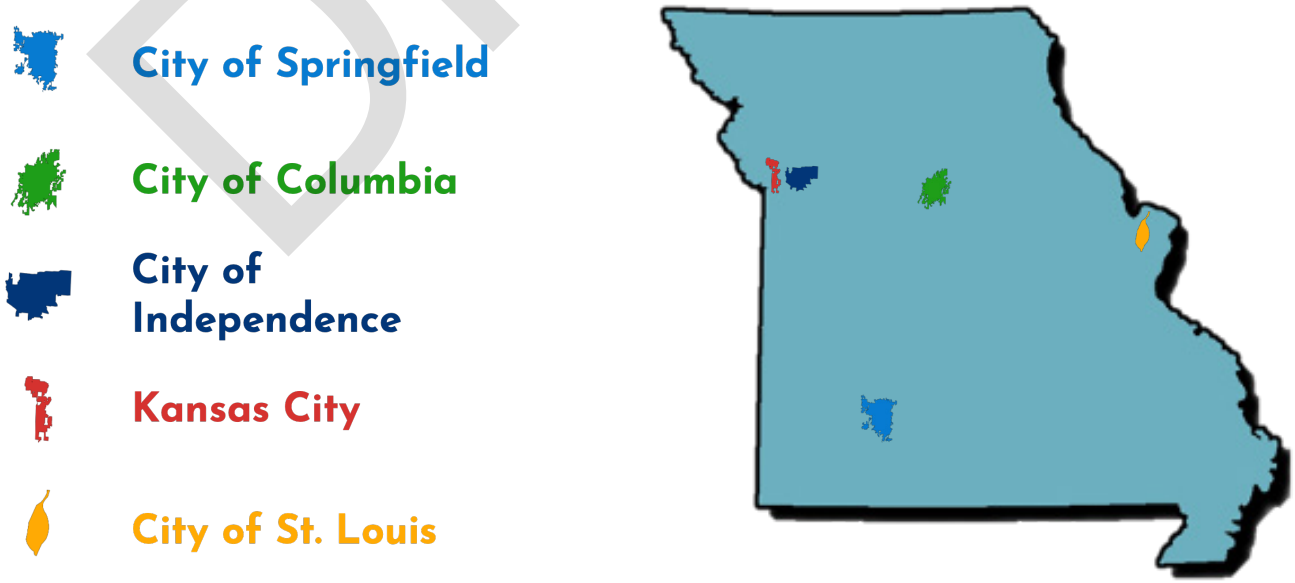
SPRINGFIELD CITY PROFILE

A peer city comparison was conducted to better understand existing market conditions and trends. Analysis of various indicators and peer city comparisons can provide valuable insights into the housing market and its broader socioeconomic context.

A comparison of Springfield to similar cities enhances the assessment of performance against overarching market trends, and identifies strengths and opportunities in Springfield's housing market and policies. The analysis also provides opportunity to identify new and novel policies driving housing reform, and assists in forecasting future trends to create policy and programmatic interventions. These indicators are useful in a variety of ways, including:

- **Population:** Understanding the population helps gauge the demand for housing.
- **Age:** Demographics offer insight into housing preferences and accommodations.
- **Educational Attainment:** Education levels influence incomes, employment opportunities and housing preferences.
- **Income:** Income allows for an assessment of affordability by area or income class.
- **Poverty Rate:** The poverty rate reflects a city's economic well-being and signals the need for interventions.
- **Ownership & Renter Rates:** The proportion of owners versus renters reveals the stability of the housing market.

Springfield's comparison cities are evaluated in the following analysis.

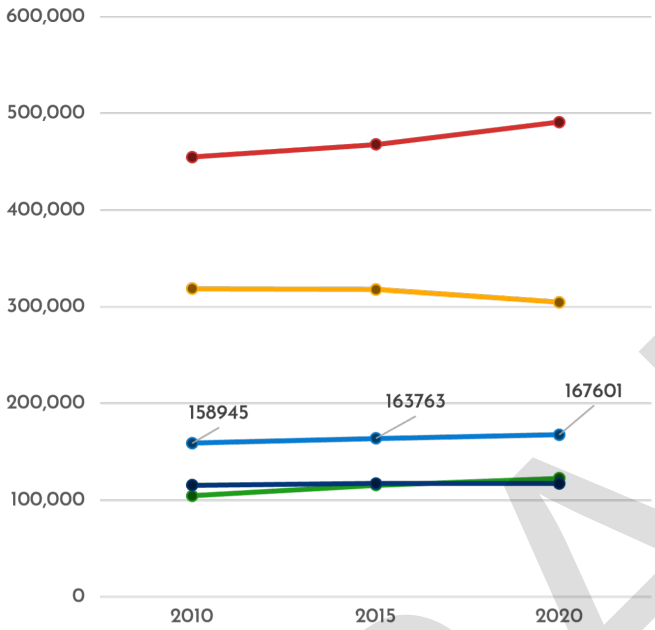


DRAFT

POPULATION

Springfield experienced moderate population growth of 5% from 2010 to 2020, while Columbia and Kansas City experienced rapid growths of 17% and 8%.

Figure 1: Population Comparison Data



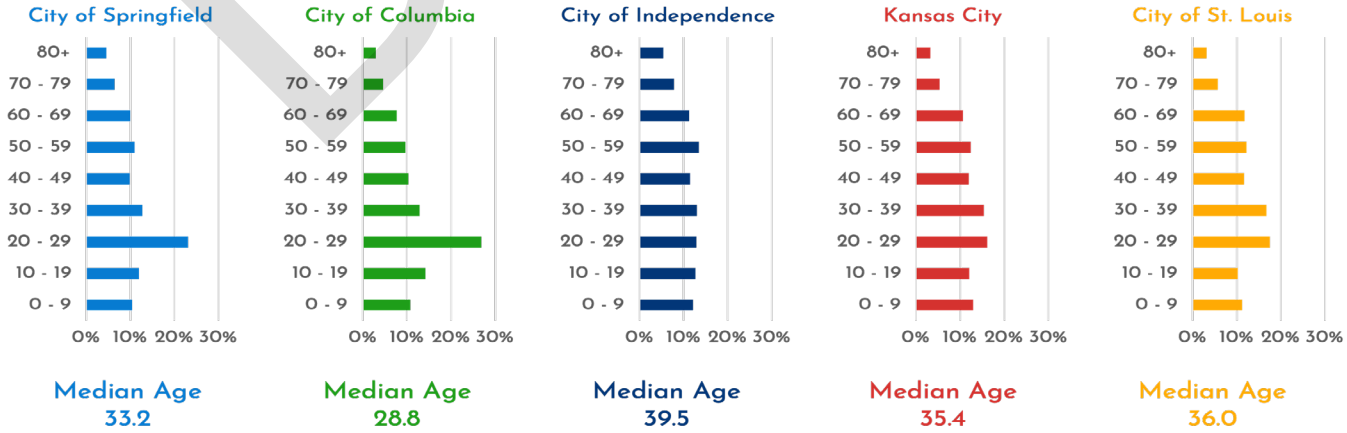
City of Springfield	5%
City of Columbia	17%
City of Independence	1%
Kansas City	8%
City of St. Louis	-4%
State of Missouri (not shown)	3%
United States (not shown)	7%

Source: APD Urban Planning + Management, HUD, American Community Survey

AGE

Springfield has a comparatively young population, with the largest cohort aged 20-29. This is influenced by the colleges in the area, and is similar to the age distribution in the City of Columbia.

Figure 2: Age Comparison Data



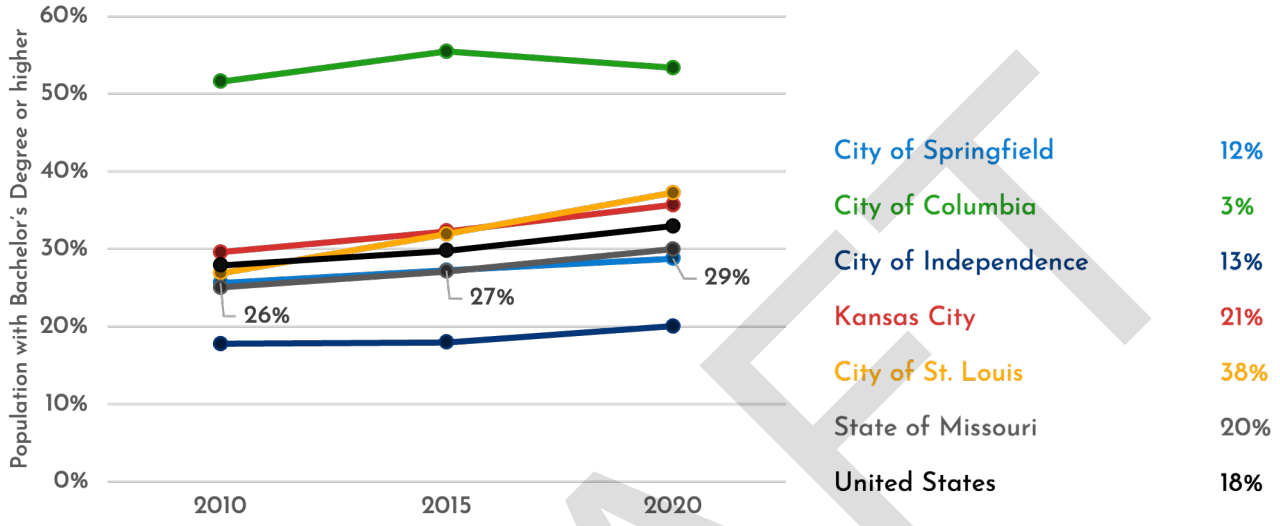
Source: APD Urban Planning + Management, HUD, American Community Survey

DRAFT

EDUCATION

All cities experienced an increase in population education attainment, with 29% of Springfield's residents attaining a Bachelor's degree or higher.

Figure 3: Education Comparison Data

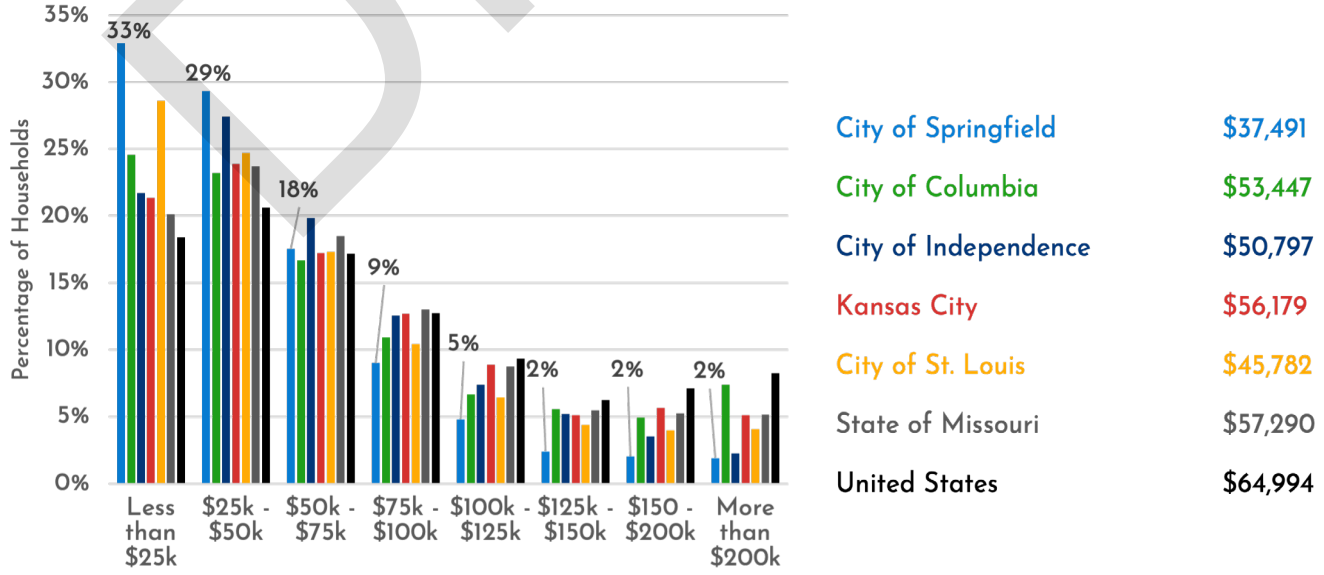


Source: APD Urban Planning + Management, HUD, American Community Survey

INCOMES

Springfield's average median household income is $37, 491, with 33% of households earning less than $25,000 per annum. The average median income for the state of Missouri is $57,290. Springfield has the lowest 2020 average median income and largest proportion of households with low incomes.

Figure 4: Income Comparison Data



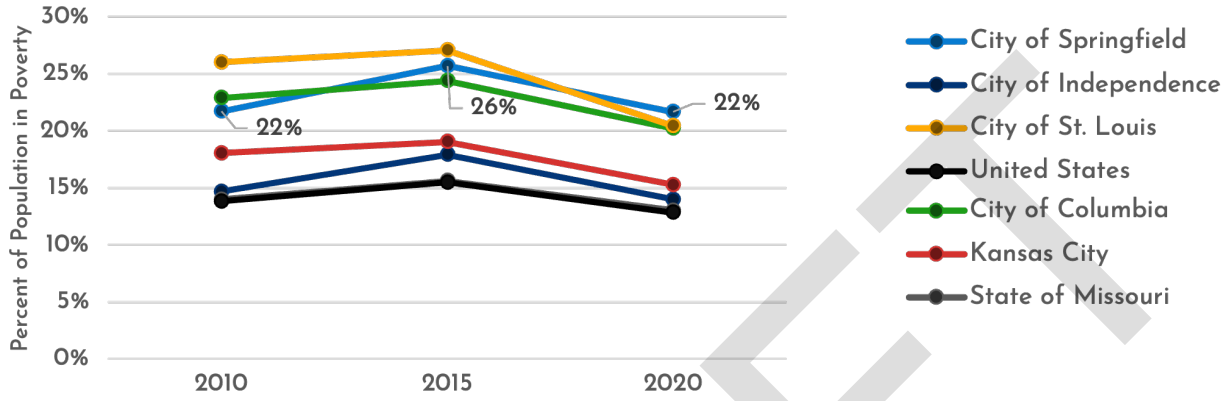
Source: APD Urban Planning + Management, HUD, American Community Survey

DRAFT

POVERTY RATE

While all cities experienced a decrease in poverty, Springfield possesses the highest poverty rate, and experienced zero percent change in that rate between 2010 and 2020. Springfield's poverty rate is 22%. Columbia and St. Louis also show poverty rates at greater than 20% of the population.

Figure 5: Poverty Rate Comparison Data

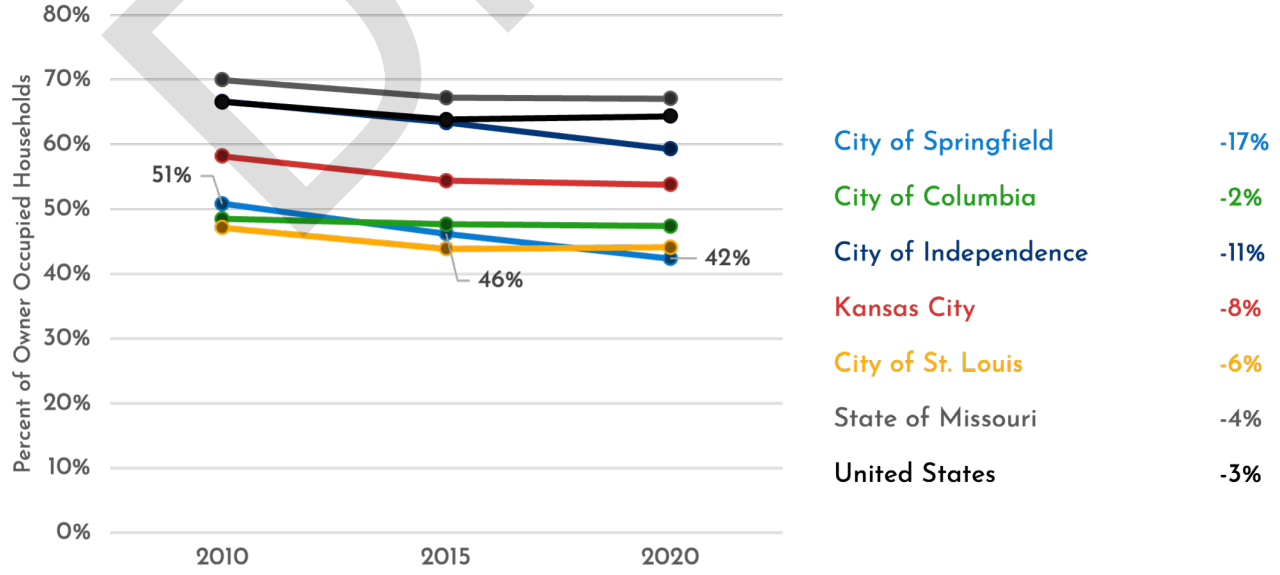


Source: APD Urban Planning + Management, HUD, American Community Survey

OWNERSHIP RATES

While all markets experienced a decline in home ownership, Springfield experienced the largest decline in home ownership, with a 17% decrease from 2010 to 2020. Springfield also experiences the smallest percentage of owner occupied households at 42%.

Figure 6: Ownership Rate Comparison Data



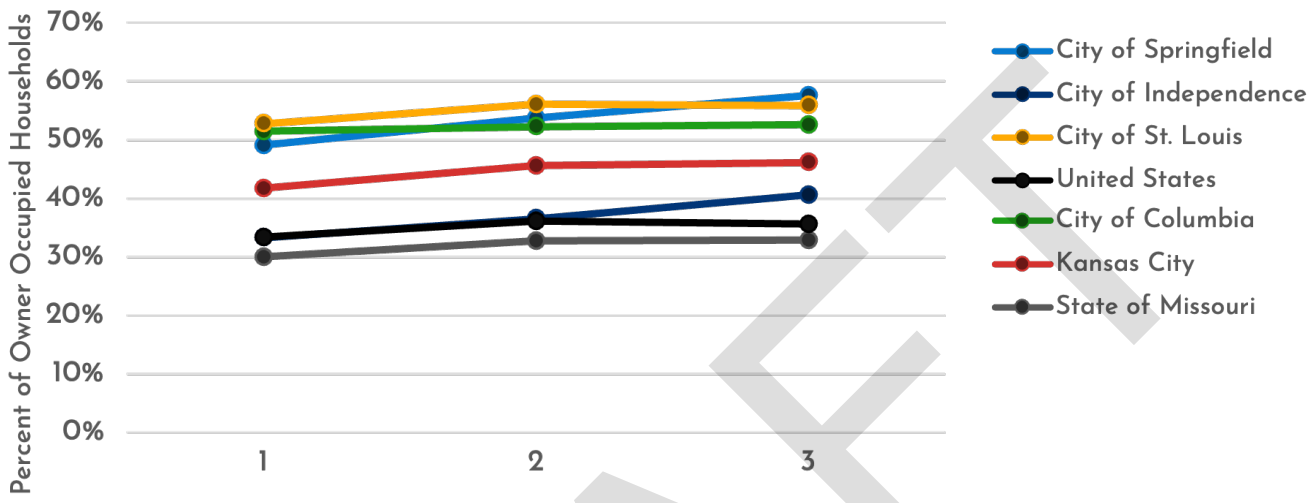
Source: APD Urban Planning + Management, HUD, American Community Survey

DRAFT

RENTER RATES

The inverse to home ownership, Springfield has one of the highest rates of renting compared to peer cities. It experienced a 17% increase in rental households, second to the City of Columbia's 22% increase in renting.

Figure 7: Renter Rate Comparison Data



Source: APD Urban Planning + Management, HUD, American Community Survey

DRAFT

THIS PAGE INTENTIONALLY LEFT BLANK

DRAFT

SPRINGFIELD ZONING REGULATIONS

"Figure 8: City of Springfield Zoning Map," opposite, depicts the current zoning within the study area City limits boundary. The predominant zoning category is single-family detached dwellings. There are a few areas zoned Residential Townhome, Residential Low Density and Residential Medium Density. These three categories are sited adjacent to arterials and/or commercial districts. There is a scarcity of zoned areas permitting missing middle type housing. Residential High Density is restricted to the downtown area and is intended for high-rise development. An overview of the residential zoning types currently in place follows.

Residential Zoning Summary

R-SF Single-Family Residential District

- Single family detached
- Single-family semi-detached
- Grandfathered duplex
- ADU if owner occupied
- 6,000 sf lot minimum

R-TH Residential Townhouse District

- Single-family detached
- Single-family semi-detached
- Duplex
- ADU if owner occupied
- Townhomes

R-LD Residential Low Density

- Maximum 18 units per acre
- Minimum lot size varies

R-MD Residential Medium Density

- Maximum 29 units per acre
- Minimum lot size varies

R-HD Residential High Density

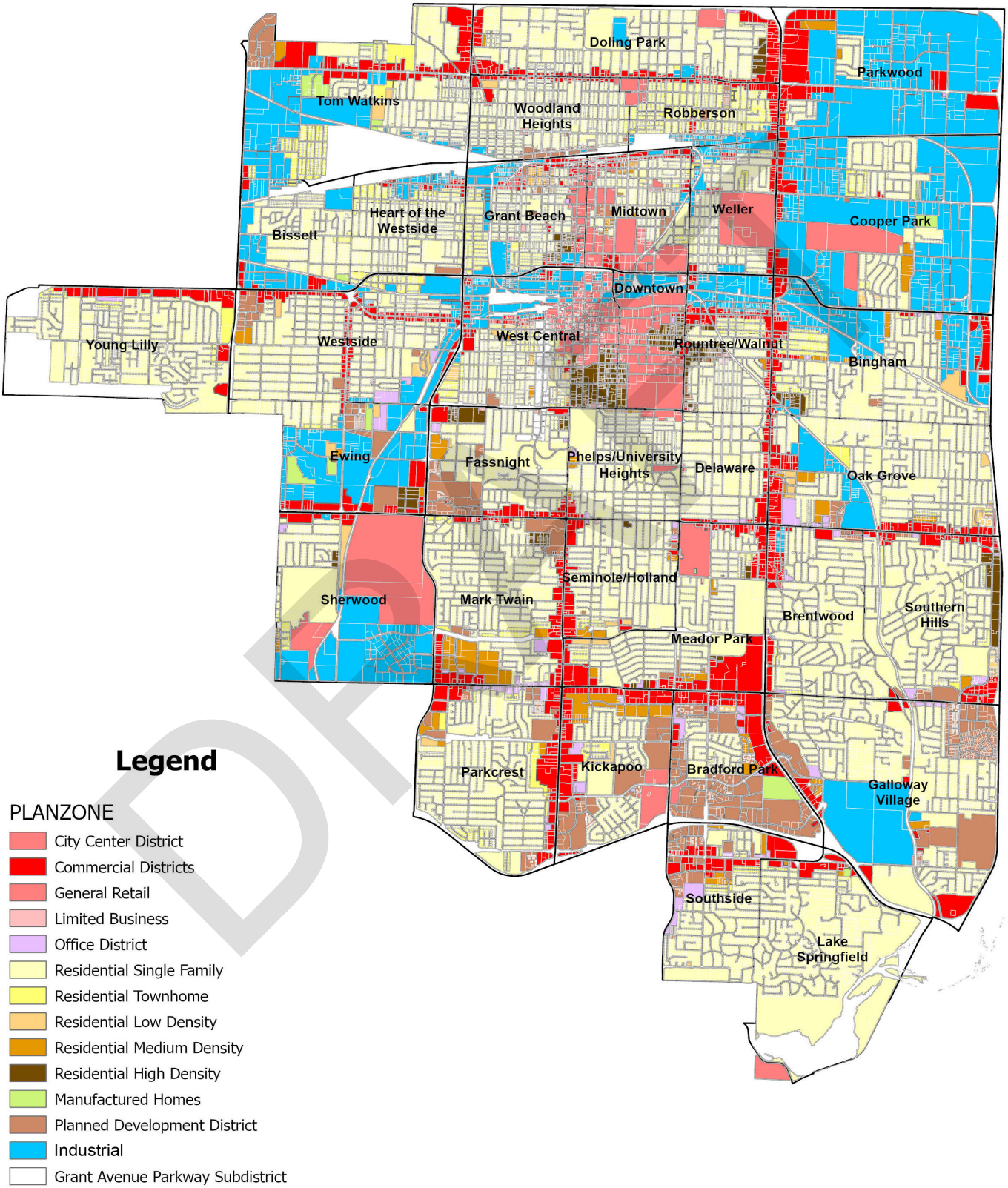
- Maximum 40 units per acre
- High rise near downtown and commercial areas

DRAFT

MAJOR TAKEAWAYS

1. The great majority of residentially zoned parcels are restricted to R-SF.
2. Other housing types, including ADUs and "missing middle" are excluded from these areas, contributing to the lack of diversity in available housing.

Figure 8: City of Springfield Zoning Map



Source: APD Urban Planning + Management, City of Springfield GIS Dept.

DRAFT

SECTION 02

HOUSING MARKET STUDY

DRAFT

HOUSING ANALYSIS

The housing analysis examines existing demand and supply of housing to understand the market dynamics, current affordability of housing, and determine how an increase in the supply of housing can meet the needs of current and future residents.

Affordability

The U.S. Department of Housing and Urban Development (HUD) defines affordability as a household paying no more than 30% of their income on housing. A household paying more than 30% of their income on housing is classified as cost-burdened. The notion of cost-burden is incorporated into local affordability figures, which HUD defines based upon household sizes, local incomes, and national averages from year to year.

This information is segmented into Area Median Income (AMI) limits to ensure consistency across the United States. AMI categories are an important concept. They are regularly utilized in federal, state, and local programs. The following charts break down the AMI income groups and the dollar amount each group can spend on housing before they are cost-burdened.

Figure 9: AMI breakdown by household income

AMI Bands	Household Size							
	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
0% to 30%	$ 13,550	$ 17,420	$ 21,960	$ 26,500	$ 31,040	$ 35,580	$ 39,950	$ 42,550
30% to 50%	$ 22,550	$ 25,800	$ 29,000	$ 32,200	$ 34,800	$ 37,400	$ 39,950	$ 42,550
50% to 80%	$ 36,050	$ 41,200	$ 46,350	$ 51,500	$ 55,650	$ 59,750	$ 63,900	$ 68,000
80% to 100%	$ 45,080	$ 51,520	$ 57,960	$ 64,400	$ 69,552	$ 74,704	$ 79,856	$ 85,008
100% to 120%	$ 54,096	$ 61,824	$ 69,552	$ 77,280	$ 83,462	$ 89,645	$ 95,827	$ 102,010
120% to 150%	$ 67,620	$ 77,280	$ 86,940	$ 96,600	$ 104,328	$ 112,056	$ 119,784	$ 127,512

Figure 10: AMI breakdown by household maximum housing payment

AMI Bands	Household Size							
	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
0% to 30%	$ 339	$ 436	$ 549	$ 663	$ 776	$ 890	$ 999	$ 1,064
30% to 50%	$ 564	$ 645	$ 725	$ 805	$ 870	$ 935	$ 999	$ 1,064
50% to 80%	$ 901	$ 1,030	$ 1,159	$ 1,288	$ 1,391	$ 1,494	$ 1,598	$ 1,700
80% to 100%	$ 1,127	$ 1,288	$ 1,449	$ 1,610	$ 1,739	$ 1,868	$ 1,996	$ 2,125
100% to 120%	$ 1,352	$ 1,546	$ 1,739	$ 1,932	$ 2,087	$ 2,241	$ 2,396	$ 2,550
120% to 150%	$ 1,691	$ 1,932	$ 2,174	$ 2,415	$ 2,608	$ 2,801	$ 2,995	$ 3,188

Source: APD Urban Planning + Management, HUD

DRAFT

Affordability Calculations

To quantify existing demand and supply for homeowners and renter, households and housing units were segmented into AMI income groups as defined by HUD for the Springfield Metropolitan Area. Existing demand was calculated by combining household incomes by household size, and then segmented into the AMI income groups. Existing supply was segmented using home values and rents for 2-person household AMIs, which is the average household size for owners and renters in Springfield.

The following data utilizes the 2021 American Community Survey 5-year estimates by the U.S. Census Bureau. The census data allows the analysis of income and housing units by a plethora of geographies, including at the neighborhood level. Importantly, the census is retrospective and is not up to date in terms of current incomes and home market values.

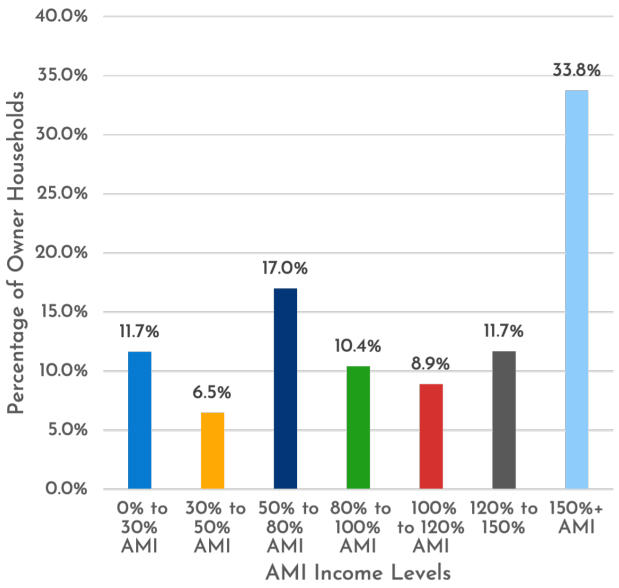
MAJOR TAKEAWAYS

1. The typical 2-person household, between 30% to 50% of AMI, earns between $17,420 and $25,800 per year. With this income level, they can afford a mortgage or rent between $436 and $645 per month.

Existing Homeowner Demand

There is a nearly fifty-fifty split between owner households that can afford purchasing a new home above market price and those that can afford homes below market price. Households above 100% AMI, or those that can afford homes above market rate, comprise 54% of all owner households. A typical 2-person owner household can afford a home priced at greater than $232,315.38. Households earning less than 100% AMI, or those that can afford homes below market rate, comprise 46% of all owner households.

Figure 11: Existing homeowner demand in the Springfield study area



Source: APD Urban Planning + Management, HUD, American Community Survey

The largest group of owner households by AMI are those earning more than 150% of AMI. This group comprises 34% of the total owner households in Springfield. A typical 2-person owner household with an income over 150% of AMI earns $77,280 a year and can afford a home price over $348,473.07. These households can afford to purchase an existing or newly built luxury home.

DRAFT

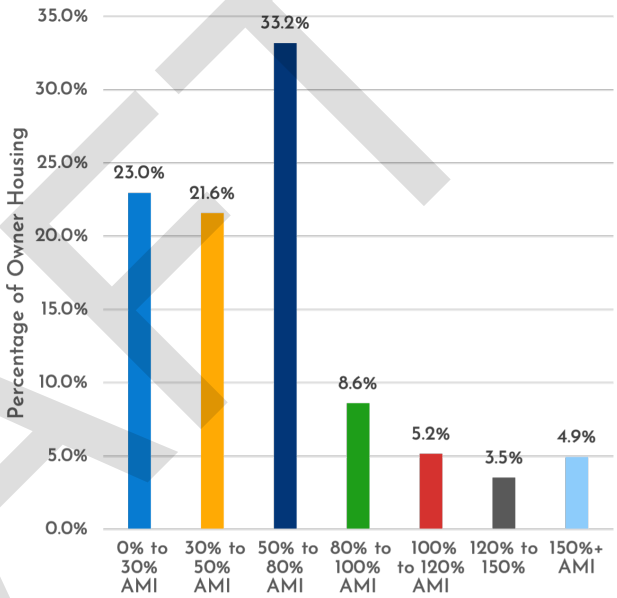
The second largest group of owner households by AMI are those between 50% and 80% AMI. This group comprises 17% of the total owner households in Springfield. A typical 2-person owner household between 50% to 80% AMI earns between $25,800 and $41,200 per year and can afford a home priced between $116,338.06 and $185,780.15. These households usually cannot afford to purchase new homes unless assistance is provided.

Existing Homeowner Supply

The largest proportion of owner housing stock is priced for households earning less than 100% AMI. This signifies the remaining owner housing stock, or 14%, is priced for households over 100% AMI. The largest group of owner housing stock is priced for households with incomes between 50% and 80% AMI. This housing stock comprises 33% of the total owner housing stock in Springfield and is priced between $232,315.38 and $278,850.60 for a typical 2-person household.

The second largest group of owner housing stock is priced for those households earning between 0% and 30% AMI. This housing stock comprises 23% of the total owner housing stock in Springfield. The owner housing stock between 0% and 30% AMI is priced between $0 and $78,640.92 for a typical 2-person household.

Figure 12: Existing homeowner supply in the Springfield study area



Source: APD Urban Planning + Management, HUD, American Community Survey

Existing Homeowner Financial Gaps

The largest group of owner households by AMI are those over 150% of AMI. There are 10,936 households that earn more than $77,280 a year and can afford a home priced greater than $348,473. There are 1,603 homes priced at this range. When matching the number of households and housing units at over 150% AMI, there is a deficit of 9,333 housing units (10,936 - 1,603).

Figure 13: Existing homeowner gap in the Springfield study area

AMI Income Groups	Owner Households / Owner Housing	Surplus or Deficit
0% to 30% AMI	3,782 / 7,443	3,661 Surplus
30% to 50% AMI	2,104 / 6,994	4,890 Surplus
50% to 80% AMI	5,513 / 10,754	5,241 Surplus
80% to 100% AMI	3,385 / 2,791	-594 Deficit
100% to 120% AMI	2,891 / 1,672	-1,219 Deficit
120% to 150% AMI	3,791 / 1,144	-2,647 Deficit
Over 150% AMI	10,936 / 1,603	-9,333 Deficit

Source: APD Urban Planning + Management, HUD, American Community Survey

DRAFT

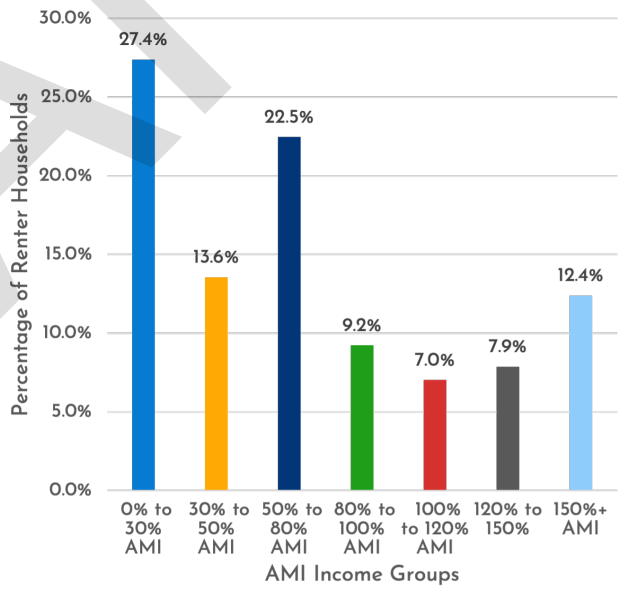
The deficit can be coined as downward pressure, where households with higher incomes either purchase or live in homes below what they can afford due to the lack of desired housing or budgetary reasons. The result of this action decreases the number of homes that could technically be affordable for households with lower incomes.

On the other side of the AMI spectrum, owner households between 50% to 80% AMI make up the second largest group. There are 5,513 households that earn between $25,800 and $41,200 a year and can afford a home between $116,338 and $185,780. There are 10,754 homes priced in this range. When matching the number of households and houisng units at between 50% and 80% AMI, there is a surplus of 5,241 housing units (5,513 - 10,754). The surplus of homes does not signify that they are vacant or empty. Rather, the surplus of 5,241 housing units are being occupied by households with incomes lower than $25,800 or higher than $41,200 a year.

Existing Renter Demand

Seventy-three percent of renter households in the City of Springfield earn less than 100% AMI. They cannot afford market rents without being cost-burdened. These households either live in naturally occurring affordable rental housing, through a process of filtering, or in subsidized rental housing. Filtering is the process by which properties age and depreciate in quality and price, becoming more affordable to lower-income households.

Figure 14: Existing renter demand in the Springfield study area



Source: APD Urban Planning + Management, HUD, American Community Survey

The largest group of renter households by AMI are those between 0% and 30% AMI. This group encompasses 27% of all renter households in Springfield. A typical 2-person renter household between 0% and 30% AMI earns between $0 and $17,420 a year and can afford a rent between $0 and $436 per month.

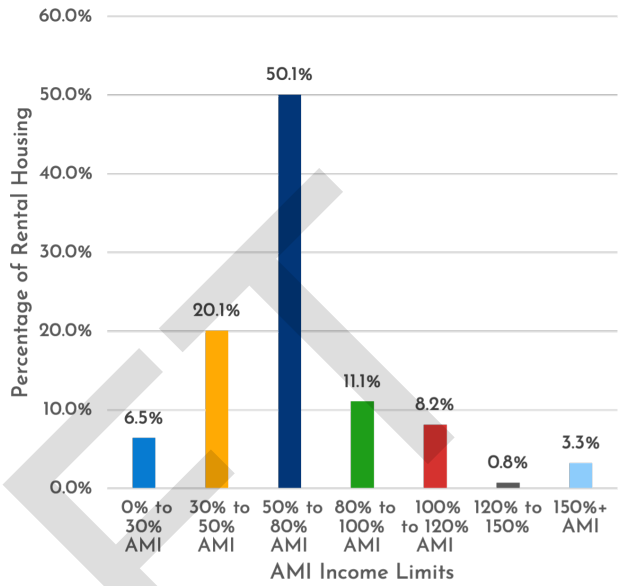
The second largest group of renter households by AMI are those between 50% and 80% AMI. This group encompasses 22% of all renter households. A typical 2-person renter household between 50% and 80% AMI earns between $25,800 and $41,200 per year and can afford rents between $645 and $1,030 a month.

DRAFT

Existing Rental Supply

A significant proportion of the rental housing stock in Springfield is priced for households earning less than 100% AMI. Of these, the most frequent rental housing unit found in Springfield is priced for household incomes between 50% to 80% AMI. These rental housing units comprise of 50% of the total rental housing stock. For a typical 2-person household, these rental units are priced between $645 and $1,030 per month.

Figure 16: Existing renter supply in the Springfield study area



Source: APD Urban Planning + Management, HUD, American Community Survey

Existing Rental Gap

The largest group of renter households are those earning between 0% and 30% AMI. There are 11,726 households that earn less than $17,420 a year and can afford a rent below $436 a month. There are 2,766 rental units that have rents below $436 a month. When matching the number of households and rental units at 0% to 30% AMI, there is a deficit of 8,960 rental housing units (11,726 - 2,766).

The deficit can be coined as upward pressure, which signifies that there is a need for rental units priced at or lower than $436 a month. Rental units at this price level require a substantial amount of investment to maintain affordability.

The second largest group of renter households are those earning between 50% and 80% AMI. There are 9,624 households that earn between $25,800 and $41,200 a year and can afford rents between $645 and $1,030 a month. There are 21,451 rental units priced at this range. When matching the number of households and rental units at 50% to 80% AMI, there is a considerable surplus of 11,827 units (9,624 - 21,451).

Figure 15: Existing renter gap in the Springfield study area

AMI Income Groups	Renter Households / Renter Housing	Surplus or Deficit
0% to 30% AMI	11,726 / 2,766	-8,960 Deficit
30% to 50% AMI	5,805 / 8,604	2,799 Surplus
50% to 80% AMI	9,624 / 21,451	11,827 Surplus
80% to 100% AMI	3,953 / 4,754	801 Surplus
100% to 120% AMI	3,014 / 3,492	478 Surplus
120% to 150% AMI	3,375 / 327	-3,048 Deficit
Over 150% AMI	5,310 / 1,408	-3,902 Deficit

Source: APD Urban Planning + Management, HUD, American Community Survey

The significant surplus denotes that the majority of rental units in Springfield are priced at this level. These rental units are occupied, indicating that renter households with higher incomes are paying less than what they can afford while those with lower incomes are paying more than what they can afford.

DRAFT

MAJOR TAKEAWAYS

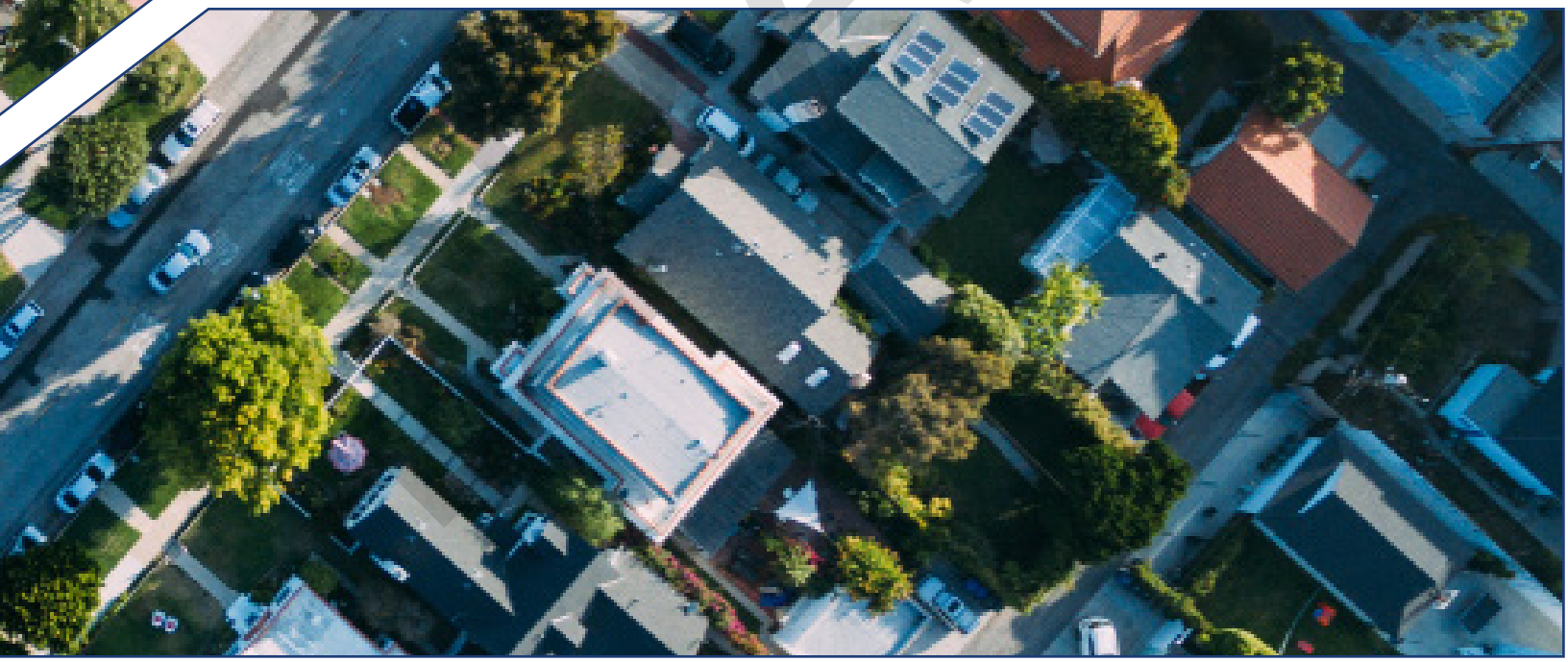
1. There is a shortage of homes priced for owner households earning more than 100% of AMI, or $61,824 a year. At the same time, there is a surplus of affordable homes that are priced below $61,824. This signifies that higher income households occupy homes that are valued below what they can afford.
2. There is a shortage of rental units at the low-end and high-end of incomes. The largest deficit is for rental units affordable for households below 30% AMI. These require a substantial investment to create and maintain affordability. The deficit at the high end of income suggests renter households with higher incomes are comfortable paying a rent that is below what they can afford.

DRAFT

DRAFT

SECTION 03

HOUSING CONDITION AND NEIGHBORHOOD EVALUATIONS



DRAFT

WINDSHIELD SURVEY

Windshield Survey Methodology

A windshield survey analysis is a parcel-level examination that evaluates properties based on established criteria. The analysis was conducted to evaluate the City of Springfield's 47,513 housing parcels. There were three categories of criteria used in the analysis. First is housing type, describing the type of structure located on a parcel. The second is housing condition, evaluating the exterior condition of the structure. The third is tenure, which describes the occupancy of the housing structure.

Building Category Descriptors

The following categories were utilized to evaluate residential buildings and parcels.

HOUSING TYPE

- Single-family detached: Single-family housing structure without shared walls
- Single-family attached: Single-family housing structure with shared walls
- Duplex: Two-unit housing structure with separate entrances
- Triplex: Three-unit housing structure with separate entrances
- Quadplex: Four-unit housing structure with separate entrances
- Multifamily: Housing structure with 5 or more units
- Mixed-use: Building with commercial uses on the ground floor and housing above
- Vacant Residential Lot: Parcels located in residential land use area with no existing structure

BUILDING CONDITIONS

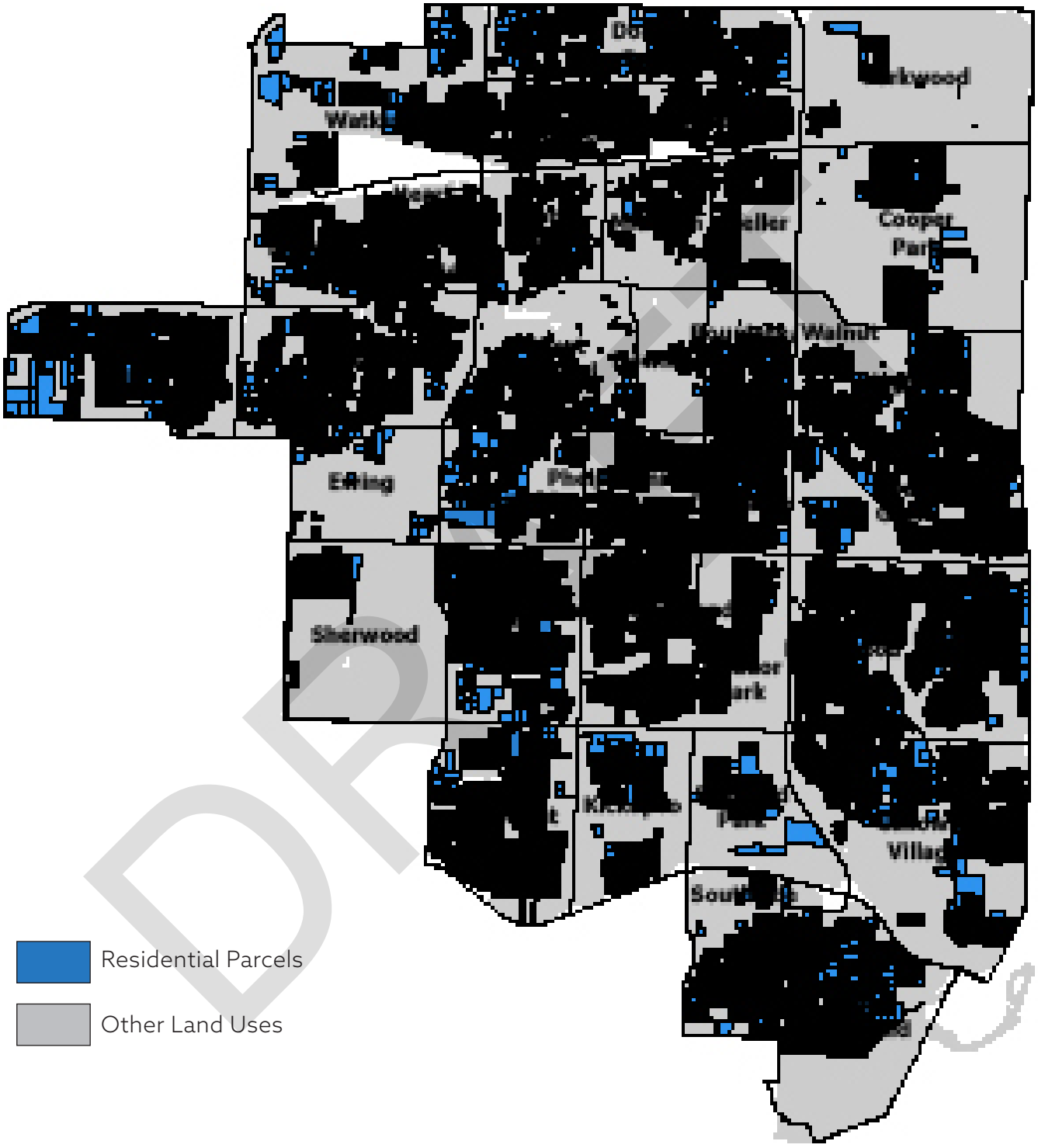
- Dilapidated: Property requires extensive rehabilitation or demolition
- Deteriorated: Major repairs needed (roof, foundation, siding, windows)
- Poor: Deferred maintenance; requires general repairs of $1,000 or more
- Fair: Minor repairs; less than $1,000
- Good: Sound condition, no repairs or maintenance needed
- Under Construction: Housing structure that is under construction
- Rehabilitation: Housing structure is currently being rehabilitated
- Vacant Residential Lot: Parcels located in residential land use area with no existing structure

TENURE

- Vacant Housing: Open entry or boarded up housing structure
- Occupied Housing: Housing structures that are in use and show signs of activity
- Vacant Residential Lot: Parcels located in residential land use area with no existing structure

DRAFT

Figure 17: Map of Residential Parcels in Springfield



Source: APD Urban Planning + Management, City of Springfield GIS Dept.

The data collection method used in the windshield survey analysis evaluates the exterior of housing structures. The interior condition of housing structures is not considered.

Housing Types

The study evaluated the existing inventory of housing by building type. With an understanding of existing structures in the study area, data-based decisions can be made to determine what new housing can or should be developed in a particular area.

Within the study area, 92% of all housing is single-family detached housing. "Figure 18: Map of Springfield Housing Types" displays single-family housing structures in pale yellow. The most frequent form of multifamily housing is duplexes, located sporadically throughout the Springfield neighborhoods. Multifamily housing structures, that include triplexes to large apartment units, are concentrated around higher education institutions and along the major arterials.

Table 1: Housing Type Breakdown

HOUSING TYPE	COUNT	PERCENT
Single-Family Detached	43,861	92%
Single-Family Attached	909	2%
Duplex	992	2%
Triplex	55	0%
Quadplex	100	0%
Multifamily	562	1%
Mixed Use	7	0%
Vacant Residential Lot	1,027	2%
TOTAL	**47,513**	**100%**

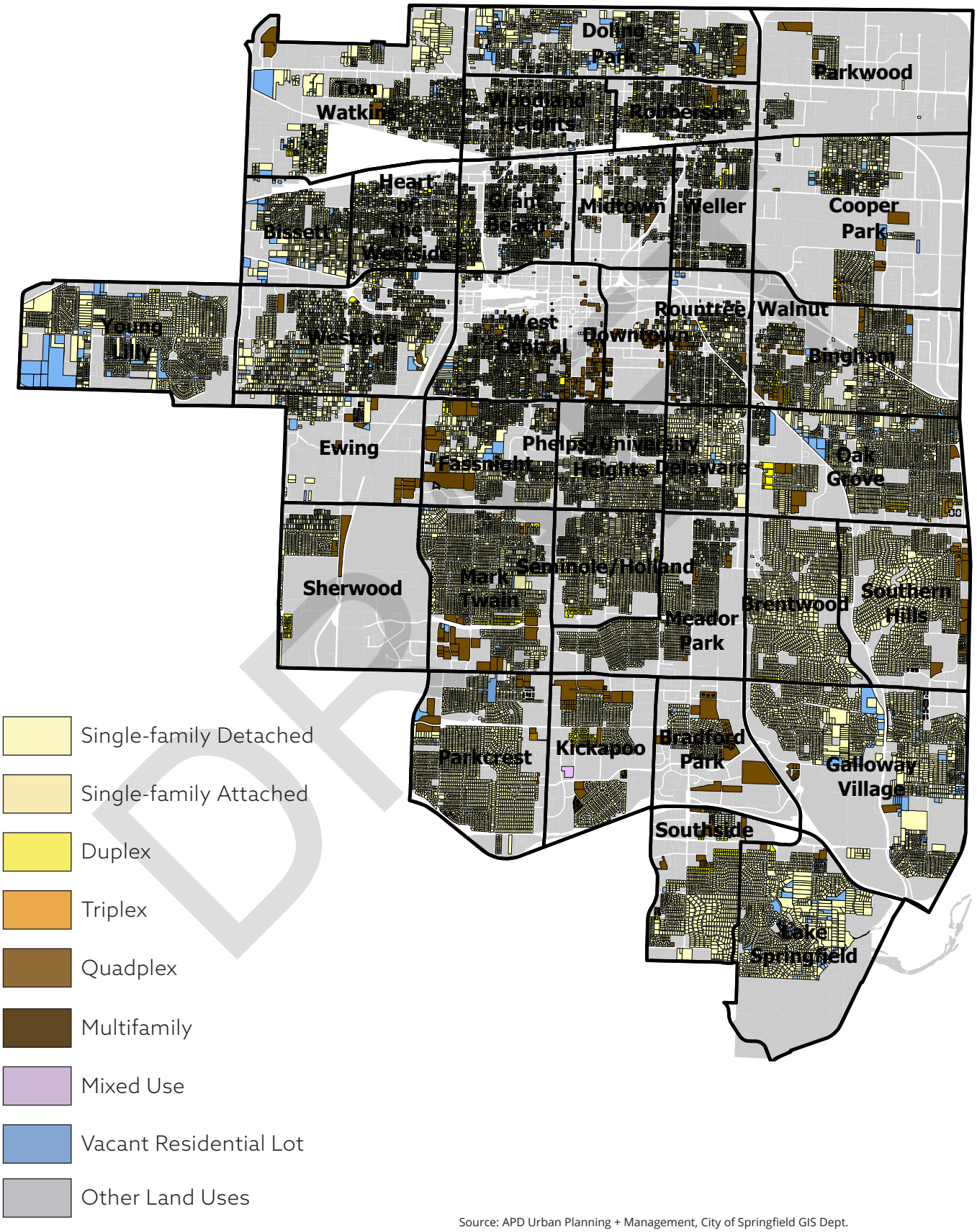
Source: APD Urban Planning + Management, City of Springfield GIS Dept.

DRAFT

MAJOR TAKEAWAYS

1. 92% of all housing structures are single-family housing.
2. Multifamily housing is concentrated around higher education institutions and major thoroughfares.

Figure 18: Map of Springfield Housing Types



Source: APD Urban Planning + Management, City of Springfield GIS Dept.

Housing Conditions

Housing conditions were analyzed to understand the quality of housing in Springfield's neighborhoods. This data may be utilized to identify target areas where investment is needed to address blight and dangerous properties.

Of all housing structures in Springfield, 77% are in good condition, requiring minimal or no repairs. However, 21% of housing structures are in fair to worse condition. Without intervention or assistance to property owners, approximately 25% of all housing could fall into disrepair over time. Housing structures located in the northwestern sector of Springfield, near downtown, have a wider range of housing conditions from good to dilapidated. Housing structures located in neighborhoods farther from downtown are generally in good condition as shown in green, "Figure 19: Map of Housing Conditions in Springfield."

Table 2: Housing Conditions

HOUSING TYPE	COUNT	PERCENT
Dilapidated	61	0%
Deteriorated	256	1%
Poor	1,892	4%
Fair	7,697	16%
Good	36,493	77%
Under Construction	49	0%
Rehabilitation	38	0%
Vacant Residential Lot	1,027	2%
TOTAL	**47,513**	**100%**

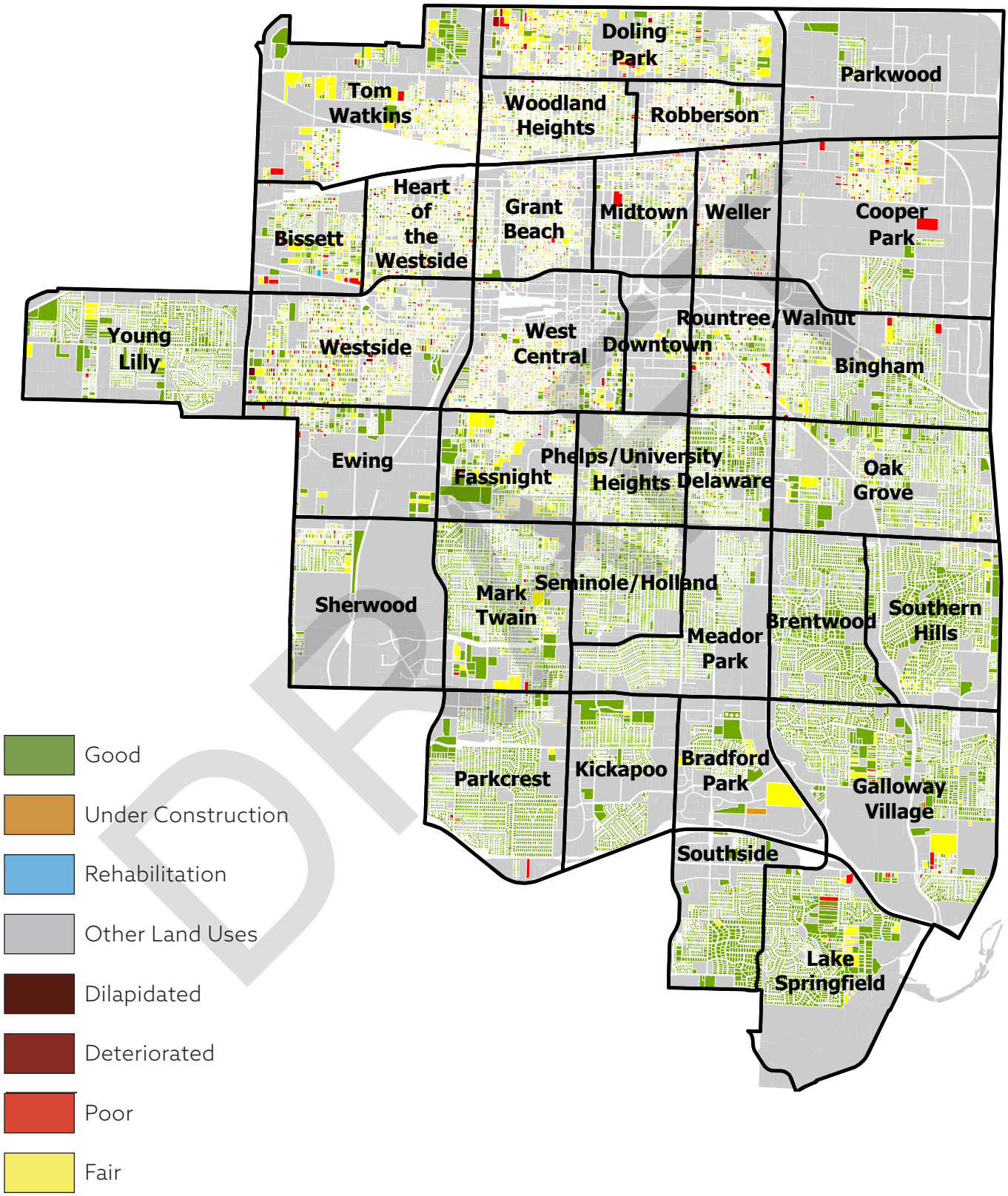
Source: APD Urban Planning + Management, City of Springfield GIS Dept.

DRAFT

MAJOR TAKEAWAYS

1. 21% of all housing structures are in fair to worse condition.
2. 77% of all housing structures are in good condition.

Figure 19: Map of Housing Conditions in Springfield



Source: APD Urban Planning + Management, City of Springfield GIS Dept.

Housing Tenure

Housing tenure examines the occupancy status of housing structures in Springfield. In addition, there were community concerns expressed about the quantity of vacant properties within neighborhoods. Vacant properties can pose a blighting effect on neighborhoods, yet also hold potential for much needed housing development.

The results of the windshield survey found that 97% of all housing structures in Springfield are occupied, and 403, or 1%, are currently vacant based on an exterior evaluation. The City of Springfield also provided additional data to assess the quantity of vacant housing structures. Data is sourced from the United States Postal Service (USPS) and City Utilities data. It should be noted that the use of post office boxes by residents results in a USPS "No-Stat;" the address registers as vacant property even if the housing structure is occupied. This means that the numbers reported from this data source could be inflated depending on the number of residents using post office boxes. To address this, USPS data was cross referenced to City water utility usage to differentiate between residents with post office boxes and vacant housing structures.

Table 3: Housing Tenure

HOUSING TYPE	COUNT	PERCENT
Vacant Housing Structure	403	1%
Occupied Housing Structure	46,083	97%
Vacant Residential Lot	1,027	2%
TOTAL	**47,513**	**100%**

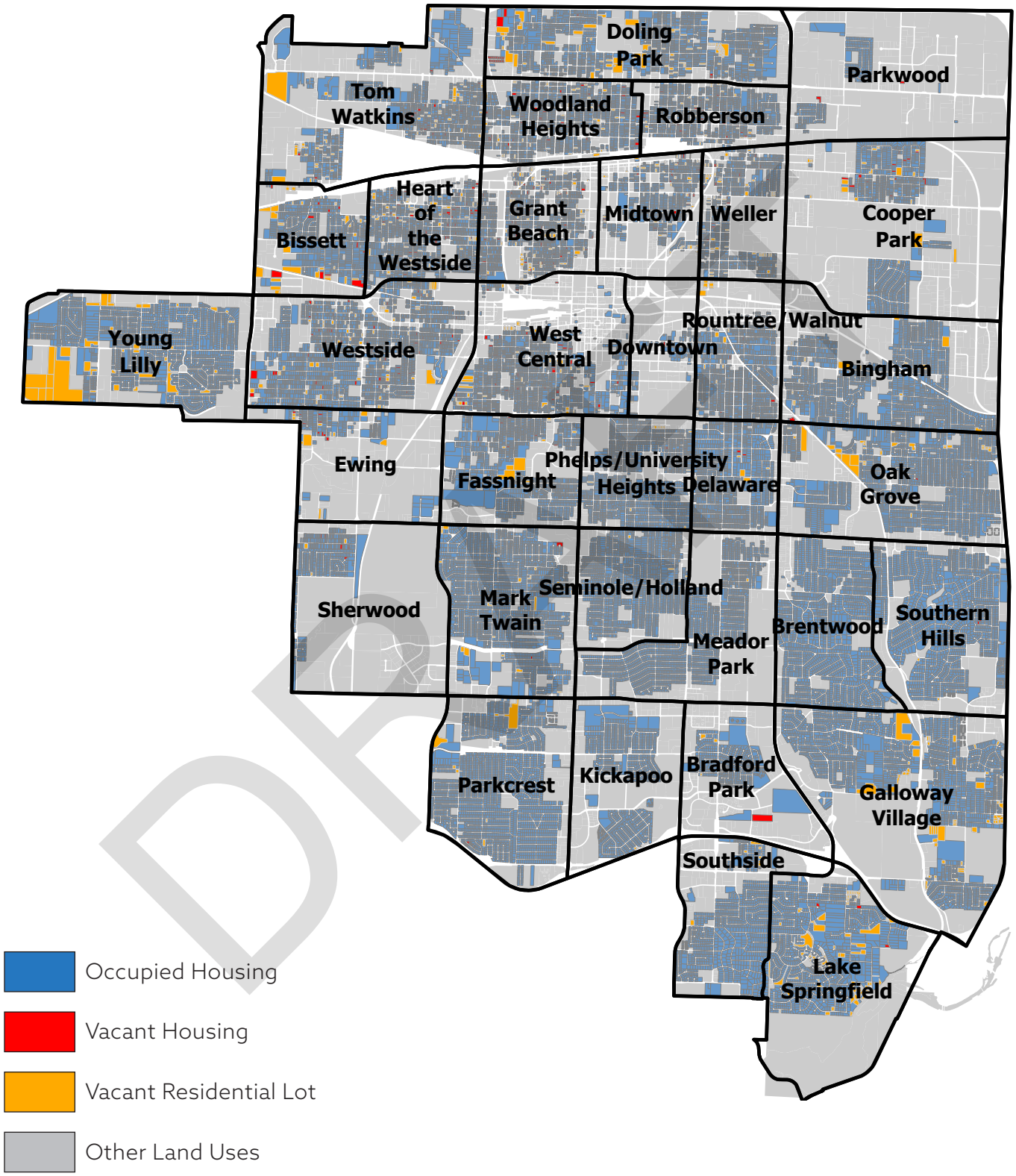
Source: APD Urban Planning + Management, City of Springfield GIS Dept.

MAJOR TAKEAWAYS

1. 97% of all housing structures are occupied
2. Each neighborhood has vacant residential lots that could be used for additional housing development.

DRAFT

Figure 20: Map of Housing Occupancy in Springfield



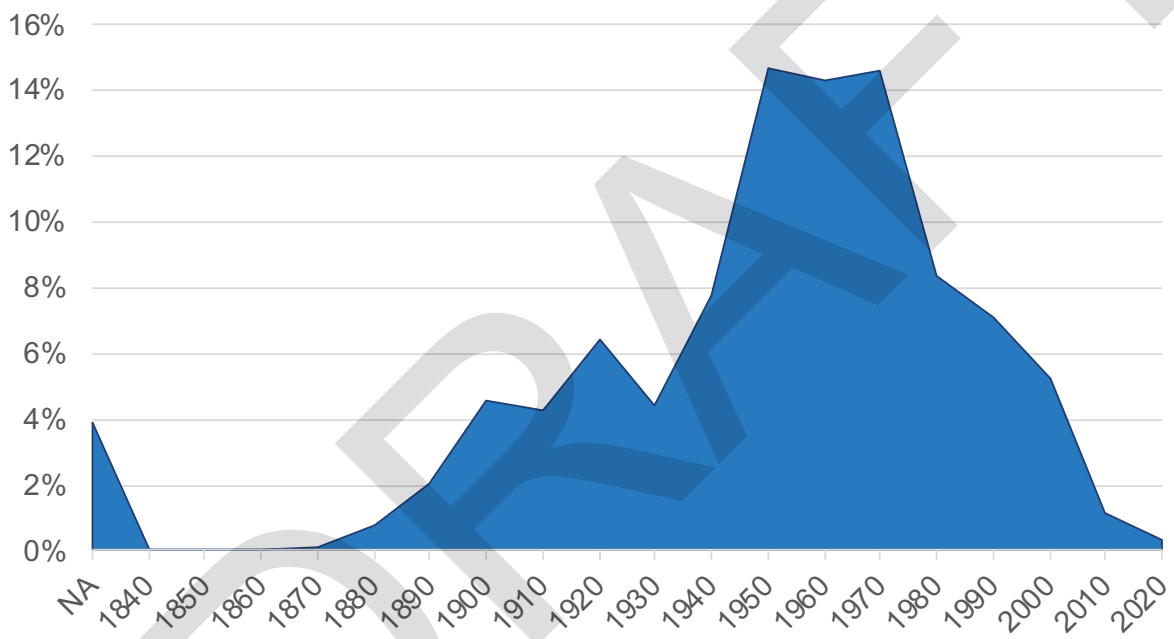
Source: APD Urban Planning + Management, City of Springfield GIS Dept.

Housing Age

To reveal additional data on the housing conditions, an analysis of housing structure age was completed.

The majority of Springfield housing stock is older, with 44% of its housing structures built between 1950 and 1970. This aligns with development patterns across the nation for the time period. The oldest housing structures are located in northwest Springfield, closest to the downtown area. The age of this housing contributes to the range of conditions found. Factors such as costly deferred maintenance to older homes and long-term fixed-income residents impact this area. Newly constructed housing structures are concentrated farther away from the downtown area, primarily in the southern neighborhoods.

Figure 21: Housing by Decade Built



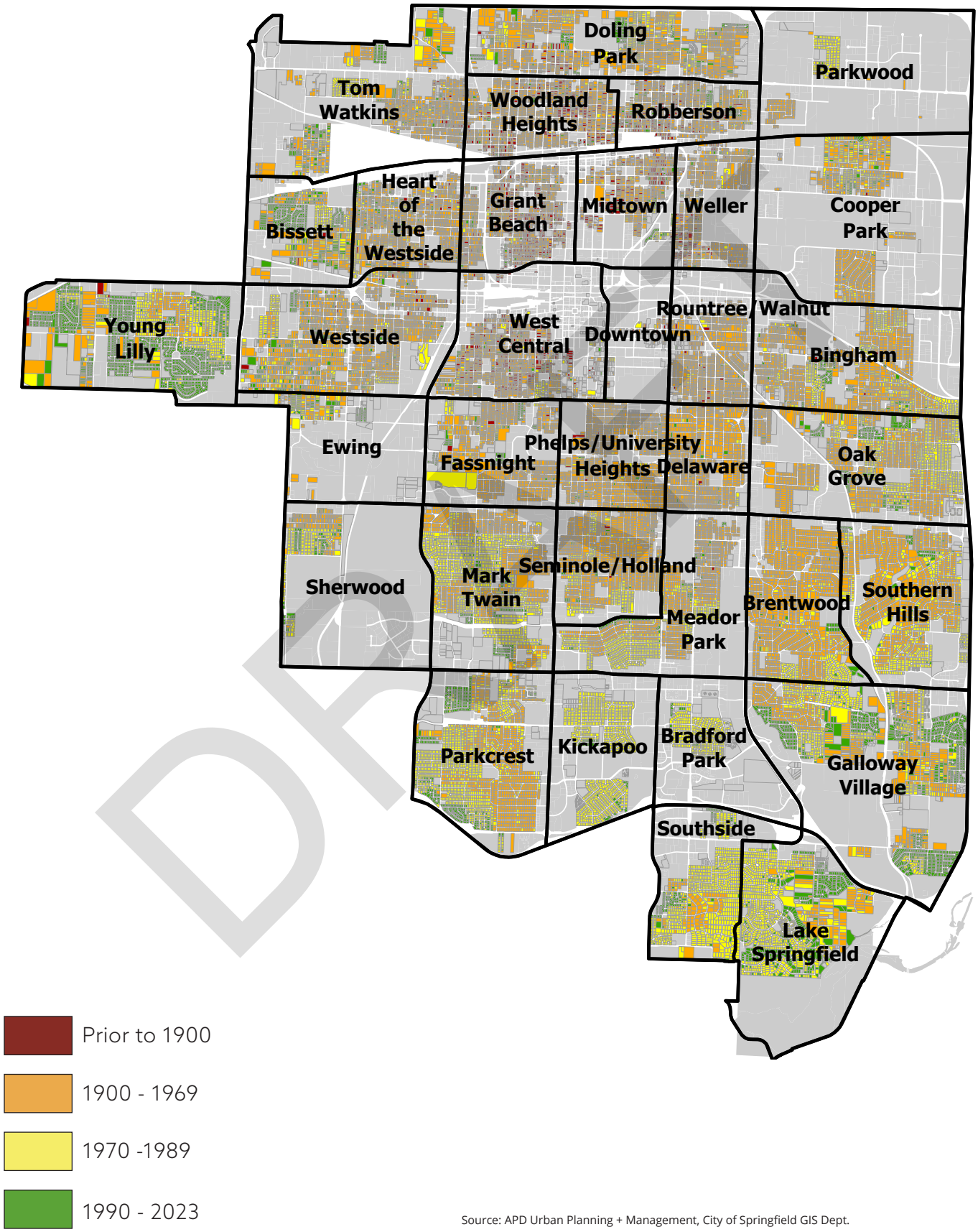
Source: APD Urban Planning + Management, City of Springfield GIS Dept.

DRAFT

MAJOR TAKEAWAYS

1. 44% of all housing structures were built between 1950 and 1970.
2. The oldest homes are located in the northwest portion of Springfield and influence the range of housing conditions found in the area.

Figure 22: Map of Housing Age in Springfield



Source: APD Urban Planning + Management, City of Springfield GIS Dept.

INVESTMENT OWNERSHIP

The study examined the role real estate investors play in the Springfield housing market. The analysis uncovered the number of residential properties owned by investors, the types of residential properties owned, and their condition. The examination also explored whether investor properties are concentrated in specific neighborhoods, or evenly dispersed throughout the city. The analysis was performed using four methodologies.

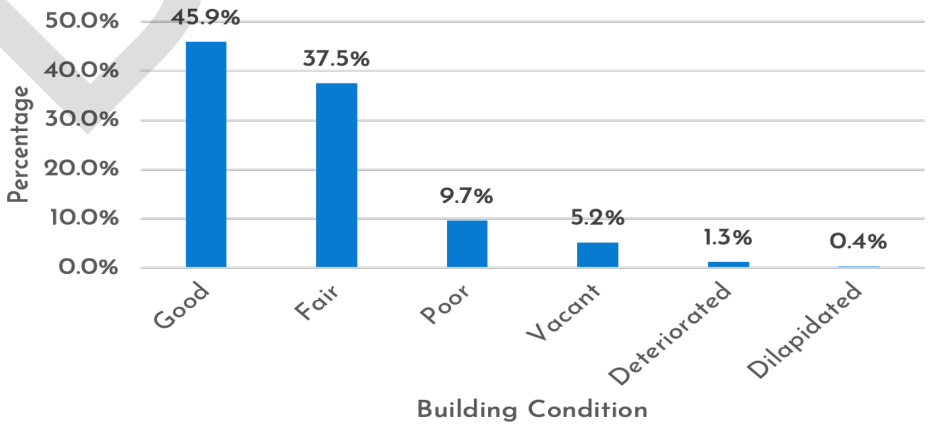
- Investors owning 20 or more properties
- Investors owning 5 or more properties
- Investors owning 3 or more properties
- Investors named as LLCs or LPs

Investors with more than 20 properties

The first analysis examined investors with a substantial inventory, or those with 20 or more properties. The analysis uncovered a total of 38 entities which own 1,404 residential properties, or 7.0% of all the residential properties in Springfield.

The most significant type of investor-owned, residential property were detached single-family homes, at 86.2% of their total portfolio. Most were occupied at the time of the analysis, with 91.2% of the inventory identified as occupied. These investor-owned properties were characterized as in generally good condition. According to the windshield survey, 83.4% of investor properties were identified in "Good" or "Fair" condition. However, it is important to note that properties in "Fair" condition could deteriorate if not maintained by the investor.

Figure 23: Building Conditions of Investor Owned Properties (20 or more)



Source: APD Urban Planning + Management, City of Springfield GIS Dept.

DRAFT

These investor-owned properties were concentrated in neighborhoods proximal to downtown Springfield. The West Central neighborhood had the highest number of investor-owned properties. Investor-owned properties comprised 11.1% of the total housing stock in West Central. Grant Beach, Robberson, Doling Park, Heart of the Westside, and Midtown collectively experience investor rates of over 8% of their total housing stock.

Figure 24: Number of investor properties by neighborhood (20 or more)

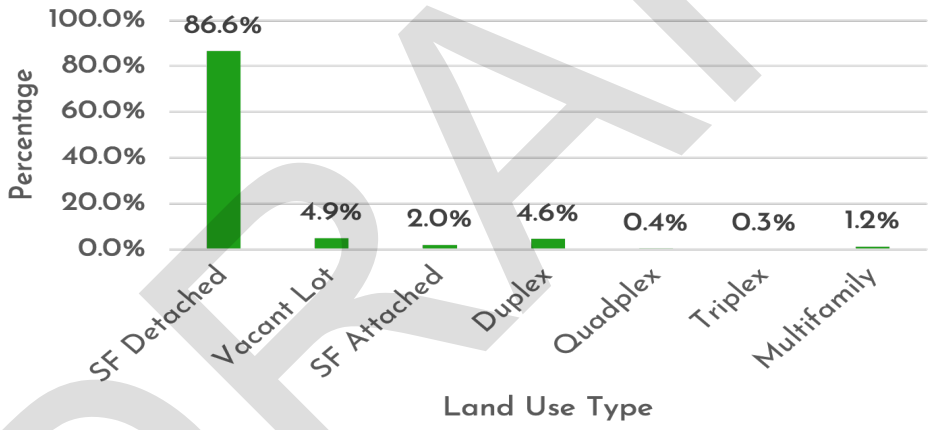
Neighborhood	Number of Investor Properties	Ratio of investor to all residential properties by neighborhood
West Central	205	11.1%
Grant Beach	162	9.9%
Robberson	120	9.7%
Doling Park	168	8.9%
Heart of Westside	130	8.5%
Midtown	68	8.0%
Tom Watkins	120	7.7%
Woodland Heights	118	7.0%
Weller	72	6.9%
Westside	176	6.9%

Source: APD Urban Planning + Management, City of Springfield GIS Dept.

Investors with more than 5 properties

The second analysis examined investors with 5 or more properties. The analysis uncovered a total of 337 entities which own 3,859 residential properties, or 19.1% of the residential properties in Springfield.

Figure 25: Building Conditions of Investor Owned Properties (5 or more)



Source: APD Urban Planning + Management, City of Springfield GIS Dept.

Similar results were revealed. Detached single-family homes were the most common inventory type (86.6%) with the majority occupied (91.8%). Building conditions were identified as 82.2% in "Good" or "Fair" condition.

Properties owned by investors were predominantly found in neighborhoods surrounding downtown Springfield. The West Central neighborhood topped the list (510 investor-owned properties) followed closely by the Westside neighborhood (504 investor-owned properties). The prevalence of investor-owned properties is higher under this

Figure 26: Number of investor properties by neighborhood (5 or more)

Neighborhood	Number of Investor Properties	Ratio of investor to all residential properties by neighborhood
West Central	510	27.6%
Westside	504	19.6%
Grant Beach	433	26.5%
Heart of the Westside	358	23.3%
Tom Watkins	358	23.0%
Woodland Heights	333	19.8%
Doling Park	320	16.9%
Robberson	317	25.5%
Weller	245	23.6%
Midtown	188	22.2%

Source: APD Urban Planning + Management, City of Springfield GIS Dept.

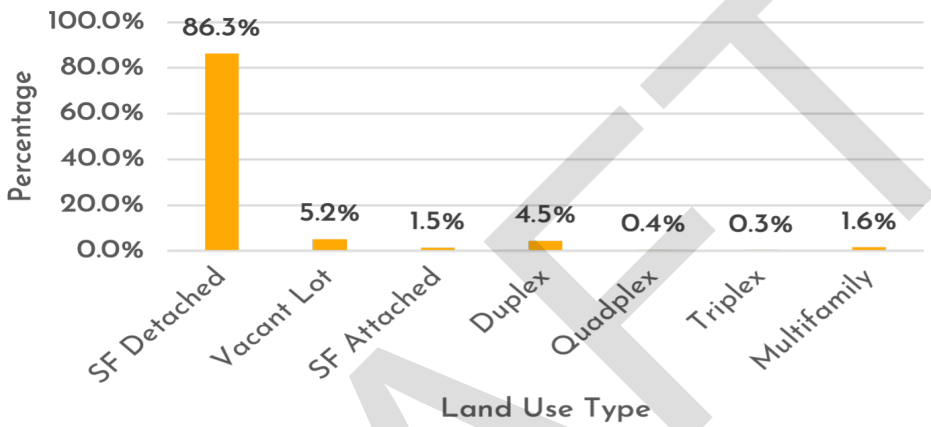
DRAFT

criteria, consisting of over one fifth of the total residential properties in the West Central, Grant Beach, Heart of the Westside, and Tom Watkins neighborhoods.

Investors with more than 3 properties

The third analysis examined investors with 3 or more properties. The analysis uncovered a total of 751 entities which own 5,245 residential properties, or 26.0% of the all the residential properties in Springfield.

Figure 27: Building Conditions of Investor Owned Properties (3 or more)



Source: APD Urban Planning + Management, City of Springfield GIS Dept.

Detached single-family homes were the most common inventory type (86.3%) with the majority occupied (91.8%). Building conditions were identified with 82.1% in "Good" or "Fair" condition.

The number of investor-owned properties in neighborhoods surrounding downtown Springfield are very substantial, nearly 40% of the total residential properties. West Central tops the list for a third time, with 696 investor properties. Closely following are Grant Beach (581), Robberson (436), and Weller (339). All these mentioned neighborhoods hold investor-owned properties totaling over 30% of the residential properties in their respective neighborhoods.

Figure 28: Number of investor properties by neighborhood (3 or more)

Neighborhood	Number of Investor Properties	Ratio of investor to all residential properties by neighborhood
West Central	696	37.6%
Grant Beach	581	35.6%
Robberson	436	35.1%
Weller	339	32.6%
Midtown	256	30.2%
Heart of the Westside	462	30.1%
Tom Watkins	450	28.9%
Westside	699	27.2%
Woodland Heights	435	25.8%
Downtown	30	25.4%

Source: APD Urban Planning + Management, City of Springfield GIS Dept.

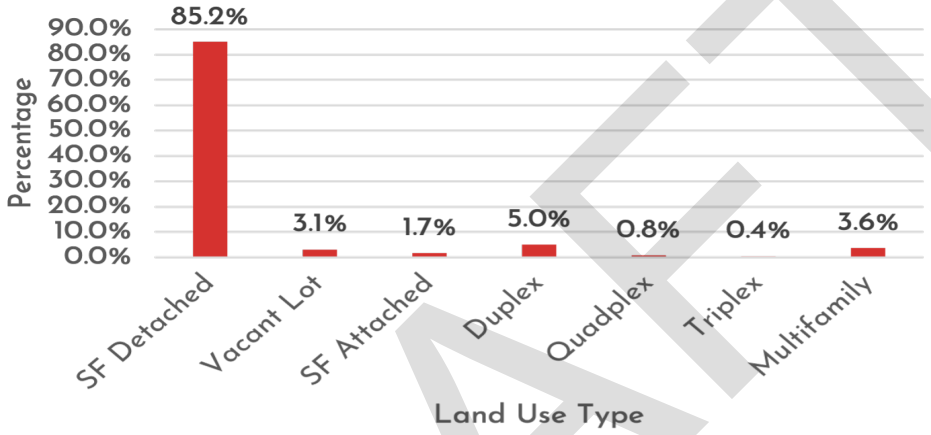
DRAFT

LLC or LP Investors

The last analysis focused solely on property records listing an LLC or LP as owner of the property. This analysis was conducted to remove the existence of other legal entities, such as governmental entities and trusts, from the list. The analysis uncovered a total of 1,796 entities which own 4,999 residential properties, or 24.8% of the all the residential properties in Springfield.

Detached single-family homes were the most common inventory type (84.6%) with the majority occupied (93.8%). Building conditions identified 82.1% in "Good" or "Fair" condition.

Figure 29: Building Conditions of Investor Owned Properties (LLCs or LPs)



Source: APD Urban Planning + Management, City of Springfield GIS Dept.

The analysis of LLC/LP investor-owned properties provides a clear insight into "true" investor property ownership within neighborhoods. West Central, Robberson, Weller, and Grant Beach all appear at the top of the list, with 783, 394, 316, and 489 investor properties respectively. The Downtown neighborhood appears at the top of the list due to having the highest proportion of investor properties compared to all residential properties, at 58.5%.

Figure 30: Number of investor properties by neighborhood (LLCs or LPs)

Neighborhood	Number of Investor Properties	Ratio of investor to all residential properties by neighborhood
Downtown	69	58.5%
West Central	783	42.3%
Robberson	394	31.7%
Weller	316	30.4%
Grant Beach	489	29.9%
Heart of the Westside	388	25.3%
Midtown	211	24.9%
Tom Watkins	381	24.4%
Woodland Heights	399	23.7%
Westside	601	23.4%

Source: APD Urban Planning + Management, City of Springfield GIS Dept.

MAJOR TAKEAWAYS

1. Investors may own from 7% to 26% of the total residential properties in the City of Springfield. The most common type of residential property owned by investors are detached single family homes which are in mostly good or fair condition. Investor-owned properties are concentrated in older neighborhoods surrounding downtown Springfield.

DRAFT

DRAFT

SECTION 04

NEIGHBORHOOD SUITABILITY ANALYSIS

DRAFT

NEIGHBORHOOD TYPOLOGY

The purpose of the neighborhood typology is to characterize and group Springfield's neighborhoods. This allows for programs and policies to be created that are best suited for neighborhoods with similar characteristics.

Neighborhood Suitability Analysis Process

The neighborhood typology results are a product of a suitability analysis. A suitability analysis is a geographic information system (GIS) technique used to assess the most suitable location for a particular activity, project, or development based on predefined criteria. This is performed by layering data points to produce a final existing conditions suitability analysis output that encompasses information from all criteria. "Figure 31: Existing Conditions Suitability Analysis Process" is a graphic representation of how the layers of information are combined for the final analysis results. There are four existing conditions criteria used to create the neighborhood typologies.

- **Proximity to housing structures in good condition - Positive** criteria: Housing structures in close proximity to other housing structures in good condition convey positive outcomes to those living in the area.
- **Proximity to vacant residential lots - Positive** criteria: Areas with vacant residential lots have land available for housing development opportunities.
- **Proximity to vacant housing structures - Negative** criteria: Vacant housing structures are considered negative due to safety issues with vacant properties.
- **Median income -** Median income provides an additional layer of context to the results of the suitability analysis.

Income Definitions

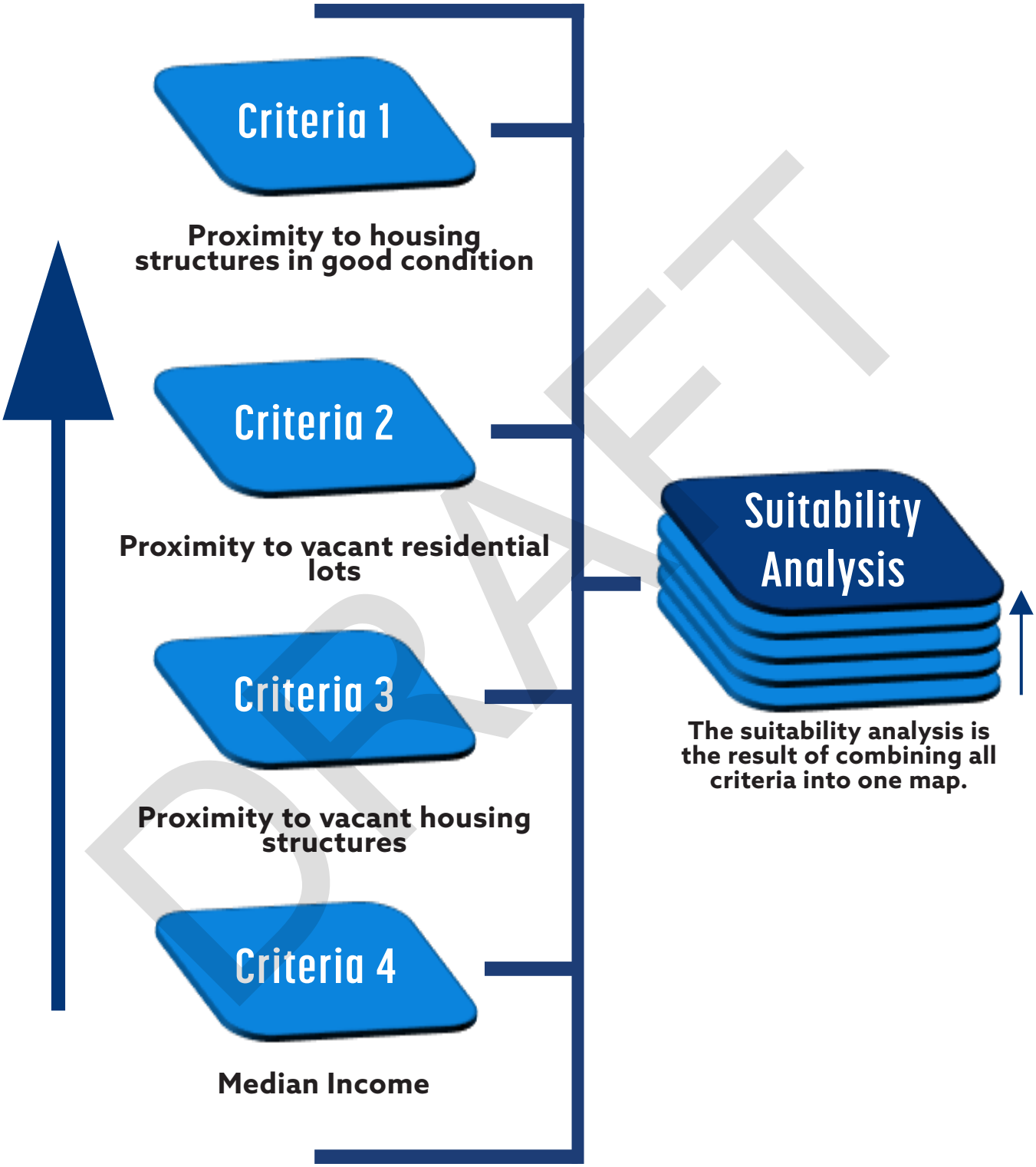
- **Low:** $12,000 - $31,346
- **Moderate:** $31,347 - $50,360
- **High:** $50,361 - $88,576+

Neighborhood Typology Definitions

- **Static:** Low count housing stock and/or low median income area.
- **Stable:** Fully developed area with housing structures in good condition.
- **Progressing:** Housing structures in moderate condition in areas with moderate incomes.
- **Developing:** Housing structures in good condition in areas with higher incomes.
- **Transitioning:** Low to high income area with new development opportunities.
- **Opportunity:** High income neighborhoods with vacant land for development.

DRAFT

Figure 31: Existing Conditions Suitability Analysis Process



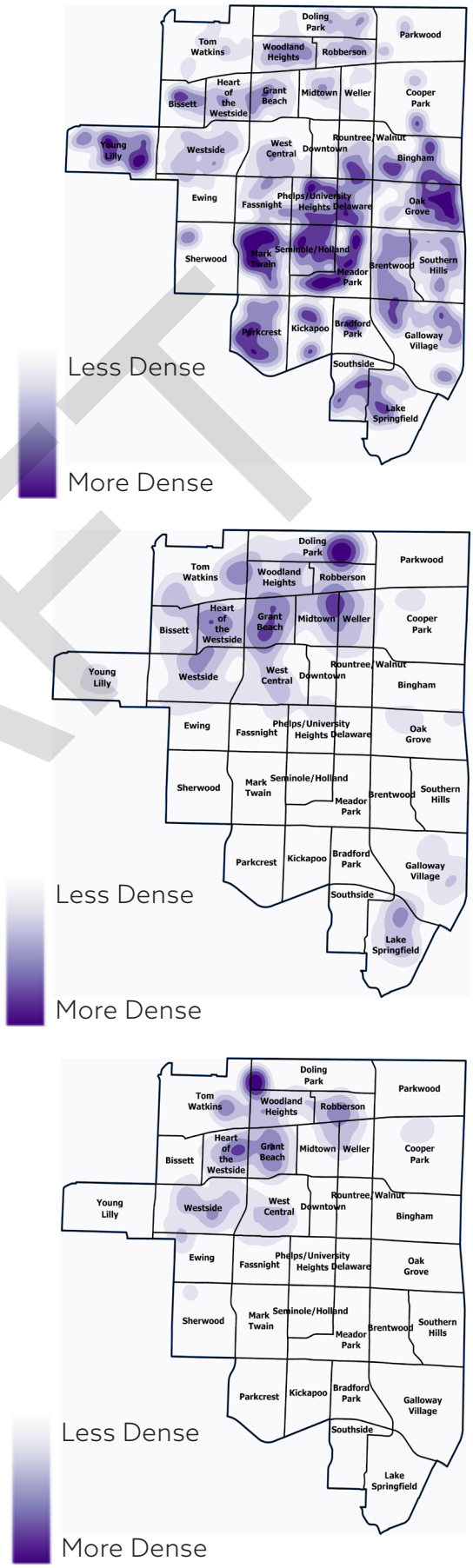
DRAFT

1. Proximity to housing structures in good condition: Housing structures in close proximity to other housing structures in good condition are primarily concentrated in the southeastern sector of Springfield, as shown in dark purple in Figure 32. This is due to many of the housing structures constructed more recently, within the past 20 to 25 years, and not yet aged to a point where major repairs are needed.

2. Proximity to vacant residential lots: Housing structures that lie in close proximity to vacant residential lots are located in the northwestern sector of Springfield. Housing stock in this area is much older in this area of the City. This tends to lead to more occurrences of deferred maintenance and eventual demolition of older housing structures.

3. Proximity to vacant housing structures: Similar to criteria number two above, vacant housing structures are found primarily in the northwestern sector of Springfield. Housing structures here trend older and are closer to the end of their functional life cycle. Repairs and maintenance are more costly, which may result in many housing structures deteriorating into an uninhabitable state.

Figure 32: Suitability Analysis Criteria Results

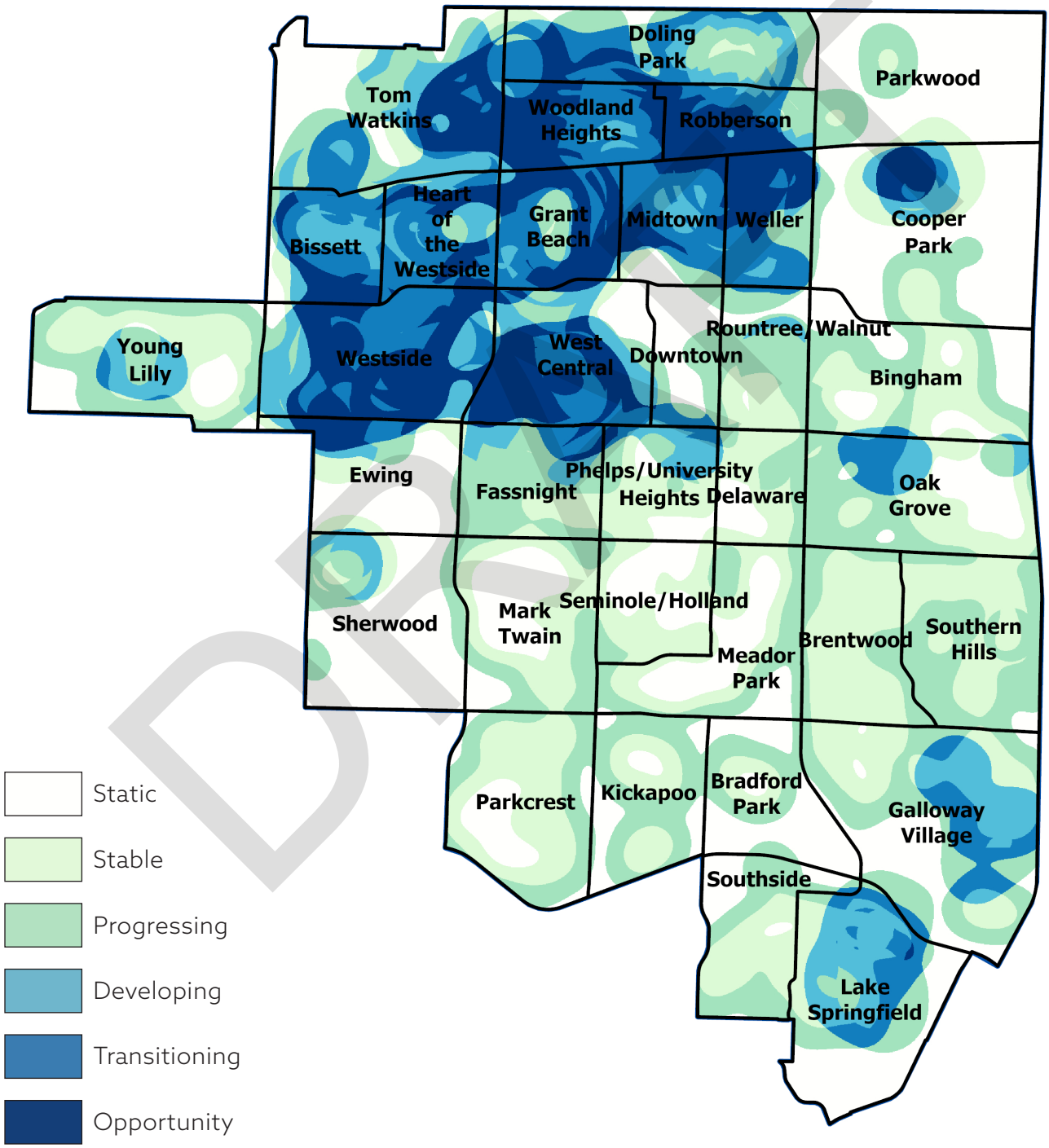


DRAFT

Neighborhood Suitability Analysis Results

The results of the existing conditions suitability analysis can be seen in "Figure 33: Existing Conditions Suitability Analysis Criteria Results." Springfield neighborhoods are large and all include a range of housing conditions, land uses, housing types, and occupancy, depending on the block or street. This results in mixed patterns of neighborhood typologies within each neighborhood boundary and not a single homogeneous condition.

Figure 33: Existing Conditions Suitability Analysis Criteria Results



Source: APD Urban Planning + Management, City of Springfield GIS Dept.

To further refine the results, median incomes were used to provide additional context to the existing conditions suitability analysis results. Adding this information allows for a deeper understanding of why some neighborhoods have certain characteristics in terms of housing condition, or the number of vacant housing structures. For example, neighborhoods with a greater quantity of housing structures in fair to worse condition are typically associated with lower incomes. Residents with limited or fixed incomes do not have the necessary disposable income to perform expensive home repairs. This leads to some property abandonment. "Figure 34: Springfield Median Income" illustrates the median income within census tracts across Springfield.

Figure 34: Springfield Median Income

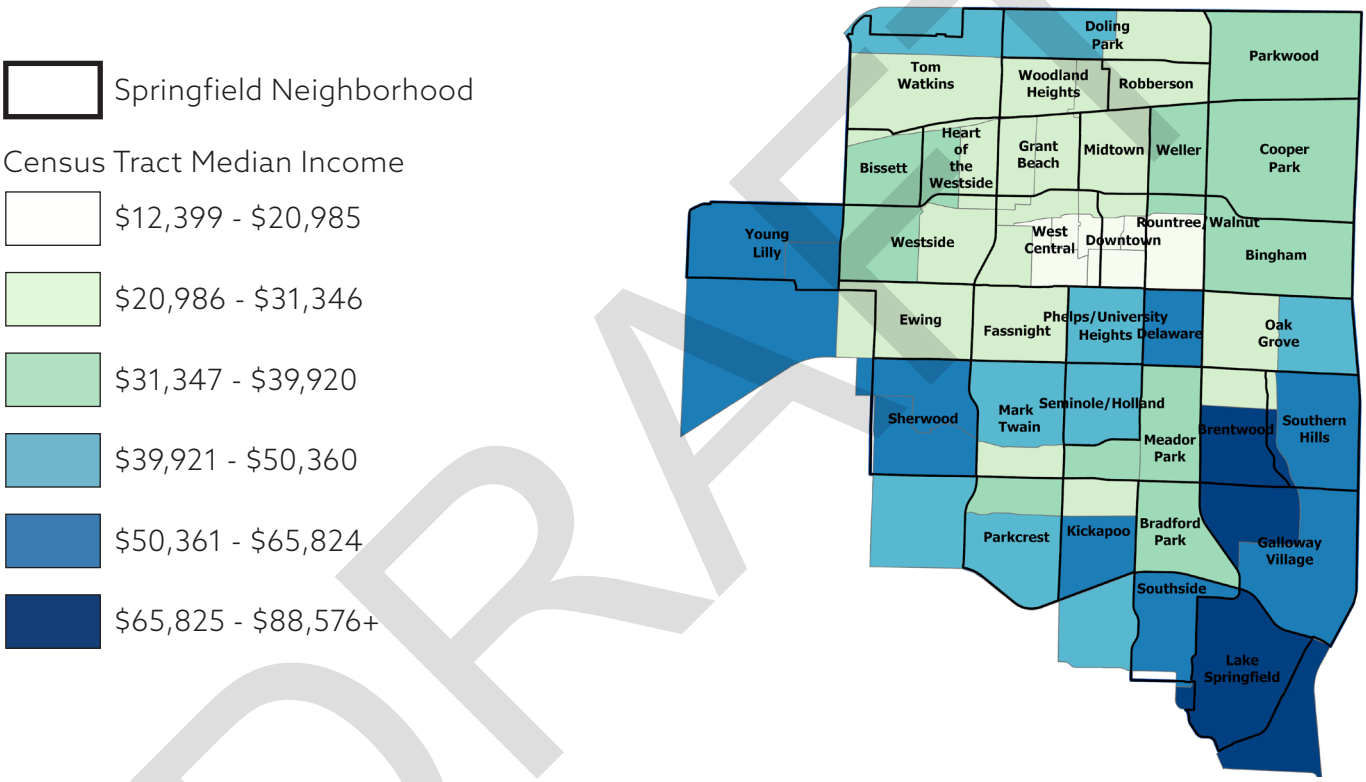
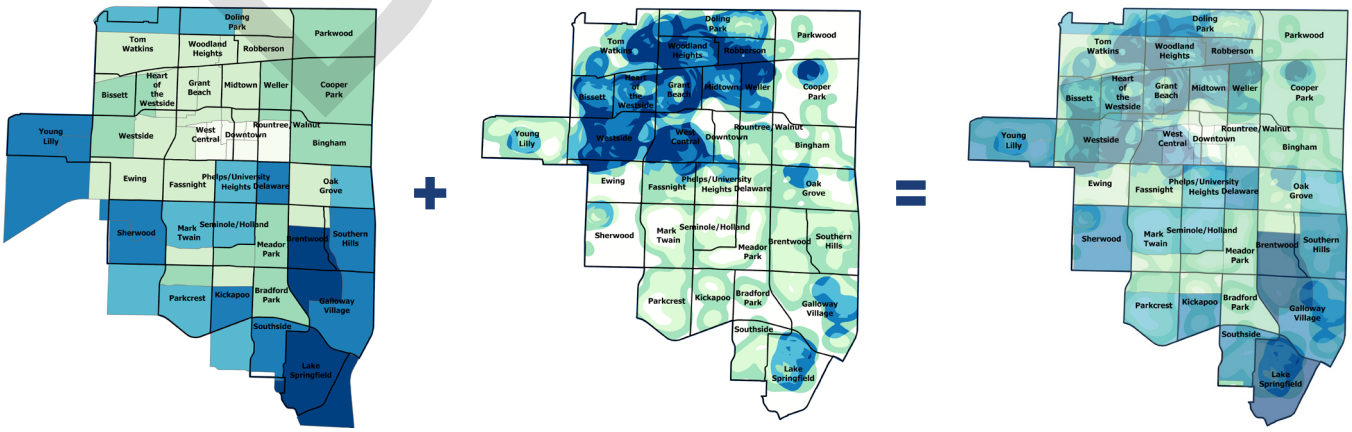
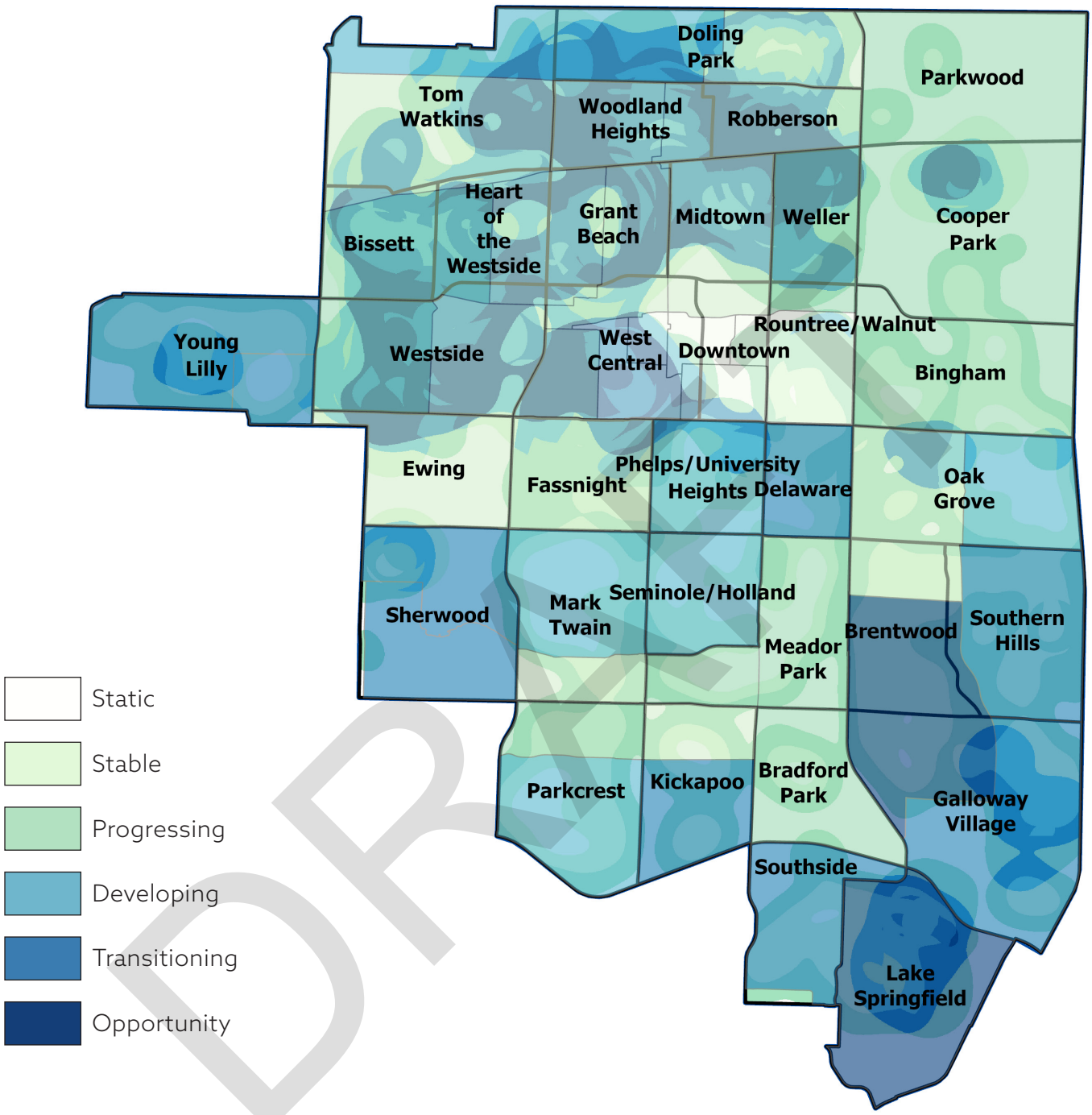


Figure 35: Neighborhood Typology Results Process



DRAFT

Figure 36: Suitability Analysis with Median Incomes



Source: APD Urban Planning + Management, City of Springfield GIS Dept.

MAJOR TAKEAWAYS

1. Downtown is the only static neighborhood.
2. The northwest and southeast sectors of Springfield have opportunity areas. There are many small vacant lots found in the older northwestern neighborhoods that could be used for housing development, and a few large vacant lots found in southeastern Springfield.

Below, Springfield neighborhoods are grouped by city council zone and assigned a neighborhood typology based on the results from the previous analyses.

Table 4: Neighborhood Typology by City Council Zone

NAME	TYPOLOGY	ZONE
Bissett	Developing	1
Westside	Developing	1
Grant Beach	Transitioning	1
Midtown	Transitioning	1
Woodland Heights	Transitioning	1
Tom Watkins	Transitioning	1
Heart of the Westside	Transitioning	1
Young Lilly	Transitioning	1

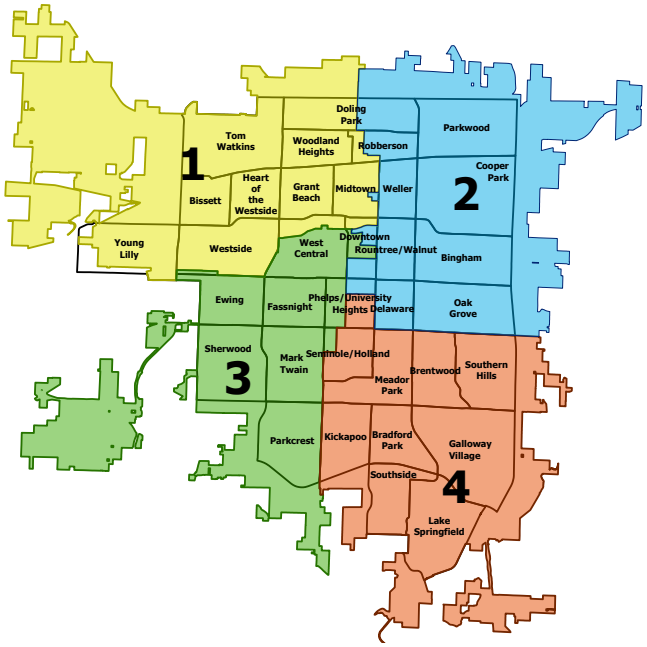
NAME	TYPOLOGY	ZONE
Rountree/Walnut	Stable	2
Cooper Park	Progressing	2
Bingham	Progressing	2
Parkwood	Progressing	2
Oak Grove	Developing	2
Weller	Transitioning	2
Delaware	Transitioning	2

NAME	TYPOLOGY	ZONE
Ewing	Stable	3
Fassnight	Progressing	3
Parkcrest	Developing	3
Mark Twain	Developing	3
Southside	Developing	3
Sherwood	Developing	3
Kickapoo	Transitioning	3

NAME	TYPOLOGY	ZONE
Southern Hills	Transitioning	4
Galloway Village	Opportunity	4
Lake Springfield	Opportunity	4
Brentwood	Opportunity	4
Meador Park	Progressing	4
Bradford Park	Progressing	4

NAME	TYPOLOGY	ZONE
Downtown	Static	1,2,3
Doling Park	Developing	1,2
Phelps/University Heights	Developing	2,3,4
Seminole/Holland	Developing	3,4
Robberson	Transitioning	1,2
West Central	Transitioning	1,3

Figure 37: Springfield City Council Zones



DRAFT

THIS PAGE INTENTIONALLY LEFT BLANK

DRAFT

DRAFT

SECTION 05

COMMUNITY INPUT

DRAFT

COMMUNITY INPUT

Community input during the study process was vital to ensure data points aligned with lived experiences, to encourage consideration of housing in a broader sense, and to build support for implementation strategies recommended to improve housing and neighborhoods in Springfield.

Community Outreach Strategy

The Community Outreach and Engagement Plan recommends methods of outreach to promote awareness of, and participation by, Springfield residents in the City of Springfield Housing Needs study.

The Community Engagement Plan provides information on the target audience, and outlines engagement methods best suited to communicate with the residents and stakeholders effectively, encouraging participation in the planning process and continued interest in implementation outcomes.

Our Objectives

The outreach and engagement methods focus on leveraging the knowledge and resources of the organizations that currently provide services to residents in Springfield. Engaging the community ensures that residents' values and opinions are heard, understood, and incorporated into the planning process and final plan recommendations.

Purpose of Engagement

The community engagement process focuses on sharing relevant information and receiving feedback that reflects commmunity experience.

A Meetings with the Steering Committee help determine the direction of the project and help prioritize project elements.

B One-on-one stakeholder interviews yield additional insight to initial research and other considerations in the assessment process.

C Public meetings serve as a forum to engage with the larger community, educate, share data, and receive input on the planning recommendations.

DRAFT

Target Audience

The study identified priority audiences to determine the most effective engagement approaches and activities to reach the larger Springfield community.

HOUSING PATTERNS

42% of Springfield residents are homeowners. Although partnering with strong neighborhood associations may be a useful communication tool, engagement techniques should be varied to reach residents who rent or experience transiency.

AGE

While the median age of residents is 33 years, the population of Springfield is evenly dispersed across age groups, due to the presence of colleges and universities. With this age range, outreach should be equitably distributed amongst means that appeal to the full range of age cohorts.

TRANSPORTATION AND ACCESS

Springfield's diverse network of transportation modes includes over 100 miles of trails and 80 miles of bicycle routes. Developments, such as the LINK, encourage connectivity to activity centers throughout the city. Outreach should maximize on the visibility and accessibility offered to ensure participation from geographically diverse areas of the city.

HOUSEHOLD EXPENDITURES

Households with lower incomes may have less time and resources to devote to community engagement activities. This may limit their participation in traditional forms of community engagement, such as attending meetings, and alternative means of obtaining input may be necessary.

DRAFT

Considerations for Engagement

With potential barriers and demographic trends for any engagement process, the outreach plan addresses these potential pitfalls through effective marketing strategies. These strategies target under-reached audiences and leverage existing structures to communicate and encourage participation. Marketing strategies are presented below, enriched by context from the demographic data and general best practices.

FLYERS

Flyers posted at key intersections and shared with key stakeholders may be effective to ensure residents are informed of the engagement process. Fliers were designed with visual and simple language to capture audiences in frequently visited areas. This approach addresses diversity in outreach for the target audiences.

SOCIAL MEDIA POSTS

Due to the percentage of households with internet access and efficiency, as well as the student population, social media was a useful tool to inform the community of upcoming events. Facebook, Instagram, and NextDoor were some of the platforms best suited to inform the public.

NEWS MEDIA

Springfield's news media and communications department enjoy a strong viewership. Residents, particularly older citizens, relied on Springfield Neighborhood News and other sources for reliable, update-to-date information about the planning process. News media was also useful for longer-form announcements and event summaries.

NEIGHBORHOOD ASSOCIATIONS

The Neighborhood Advisory Council (NAC) is an active and visible organization of citizens and city staff that act as conduits of community information. Sharing information with the NAC means greater reach on a neighborhood-level and diversity of representation at community events.

CITY CALENDAR

The City of Springfield manages official notice for public meetings and community events. Notices are accessible to residents who are familiar with the resources available on SpringfieldMO.gov. The City calendar is also a means to connect residents to the trajectory of the project and past engagement efforts.

WORD OF MOUTH

Springfield's community, spread nearly equally across age demographics, fares well in word-of-mouth communication. Connection through social organizations and social media allows for residents to be well informed and share information with neighbors and friends.

DRAFT

Community Engagement Plan

Community engagement was conducted throughout the study, at several levels. A steering committee was established by invitation from the City of Springfield and included a broad spectrum of citizen leaders. Meetings with the steering committee occurred six times throughout the study. A group of community stakeholders were selected and interviewed to gain deeper insight into the opportunities and constraints surrounding housing in Springfield. Three community-wide meetings communicated the study intent, process, analysis results and citizen input into issues and opportunities around housing and neighborhoods. To acquire the maximum public input possible, an additional community-wide online survey was conducted with a high response rate of 577 individuals.

STAKEHOLDER INTERVIEWS

A total of 17 stakeholders were interviewed during December, 2022 and January, 2023. Seven of the interviews were in person with the remainder conducted over telephone or Zoom. Interviews represented a broad range of perspectives, including elected officials, city staff, real estate professionals, property investors, non-profits, and neighborhood leaders. Nearly all those interviewed were Springfield natives, with many leaving for college or employment, and then returning to their hometown.

A summary of the primary findings resulting from the interviews is located in the Appendix and covers neighborhoods, neighborhood schools, transportation, home ownership, rental housing, vacant properties, infill development, development process, code enforcement, crime, land banking, amenities, and resident hot-button issues.

STEERING COMMITTEE MEETINGS

A total of six steering committee meetings were held during the course of the project, with four held in Springfield and two conducted virtually.

Steering Committee Meeting 1

The housing study held its kickoff meeting with the steering committee on December 13, 2022. The committee was comprised of 15 community members representing residents, non-profit organizations, property owners, elected officials and other stakeholders. The project intent, process and schedule were presented to the committee. A strengths, weaknesses, opportunities and threat (SWOT) analysis was also conducted to gain understanding into the dynamics and viewpoints surrounding housing and neighborhoods in Springfield.

DRAFT

Steering Committee Meeting 2

The second steering committee meeting was conducted in Springfield on February 23, 2023. This meeting reviewed the results from the kickoff meeting survey, and previewed the first community town hall meeting scheduled for the following evening. A second survey gathered additional information anonymously from the steering committee about neighborhoods: most opportunity for improvement, highest vacancies, high number of distressed properties, best suited for neighborhood scaled commercial development, and stable but slipping into decline.

The presentation compared Springfield with peer cities in Missouri for population, age, educational attainment, incomes, poverty rate, ownership rates and renter rates. Preliminary demographic information illustrated population growth rates, and some of the drivers of growth. An important demographic detail for housing needs showed how the population of 65+ years of age increased by 25% from 2010 to 2020, a trend projected to continue through 2030.

Steering Committee Meeting 3

The third steering committee meeting was conducted virtually on April 20, 2023. The meeting focused on results from the February steering committee and community meetings, updates on study data collection and analysis, and a review of rental registration programs in Missouri.

At this point, the windshield survey of all residential parcels in Springfield was more than half complete, with trends beginning to emerge. 92% of housing surveyed thus far is single family detached, a very high percentage. 95% of all housing units are occupied and 347 are vacant. 87% of all housing units are in fair to good condition, with 10% in poor to deteriorated condition. A comparative overview of the housing market illustrated how Springfield stacks up within Missouri and demonstrated the solid price increases for housing both in the State of Missouri and Springfield. Housing affordability was detailed from 2010 through 2020 comparing incomes and housing prices.

Steering Committee Meeting 4

The fourth steering committee meeting was held in Springfield on June 7, 2023 in Springfield. The meeting kicked off with a reminder of the Forward SGF 2040 vision for Springfield to focus on "quality places to create great neighborhoods." Analysis results from the completed windshield survey were shared, along with a neighborhood suitability analysis and beginning discussions around potential implementation strategies for improving housing and neighborhoods. This was followed by a preview of the second community presentation, scheduled for the following evening.

The suitability analysis scored neighborhoods by specific criteria: housing condition, vacant housing structures, vacant residential lots and incomes. These criteria were mapped, then sorted into tables organized by City Council zone. The bottom line revealed that no neighborhood is homogeneous in its scoring, but that each neighborhood contains varying score levels due to the large size of the neighborhoods. Zoning, and the fact that nearly all residential areas are zoned for detached single-family development, was discussed as a barrier to inclusion of other types of housing in neighborhoods.

DRAFT

The rapid growth, 25%, of Springfield's over 65 aged population was pointed out as another need for differing types of housing.

Steering Committee Meeting 5

The fifth steering committee meeting was held virtually on August 17, 2023. The meeting focused on the results from Community Meeting 2, the City-wide citizen survey, refinement of the housing database, an examination of investor rental properties, and continued discussion of potential implementation strategies to improve housing and neighborhoods.

The majority of steering committee members supported exterior maintenance programs (89%), establishing a land bank (88%), building new housing types in neighborhoods (88%), expanded down payment assistance (85%), neighborhood commercial (84%), regulating rental housing (73%) and Design Standards (66%). The investor-owned rental property analysis revealed that in the case of LLC or LP ownership, there are 4,999 properties held by 1,796 entities, and investors own 24.76% of all residential properties in Springfield.

Steering Committee Meeting 6

The sixth and last steering committee meeting was held in Springfield on October 25, 2023. The meeting reviewed all significant data analysis results and included a detailed discussion of recommended implementation strategies to positively impact housing and neighborhoods in Springfield.

Data analysis review included the housing market analysis, which revealed that there are gaps in available housing for sale and rent in the upper and lowest income brackets. Springfield is also projected to add 3,782 owner households and 29,376 renter households by 2040. Existing housing stock is 92% detached single-family which limits housing options for residents. And, that 77% of all housing is in "Good" or better condition, with 21% in "Fair" or worse condition. A range of implementation strategies to stabilize and improve housing and neighborhoods were reviewed, along with case study examples of successful implementation from around the country.

DRAFT

Community Meetings

A total of three community meetings were held during the course of the project, with each meeting recorded and broadcast to city residents.

Community Meeting 1

The first community meeting was held in a town hall format on the evening of February 23, 2023 at the Springfield Art Museum, and attended by residents, organizations and businesses. Nearly every Springfield neighborhood was represented. A presentation shared the purpose of the housing study, the schedule, and featured a survey to gather community information anonymously. The survey asked what type of housing respondents had lived in during their life, and what housing types are missing in Springfield. An online SWOT analysis collected live data on perceived strengths, weaknesses, opportunities and threats to housing and neighborhoods.

In addition, a series of boards were facilitated around the room to acquire additional information about housing issues, commercial uses, and housing types supported or opposed by the community. The results revealed concern about affordability of housing, a lived experience reported by residents of living in a very wide range of housing types, and support for tiny homes. The amenities in Springfield neighborhoods were strongly approved of, with concern expressed for the lack of available housing variety. Increasing housing affordability and character were viewed as opportunities, with housing affordability seen as the top threat.

Community Meeting 2

Community Meeting 2, on the evening of June 8 at Ozarks Technical Community College, featured a presentation with updates from the first meeting along with information on incomes, the housing market, housing conditions and a review of a wide range of potential housing types. A key takeaway concerned housing affordability indexed against incomes. There is a substantial gap between incomes and the costs of both rental and for-sale housing, resulting in cost-burdened households (30% or greater household income spent for housing). In addition, Greene County expects a nearly 25% population increase in seniors 65+ by 2030. These findings reinforce the need to modify zoning regulations that restrict the majority of Springfield property to single family, detached housing only.

DRAFT

The presentation reiterated the mission of the Forward SGF 2040 comprehensive plan:

"Quality of Place should serve as a north star used to guide all future decision making." "Creating Complete Neighborhoods: Quality Places begin with healthy neighborhoods that host a range of diverse housing types, that are well connected with multi-modal facilities and access to goods, services, and community facilities. Great neighborhoods thrive where residents take ownership and are involved in civic life and participate in making their neighborhood safe, beautiful and welcoming to all."

Following the presentation, attendees were asked to vote and comment on a series of facilitated boards to acquire specifics about where commercial uses, and various housing types should be built. The boards each featured one of the four city council zones, with neighborhoods labeled. Another board asked for votes in support of implementation policies and programs to improve housing and neighborhoods. A follow up survey was posted on the city website to encourage a broad range of residents to weigh in on important implementation strategies. The community voiced support for regulating rental housing (74%), new housing types (68%), improving housing affordability (61%), down payment assistance (61%), new commercial development in neighborhoods (49%), exterior maintenance programs (45%), design standards (44%), and tiny/cottage homes (40%).

★★★★ Regulate Rental Housing (74%), New Housing Types (68%), Housing Affordability (61%), Down Payment Assistance (61%)

★★★ New Commercial in Neighborhoods (49%), Exterior Maintenance Programs (45%), Design Standards (44%), Tiny/Cottage Homes (40%)

DRAFT

Community Meeting 3

Community Meeting 3 was held at Ozarks Technical Community College, Lincoln Hall, on the evening of October 26th at 6:00 p.m. This final community meeting presented the results from Community Meeting 2 and the online survey, reviewed the major findings of the housing study and followed with implementation recommendations based on research, national best practices, and community and steering committee prioritizations.

Demographic findings were reviewed, including the decline in homeownership across Springfield to a low of 42%. The housing market study information was shared, including gaps in affordability, housing conditions, and the results of the investor-ownership of rental property investigation. This review set the stage for presentation of neighborhood and housing issues, and recommended implementation strategies.

Following the presentation, there was a question and answer session about some of the findings and implementation strategies. It was noted that since the adoption of Forward SGF 2040, the City has successfully implemented recommendations of the plan, including commissioning of the housing study, establishment of Restore SGF and the commissioning of a zoning amendment process, which is currently underway. Boards with neighborhood and housing issues and strategies for stabilization and improvement were displayed at the back of Lincoln Hall for discussion with attendees following the presentation.

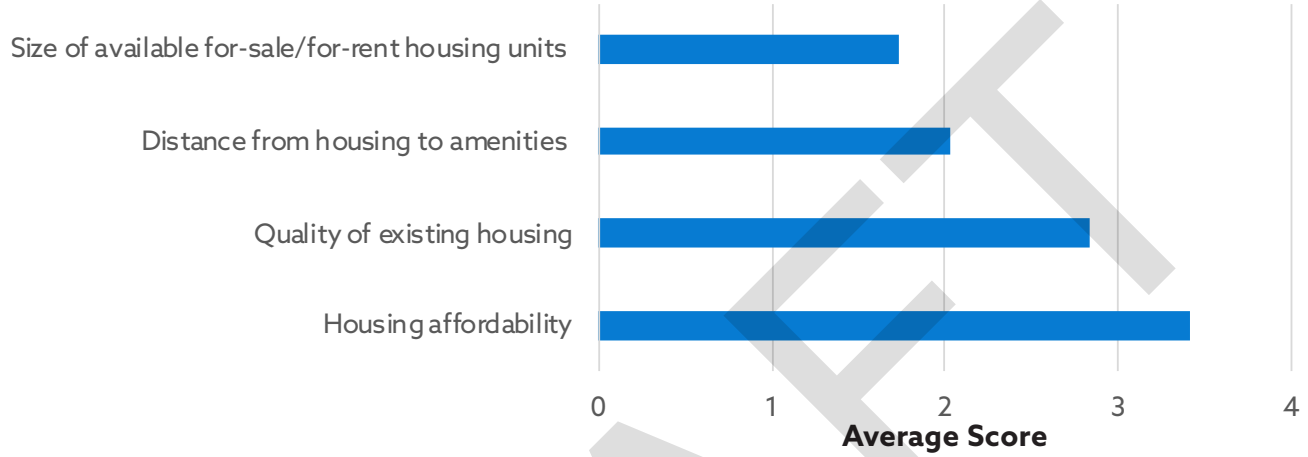
DRAFT

COMMUNITY HOUSING SURVEY

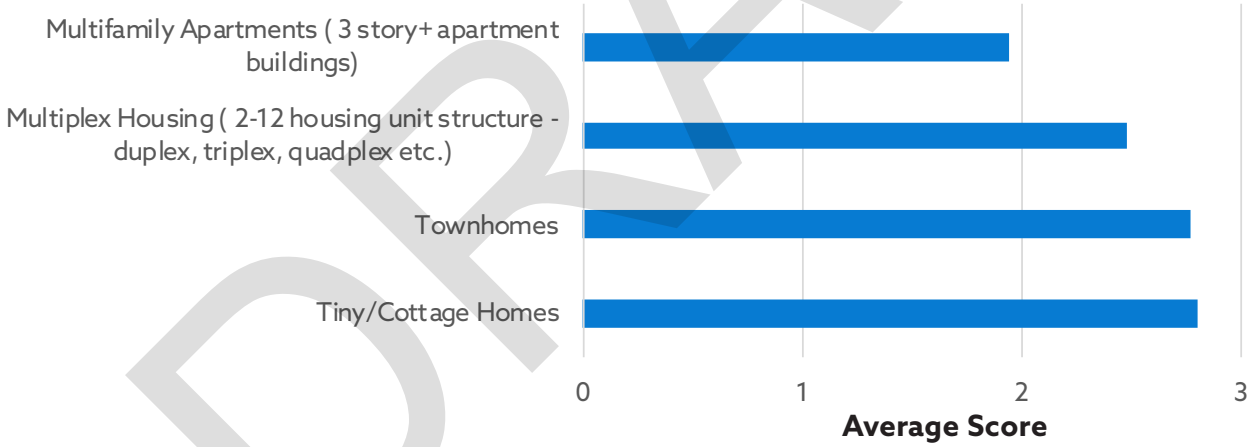
A community housing survey was conducted to understand what aspects of housing are most important to Springfield residents, and preferences for new developments, programs and policies. The survey was posted and publicized by the City Office of Information to collect as many citizen responses as possible. In total, there were 577 responses to the online survey.

SPRINGFIELD DEVELOPMENT PREFERENCES

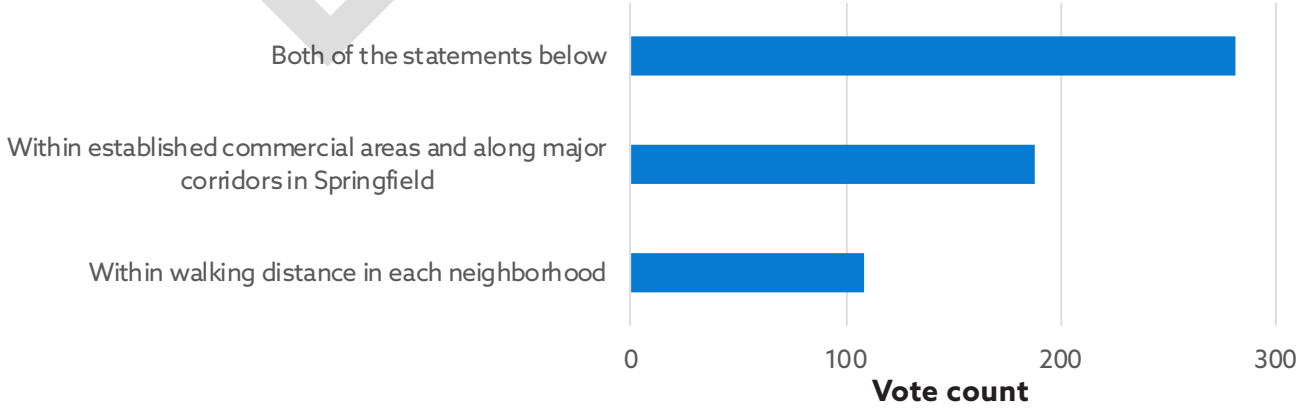
1. Regarding housing in Springfield, rank the following topic(s) in order of importance to you.



2. Housing Type Preference



3. Where should new commercial development occur?



DRAFT

Housing Policy and Programs

(1 Star=Low Support, 5 Stars= High Support)

4. Design Standards

Attractive and context-compatible housing is important as Springfield grows. Design Standards set expectations for residents and developers to ensure new buildings and renovations meet aesthetic standards that fit into the spirit of Springfield's neighborhoods.

Average Score: 3.8 Stars ★★★★

5. Exterior Maintenance Programs

Programs that provide modest funding for exterior home maintenance with matching funds from the homeowner.

Average Score: 4 Stars ★★★★

6. Regulation of Rental Housing

This type of program requires landlords to register rental units, may require an inspection, and helps to ensure safe housing stock and protect property values, including those of the landlord. Quality, healthy housing is a proactive measure.

Average Score: 4.5 Stars ★★★★½

7. Expanded Down Payment Assistance for Qualifying Home Buyers

Expand current programs to increase the number of owner-occupied homes in Springfield.

Average Score: 4.2 Stars ★★★★

8. Land Bank Program

A land bank requires state approval. It can serve to purchase delinquent tax properties, vacant and abandoned homes. The land bank holds the land until it is developed for housing.

Average Score: 3.6 Stars ★★★½

9. Neighborhood Commercial Areas

Many grew up with the neighborhood corner store or restaurant. Should these be encouraged in our Springfield neighborhoods?

Average Score: 3.8 Stars ★★★★

10. New Neighborhood Housing Types

Zoning changes to allow for more areas to develop smaller cottage homes, courtyard apartments, townhomes and condominiums - what we call Missing Middle housing. A wide range of housing for a broad spectrum of incomes.

Average Score: 3.9 Stars ★★★★

DRAFT

THIS PAGE INTENTIONALLY LEFT BLANK

DRAFT

DRAFT

SECTION 04

IMPLEMENTATION

DRAFT

IMPLEMENTATION STRATEGIES

Implementation strategies to improve neighborhoods and housing are based upon the completed analysis, community inputs and national best practices. To begin this process, neighborhood and housing issues were identified. The Forward SGF 2040 plan vision included a wish for complete neighborhoods, where everyday goods and services are available to residents. This concept is summarized in the following quote and also encompassed within the implementation strategies.

"Building a 15-minute city is about providing equal access to core services and opportunities, with everyone able to meet their basic needs within a short walk or bike ride from home. It means ensuring that the activities that make urban life liveable and enjoyable are available to all, not just concentrated in central or wealthy neighborhoods. This includes community-scale education and healthcare, essential retail, such as grocery shops and pharmacies, parks for recreation, working spaces and more. Cities built of 'complete neighborhoods', where residents can find most of what they need locally, generate more responsive local growth, vibrant neighborhoods, stronger communities, more viable local businesses and commerce, lower emissions and more active travel." (Source: C40 Cities Climate Leadership Group, C40 Knowledge Hub, May 2021)

Identified Neighborhood Issues

During the course of the housing study, neighborhood issues were identified and listed as targets for implementation strategies. The issues are summarized below.

- Oldest structures are located in the northwest of Springfield.
- Investor rental ownership is concentrated in certain neighborhoods.
- Neighborhoods have missing sidewalks, street lights and green space.
- Many neighborhoods lack access to everyday goods and services.
- There are vacant and/or abandoned structures and properties.
- Rental rates exceed home ownership rates.

Identified Housing Issues

Housing issues frequently found in Springfield were identified, and are summarized below.

- A mismatch between available housing and incomes.
- 44% of housing stock is 50 to 70 years old, many stuctures in need of repairs.
- Some substandard rental housing stock exists.
- There is difficulty affording first time home purchases.
- There is a lack of diversity in housing types offered for sale and rent.

DRAFT

Neighborhood Stabilization Strategies

Stabilization strategies seek to halt trends that may lead to decline. All summaries of implementation strategies are expanded upon in depth in the implementation tables following.

1. Neighborhood Stabilization Strategies

- Increase Home Ownership Rate to 50%+
- Expand Home Owner Education Programs
- Establish a Land Bank to Acquire/Hold Properties
- Employer-Assisted Housing Programs
- Land Use Restrictions

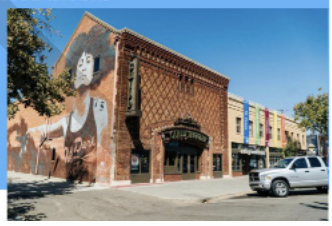
2. Amenties

- Renovate/Repurpose Vacant Public Buildings/Lots
- Preserve/Enhance Retail/Service Nodes
- Maintain/Upgrade Neighborhood Open Space

Case Study: NeighborWorks Home Ownership Center, Sacramento, California

Stabilized Oak Park Neighborhood

- Acquisition-Rehab-Resale distressed single family homes
- Down payment assistance for low and moderate income borrowers
- Community improvement activities, "Paint the Town" to improve targeted blocks



3. Community Retention

- Adequate Stock of Starter/Affordable Homes
- Legacy Resident Displacement Prevention
- Property Tax Relief for Seniors/Disabled

4. Neighborhood Safety

- Neighborhood Watch Programs
- Expanded Lead and Asbestos Remediation Programs
- Code Enforcement

Case Study: Atlanta Beltline Anti-Displacement Program

Legacy Resident Retention Program

- Aimed at homeowners who have lived in and occupied their homes since 2017 and earn less than 100% AMI
- Program covers the increased cost of property taxes for eligible homeowners through 2030.

Neighborhood Improvement Strategies

Improvement strategies address creation of more livable and desirable neighborhoods for all incomes and abilities.

1. Connectivity

- Complete Trail Connections
- Build Sidewalks in all Neighborhoods
- Pedestrian/Bike Safety Improvements
- Expand Micro-Transit Options

2. Complete Neighborhoods

- Increase Street Tree Plantings
- Encourage Construction of a Wide Range of Rental Housing
- Include New Housing Types/Sizes in Neighborhoods

Case Study: Buffalo, NY Green Code

Missing Middle Housing

- Expanded range of housing types allowable by right in the code. Eliminated minimum parking requirements.
- Has facilitated infill development of stacked units, row homes and ADUs.

BUFFALO greencode

DRAFT

Neighborhood Improvement Strategies (contd.)

3. Aesthetics and Increased Desirability
- Prominently Brand Neighborhoods
- Create/Adopt Design Standards

4. Economic Development
- Develop Workforce Housing
- Preserve and Build Neighborhood Retail/Service Areas
- Encourage Diverse Housing Types in High-Opportunity Neighborhoods
- Split-Rate Taxes

Case Study: Johnston Square Art Crosswalk, Baltimore, MD

Neighborhood Branding and Safety
- Partnership with college design school to create colorful crosswalks and murals.
- Helps save lives and increase pedestrian safety in the neighborhood while branding.

5. Public Safety
- Install Street Lights Where Missing
- Acquire Dilapidated/Abandoned Buildings
- Lighting in Public Alleys
- Neighborhood Clean-ups/Illegal Dumping
- Promote CPTED Principals to Residents

Case Study: Cuyahoga Land Bank, Cuyahoga County, OH

Acquiring Dilapidated/Abandoned Buildings
- Assembles parcels for development or green space
- Constructs new affordable homes
- Offers vacant homes for sale and renovation

Housing Stabilization Strategies

These strategies deploy methods to prevent further deterioration of the existing housing stock.

1. Housing Preservation
- Historic Designation/Protection
- Affordable Housing Preservation Inventory
- Demolish Dilapidated Structures

2. Improve Existing Housing Quality
- Expand/Publicize Homeowner Rehabilitation Programs
- Create a Pre-Approved Pool of Contractors
- Energy Improvement Programs
- Restore SGF "Block Challenge Grant Program"

Case Study: CEDAC, Boston, MA

Affordable Housing Inventory
- Database of assisted properties privately owned, created with federal/state housing resources
- Includes a mapping tool with neighborhood locations and demographic information

DRAFT

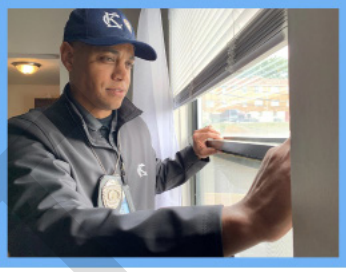
3. Improve Rental Housing Quality

- Adopt & Fund a Rental Regulation Program
- Target Inspections and Code Enforcement More Effectively
- Initiate & Staff a Focused, Sustained Code Enforcement Program

Case Study: Kansas City, MO

Healthy Homes Rental Inspection Program

- Regulates minimum health and safety standards in rental housing
- $20 annual permit fee per unit
- Administered by Environmental Health Services Dept.



Housing Improvement Strategies

Improvement strategies address the need to provide a wide range of quality housing types and price points, both for sale and rent, throughout Springfield.

1. Develop Mixed Income Housing

- Use Publicly-Owned & Land Banked Properties to Develop Workforce Housing
- Develop Faith-Based Workforce Housing

2. Development Code/Regulatory

- Revise Zoning & Development Codes to Permit a Broad Range of Housing Types
- Broaden Housing Types Developed through Zoning Incentives
- Missing Middle Pre-Approved Plans
- Flexibility for Accessory Dwelling Units (ADUs)
- Encourage Tiny Homes and Villages
- Ensure Land Zoned for Higher Density is not Developed at Lower Densities

Case Study: Faith-Based Development Initiative, Atlanta, GA

Develop Faith-Based Workforce Housing

- Launched by City to address housing needs
- Faith institutions are major property owners
- 40 institutions participating

3. Funding Strategies

- Establish Lending Partnerships
- Expand Funding for Down Payment Assistance Programs
- Expand Funding for Rental Housing Improvements
- Expand and Promote Community Land Trusts

Case Study: Roland Curtis Gardens, Los Angeles, CA

Community Land Trust

- Household owns or rents housing unit; land is held in CLT
- Prolongs affordability by indefinitely mitigating capitalization and resale, as in private markets

DRAFT

Implementation Tables

The following tables are organized to fully detail implementation strategies for neighborhoods and housing. Each strategy includes an explanatory strategy, responsible party(ies) for implementation, any efforts in place, an estimated time frame and the residents that will be served by the strategy.

The strategies are organized by the preceding categories:

- Neighborhood Stabilization Strategies
- Neighborhood Improvement Strategies
- Housing Stabilization Strategies
- Housing Improvement Strategies

DRAFT

1. STABILIZATION

Stabilization of neighborhoods includes reversing the trend of rentals over homeownership, increasing the tenure of residents in the neighborhoods, and eliminating blighting influences.

Neighborhood Stabilization

Strategy	Implementing Entity(ies)	Current and Past Efforts	Time Frame (Years)	Populations Served or Type of Units Supported
1.1 Increase Home Ownership Rate to 50% or Higher As of January 2022, the home ownership rate for Missouri stood at 70.6%; Springfield ranks below that at about 40%. Housing is an essential component of health and well-being, and provides stability and safety. Programs to assist with education, down payment and a wider range of for-purchase housing types, such as missing middle, can help improve the homeownership rate and stabilize neighborhoods.	City of Springfield; Habitat for Humanity; Springfield Housing Authority; Catholic Charities of So. Missouri; other non-profits	City existing home buyer down payment assistance programs	5-10 Years	Workforce (80-120% AMI); Affordable (<80% AMI) Market Rate (>120% AMI) For sale
1.2 Expanded Homeowner Education Programs Many agencies and non-profits offer pre-purchase counseling to aspiring home buyers. These programs focus on financial management, budgeting and credit workshops. For homeowners in jeopardy of default, mortgage delinquency and default resolution counseling are available. Publicize and raise awareness of these programs to prepare residents for home ownership.	City of Springfield; Habitat for Humanity Consumer Credit Counseling Service; Catholic Charities of So. Missouri	Many existing programs are available	< 1 Year	Workforce (80-120% AMI); Affordable (<80% AMI) Market Rate (>120% AMI) For sale

DRAFT

1. STABILIZATION (CONT.)

Neighborhood Stabilization

Strategy	Implementing Entity(ies)	Current and Past Efforts	Time Frame (Years)	Populations Served or Type of Units Supported
1.3 Establish Land Bank to Acquire & Hold Abandoned/ Dilapidated Properties for Future Development Public purchase of vacant or under-utilized sites for future affordable housing development serves to remove blight from neighborhoods, while earmarking properties for future affordable housing development.	City of Springfield; Habitat for Humanity;	Efforts are underway to acquire state legislative approval for establishment of a land bank	1-5 Years	Workforce (80-120% AMI); Affordable (<80% AMI) Market Rate (>120% AMI) For rent or sale
1.4 Employer-Assisted Housing Programs These programs provide a channel through which employers can help their employees with the cost of owning or renting a home, typically in neighborhoods close to the workplace. Assistance may be provided through down payment grants or loans that are forgiven over a period of employment, homeownership counseling and education, rental subsidies and occassionally through direct investment in the construction of rental housing.	Corporate and Institutional major employers, such as CoxHealth, Mercy Hospital, Bass Pro Shops, Ozarks Technical Community College, Great Southern Bank		1-5 Years	Workforce (80-120% AMI); Market Rate (>120% AMI); For rent or sale: Smaller Units

DRAFT

1. STABILIZATION (CONT.)

Neighborhood Stabilization				
Strategy	**Implementing Entity(ies)**	**Current and Past Efforts**	**Time Frame (Years)**	**Populations Served or Type of Units Supported**
1.5 Land Use Restrictions Historic districts or conservation overlays may be used to preserve the historic character of neighborhoods by imposing higher standards of higher standards of setbacks, building code regulations, and lower allowable heights than the baseline zoning norms. The intent is to prevent the loss of older single-family housing to demolition and discourage new development that may not conform with neighborhood character.	City of Springfield		1-5 Years	Workforce (80-120% AMI); Market Rate (>120% AMI); For rent or sale

DRAFT

2. AMENITIES

Amenities, such as accessible green space and neighborhood service areas, improve the desirability and sustainability of neighborhoods.

Neighborhood Stabilization

Strategy	Implementing Entity(ies)	Current and Past Efforts	Time Frame (Years)	Populations Served or Type of Units Supported
2.1 Renovate/Repurpose Vacant Publicly Owned Buildings & Lots Publicly owned surplus properties can be a valuable source for development of housing, green space, or new commercial/service nodes to enhance neighborhoods. The City may develop these sites, or make them available at little to no cost to attract the investment in development desired.	City of Springfield; Habitat for Humanity; Restore SGF; Greene County		5-10 Years	All income levels; For sale, for rent
2.2 Preserve & Enhance Neighborhood Retail and Service Nodes Neighborhoods that are walkable and have local retail, restaurant and service nodes are highly desirable. Preserve and enhance these essential places by working with property owners to upgrade sidewalks, street trees, pedestrian lighting and building facades. Consider permitting outdoor seating and dining areas to increase economic activity.	City of Springfield; Neighborhood Associations		5-10 Years	All income levels; For sale, for rent
2.3 Maintain and Upgrade Neighborhood Open Spaces Springfield neighborhoods enjoy a wealth of parks and green space. A concentrated effort should be made to ensure all neighborhoods have accessible green space that is well maintained and programmed for its neighborhood.	City of Springfield; Neighborhood Associations		5-10 Years	All income levels; For sale, for rent

DRAFT

3. COMMUNITY RETENTION

Residential displacement mitigation strategies are important to neighborhood stability over time, and to keep neighborhoods affordable for all income levels throughout a life span. This becomes critical as neighborhoods are invested in over time, and revitalization poses threats to long term, lower-income residents.

Neighborhood Stabilization

Strategy	Implementing Entity(ies)	Current and Past Efforts	Time Frame (Years)	Populations Served or Type of Units Supported
3.1 Ensure Adequate Stock of Starter/Affordable Homes Affordable housing development can provide affordable alternatives to households and prevent a shortage of affordable housing for future low and moderate-income families.	City of Springfield; Housing Trust Funds; Federal LIHTC Program;	City of Springfield with private development entities	5-10 Years	Workforce (80-120% AMI); Affordable (<80% AMI) For rent or sale
3.2 Legacy Resident Displacement Prevention Identify the neighborhoods where displacement is likely, preserve existing market-affordable housing units and produce dedicated affordable housing in changing neighborhoods via new construction or acquisition/ rehabilitation of existing properties. This may involve low-interest loans/revolving loan fund for preservation and/or code enforcement.	City of Springfield; Restore SGF		1-5 Years	Workforce (80-120% AMI); Affordable (<80% AMI) For rent or sale
3.3 Property Tax Relief for Seniors and Disabled Tax relief and assistance can help low-income homeowners. Tax relief policies tend to benefit elderly homeowners or non-elderly lower-income residents who have lived in their home for at least a specified minimum number of years. Tax deferral legislation allows elderly lower-income homeowners to defer payment of property tax increases that occur due to gentrification-related appreciation, until they sell their home, preventing displacement. Deploy outreach to educate homeowners of these programs and increase participation.	City of Springfield; Green County Tax Assessor		1-5 Years	Workforce (80-120% AMI); Affordable (<80% AMI) For sale

DRAFT

4. NEIGHBORHOOD SAFETY

Neighborhood safety is an important factor for residents when deciding where to live. Safety encompasses both protection from crime and also protection from harm when environmental challenges may be present. Safe and healthy neighborhoods are essential to quality of life.

Neighborhood Stabilization

Strategy	Implementing Entity(ies)	Current and Past Efforts	Time Frame (Years)	Populations Served or Type of Units Supported
4.1 Neighborhood Watch Programs Springfield has an established Neighborhood Watch Program and a Police Area Representative (PAR) officer system in place. Expand public outreach and engagement to strengthen this program and resolve neighborhood issues and improve safety.	City of Springfield; Springfield Police Department; Neighborhood Advisory Council	In place Neighborhood Watch Program	< 1 Year	All Incomes For sale or rent
4.2 Expanded Lead and Asbestos Remediation Programs The majority of Springfield's housing units are 50 years or older, and were built using asbestos in many building products and lead containing paint. Outreach and engagement to educate homeowners and landlords of these dangers, and programs for abatement can help stabilize the housing stock in neighborhoods. A rental registration program can generate funds to help the Health Department to pay for these programs, increasing the health and wellness of housing.	City of Springfield; Building Development Services; Springfield Health Dept. EPA Region 7	Private sector environmental services	5-10 Years	All Incomes For sale or rent

DRAFT

4. NEIGHBORHOOD SAFETY (CONT.)

Neighborhood Stabilization				
Strategy	**Implementing Entity(ies)**	**Current and Past Efforts**	**Time Frame (Years)**	**Populations Served or Type of Units Supported**
4.3 Code Enforcement Affordable housing can be lost through attrition due to lack of sufficient maintenance as properties become dilapidated. Residents and advocacy groups can increase pressure with city agencies to enforce appropriate codes, and raise awareness of homeowner and landlord repair funding available.	City of Springfield; Building Development Services; Neighborhood Advisory Council	In place Neighborhood Watch Program	1-5 Years	All Incomes For sale or rent

DRAFT

1. CONNECTIVITY

Connectivity improvements within and between neighborhoods and the region offer mobility options to residents and visitors, improve access for all ages and abilities, and create better access to essential goods and services.

Neighborhood Improvement

Strategy	Implementing Entity(ies)	Current and Past Efforts	Time Frame (Years)	Populations Served or Type of Units Supported
1.1 Complete Trail Connections The Ozark Greenways Trail and On-Street Bike Routes program is an award-winning program partnership by the City and Greene County. Capitalize on success by connecting the gaps and including all Springfield neighborhoods. This amenity can attract private investment into neighborhoods.	City of Springfield; Greene County; Missouri DOT; Ozark Greenways	Public trail system in development since 1991	1-5 Years	All income levels
1.2 Build Sidewalks in All Neighborhoods Sidewalks improve safety, livability and a healthier lifestyle. Prioritize sidewalk construction and maintenance throughout Springfield and require them for new construction.	City of Springfield; Missouri DOT; Greene County	City ongoing efforts, especially within 1/2 mile of elementary schools	5-10 Years	All income levels
1.3 Pedestrian and Bicycle Safety Improvements Continue education and enforcement practices to decrease accidents. Consider protected bike lanes where right-of-way width allows. Improve street lighting, median pedestrian refuges and network of sidewalks, especially along arterials.	City of Springfield; Missouri DOT; Greene County	Pedestrian Safety Ordinance adopted in January 2018; SGF Yields program 2020	1-5 Years	All income levels
1.4 Expand Micro-Transit Options Micro-transit may include e-scooters, e-bikes, e-skateboards and employer transit vehicles. All play a role providing low-cost, sustainable transportation options, removing cars from the road and improving mobility. E-scooters are currently permitted in only certain areas of Springfield. Cities may earn revenue by charging fees to license micro-transit providers for the use of public infrastructure, such as roads and sidewalks.	City of Springfield	Eway E-Scooter Launch, July 2023; Bird E-Scooter Expansion, June 2023	< 1 Year	All income levels

DRAFT

2. COMPLETE NEIGHBORHOODS

Complete neighborhoods are walkable, with essential goods and services within a 15 minute walk/bike shed. Daily needs are accessible within the neighborhood including fresh foods, green space, health care and other essential services.

Neighborhood Improvement

Strategy	Implementing Entity(ies)	Current and Past Efforts	Time Frame (Years)	Populations Served or Type of Units Supported
2.1 Increase Street Tree Plantings Street trees on City right-of-ways cool the environment in summer, help manage storm water and greatly increase the beauty and livability of neighborhoods.	City of Springfield	NeighborWoods Program	1-5 Years	All income levels
2.2 Encourage Constructruction of a Wide Range of Rental Housing Providing information to small, local developers can help them understand land use permitting processes and give them a sense of clarity and certainty about requirements so they can better provide smaller scale housing at an affordable level, including missing middle.	City of Springfield		1-5 Years	Workforce (80-120% AMI); Affordable (<80% AMI) Market Rate (>120% AMI) For rent or sale
2.3 Include New Housing Types and Sizes in Neighborhoods Springfield's housing stock is primarily single family detached due to zoning and development regulations. Single family zoning codes should be amended to allow the full range of housing options, from tiny homes to townhomes, condominiums, and all missing middle type housing in each neighborhood.	City of Springfield		5-10 Years	

DRAFT

3. AESTHETICS AND DESIRABILITY

Neighborhood appearance, including upkeep, architecture and landscapes, all influence attractiveness to potential and existing residents, and directly influence property values. These efforts may also increase neighborhood pride and sense of community.

Neighborhood Improvement

Strategy	Implementing Entity(ies)	Current and Past Efforts	Time Frame (Years)	Populations Served or Type of Units Supported
3.1 Prominently Brand Neighborhoods Increase the number of neighborhood service areas participating in the Registered Neighborhood Organization. Prominently feature neighborhood logos at entrances. Also consider street sign toppers, plaques or banners to instill neighborhood pride of place.Promote the benefits of joining the Registered Neighborhood Organization.	City of Springfield; Neighborhood Advisory Council (NAC)	Vision 20/20 definitions; NAC regular meetings; support of City planning department	1-5 Years	All income levels
3.2 Create & Adopt Design Standards to Elevate Neighborhood Aesthetics Design standards can address the scale, massing and context of infill buildings as Springfield's neighborhoods redevelop and revitalize over time. This may encourage existing residents to approve of new development, while providing housing and services to neighborhoods that are context sensitive.	City of Springfield; Neighborhood Advisory Council (NAC)	Existing City building codes, zoning and development standards	1-5 Years	For-rent and for-sale housing; neighborhood commercial buildings

DRAFT

4. ECONOMIC DEVELOPMENT

Sustainable neighborhoods with a wide range of for-rent and for-sale housing, and daily needs easily accessible, help attract and retain businesses and residents.

Neighborhood Improvement

Strategy	Implementing Entity(ies)	Current and Past Efforts	Time Frame (Years)	Populations Served or Type of Units Supported
4.1 Develop Workforce Housing An adequate supply of workforce housing supports economic development efforts in Springfield. Local employers are able to recruit employees where there are many housing choices at a full range of price points, both for sale and for rent.	City of Springfield; Chamber of Commerce; Restore SGF; Other non-profits		1-5 Years	Workforce (80-120% AMI); Affordable (<80% AMI) Market Rate (>120% AMI) For rent or sale
4.2 Preserve and Build New Neighborhood Retail/Service Areas Access to daily goods and services elevate neighborhoods to a desirable status. The ability to walk to nearby goods and services are necessary to sustainable neighborhoods.	City of Springfield; Chamber of Commerce; Restore SGF; Other non-profits		1-5 Years	All income levels; For Rent and For Sale
4.3 Encourage Diverse Housing Types in High-Opportunity Neighborhoods Enable developments that support multiple unit sizes, types and tenure options to promote diverse housing options in high-opportunity neighborhoods, such as near high performing schools, transportation options, services, etc. Promote access to opportunity and reverse historical patterns of racial, ethnic, cultural and socioeconomic exclusion. Pair this with robust program incentives for these specific areas.	City of Springfield		1-5 Years	All income levels; For Rent and For Sale
4.4 Split-Rate Taxes Also known as two-tiered property tax reform, diffentiates property taxes into a lower tax rate for buildings and a higher tax rate for land. This creates a disincentive for land speculation and vacant buildings.	City of Springfield; State of Missouri		5-10 Years	All income levels

DRAFT

5. PUBLIC SAFETY

Safe neighborhoods are desirable neighborhoods. Expansion of existing programs and new public investments can improve safety in all neighborhoods.

Neighborhood Improvement

Strategy	Implementing Entity(ies)	Current and Past Efforts	Time Frame (Years)	Populations Served or Type of Units Supported
5.1 Street Lights Where Missing Ensure street lighting is ubiquitous throughout Springfields' neighborhoods, including along busy arterials where pedestrians and cyclists may be present. Lighting should focus on both pedestrians and the roadway, and not be limited to DOT type cobra head roadway lighting.	City of Springfield City Utilities; Missouri DOT; Greene County	City Utilities accepts requests for additional street lights	1-5 Years	All income levels; For Rent and For Sale
5.2 Dilapidated or Abandoned Buildings Acquire vacant lots and dilapidated properties that require demolition to create public land banks for future development of subsidized housing. This option is most applicable to neighborhoods that have not yet experienced significant increases in property values.	City of Springfield; Springfield Land Bank	Current effort to obtain state approval for establishment of a land bank	5-10 Years	All income levels; For Rent and For Sale
5.3 Lighting in Public Alleys Consider including lighting for public alleys within Springfield neighborhoods. Prioritize those areas with ADUs that are sited near the alleys.	City of Springfield City Utilities		1-5 Years	All income levels; For Rent and For Sale

DRAFT

5. PUBLIC SAFETY (CONT.)

Neighborhood Improvement				
Strategy	**Implementing Entity(ies)**	**Current and Past Efforts**	**Time Frame (Years)**	**Populations Served or Type of Units Supported**
5.4 Illegal Dumping and Neighborhood Clean-Ups Illegal dumping and trash in neighborhoods convey neglect and may occur when disposal needs are not available or affordable in neighborhoods. Raise awareness of how to report illegal dumping. Expand the neighborhood clean up program to all neighborhoods in Springfield, not only those registered. Increase the frequency to spring and fall and establish central locations for free disposal, including hazardous materials such as e-waste and paints in the program.	City of Springfield	Annual neighborhood clean up program through City of Springfield planning; Neighborhood Teams program for registered neighborhoods; Adopt-a-Stream; Adopt-a-Street	< 1 Year	All income levels; For Rent and For Sale
5.5 Promote CPTED Principals to Existing and New Residents Crime Prevention Through Environmental Design applies physical design, citizen participation and law enforcement strategies to protect neighborhoods. Promote the programs offered by the Police Department's Crime Prevention Unit to increase awareness and adherence to these principles and practices.	City of Springfield Police Department, Crime Prevention Unit	Existing SPD crime prevention program	< 1 Year	All income levels; For Rent and For Sale

DRAFT

1. PRESERVATION

Historic preservation programs can strenghten neighborhoods and place-based economic development. They encourage local economic growth and conserve natural resources.

Housing Stabilization

Strategy	Implementing Entity(ies)	Current and Past Efforts	Time Frame (Years)	Populations Served or Type of Units Supported
1.1 Historic Designation and Protection of Contributing Structures and Districts Continue to expand historic Landmarks zoning districts and buildings to preserve the history and culture of Springfield's neighborhoods. Commit to a consistent policy of prioritizing the protection of the community's irreplaceable historic resources and conserving neighborhoods.	City of Springfield, Landmarks Board; Greene County; Historic Preservation Element Vision 2020	Springfield-Greene County	1-5 Years	Affordable (<80% AMI); Workforce (80-120% AMI); Market Rate (>120% AMI);For rent or sale
1.2 Affordable Housing Preservation Inventory Prepare an inventory of subsidized and naturally occurring affordable housing to support proactive policies intended to preserve the affordable housing stock. This strategy is intended to help offset some of the need for costly new construction.	City of Springfield		1-5 Years	Affordable (<80% AMI); Workforce (80-120% AMI); For rent or sale
1.3 Demolish Dilapidated Structures Dilapidated structures should be demolished and the land sold or banked for future housing development.	City of Springfield	Building Development Services; Springfield Fire Department	1-5 Years	Affordable (<80% AMI); Workforce (80-120% AMI); For rent or sale

DRAFT

2. IMPROVE EXISTING HOUSING QUALITY

Improvements to housing quality increase health and safety of residents, while improving neighborhood stability. Some measures help residents to age in place, while others save dollars by increasing energy efficiency.

Housing Stabilization

Strategy	Implementing Entity(ies)	Current and Past Efforts	Time Frame (Years)	Populations Served or Type of Units Supported
2.1 Expand and Publicize Homeowner Rehabilitation Programs The majority of Springfield's housing stock is aging and, without significant investment, may fall into disrepair. Expanded funding programs for homeowner repairs may preserve older housing for the future while improving living conditions for residents.	"City of Springfield; Restore SGF; Habitat for Humanity; Homeowner Emergency Loan Program (HELP) Catholic Charities of So. Missouri"	Restore SGF Block Challenge Grant Program; Habitat for Humanity Home Preservation Program; HELP; Catholic Charities of So. Missouri; Other non-profits	< 1 Year	Affordable (<80% AMI); Workforce (80-120% AMI); Market Rate (>120% AMI);For sale
2.2 Create a Pre-Approved Pool of Contractors for Repairs A pre-screened and approved pool of contractors for homeowner repairs can create jobs while improving the existing housing stock. It can be challenging for home owners to find quality carpenters and other trades for reputable home repairs.	City of Springfield; Restore SGF; Habitat for Humanity;		1-5 Years	Affordable (<80% AMI); Workforce (80-120% AMI); Market Rate (>120% AMI);For sale
2.3 Energy Improvement Programs Energy improvement programs can upgrade housing while saving natural resources and reducing costs for homeowners. Insulation upgrade rebates, thermostat rebates, heating and cooling, water conservation plumbing fixtures and electric vehicle charging rebates are all ongoing programs that should be publicized.	City of Springfield; City Utilities	Residential Rebates programs	< 1 Year	Affordable (<80% AMI); Workforce (80-120% AMI); Market Rate (>120% AMI);For sale

DRAFT

3. IMPROVE RENTAL HOUSING QUALITY

The data, physical survey and input from the community confirmed that there are some sub-standard housing units offered for rent in Springfield. Bringing these units up to health and safety standards is an important safety and well-being measure for the entire community. In addition, some neighborhoods were identified as having a high percentage of investor-owned rentals which were substandard or in danger of becoming so.

Housing Stabilization

Strategy	Implementing Entity(ies)	Current and Past Efforts	Time Frame (Years)	Populations Served or Type of Units Supported
3.1 Adopt and Fund a Rental Regulation Program Model a rental registration program on Kansas City's Healthy Home program in partnership with the Greene County Health Department to improve safety and quality of rental housing in Springfield. This mandatory program requires landlords to register their rental units, requires inspections, prevents over-occupancy, helps with remediation of lead paint, and provides for housing for those temporarily displaced by rental violations.	City of Springfield; Greene County Health Department	Past voluntary rental registration program did not produce positive results	5-10 Years	Affordable (<80% AMI); Workforce (80-120% AMI); Market Rate (>120% AMI);For rent
3.2 Improve Rental Housing Quality Target inspections and code enforcement activities more effectively. Train community groups to conduct windshield surveys of the neighborhoods and report current code violations to the city. Work with landlords to address code violations through municipal funds.	City of Springfield; Springfield Neighborhood Associations	Current code enforcement is complaint driven	< 1 Year	Affordable (<80% AMI); Workforce (80-120% AMI); Market Rate (>120% AMI);For rent

DRAFT

3. IMPROVE RENTAL HOUSING QUALITY (CONT.)

Housing Stabilization				
Strategy	**Implementing Entity(ies)**	**Current and Past Efforts**	**Time Frame (Years)**	**Populations Served or Type of Units Supported**
3.3 Initiate and Staff a Focused and Sustained Code Enforcement Program Without a municipal code, and subsequent code enforcement and compliance measures, the general plan lacks the teeth required to attain the community's vision. Increase budget and staffing levels of Building Development Services to address code violations and threats to public safety in neighborhoods. Work with land lords to improve the condition of rental properties.	City of Springfield, Building Development Services	Need for more robust staffing and increase budget to tackle the issue	1-5 Years	Affordable (<80% AMI); Workforce (80-120% AMI); Market Rate (>120% AMI);For rent, for sale

DRAFT

1. DEVELOP MIXED INCOME HOUSING

Mixed-income developments are associated with substantial decreases in violent crime rates, a reduction in environmental hazards, and other significant positive changes. A mixture of income levels reduces social pathology caused by a concentration of low-incomes.

Housing Improvement

Strategy	Implementing Entity(ies)	Current and Past Efforts	Time Frame (Years)	Populations Served or Type of Units Supported
1.1 Use Publicly-Owned and Land Banked Properties to Develop Workforce Housing in Neighborhoods Publicly-owned or land banked properties can be offered for free, or nearly free, to make development of workforce and mixed-income housing financially feasible in neighborhoods.	City of Springfield; Springfield Land Bank; Habitat for Humanity; Other non-profit mixed-income housing developers		5-10 Years	Affordable (<80% AMI); Workforce (80-120% AMI); For rent or sale
1.2 Develop Faith-Based Workforce Housing Churches and other faith-based houses of worship are some of the nation's largest landowners. Those that have adjacent land or other buildable assets are particularly well-suited to create housing for their communities. A successful collaboration between a faith-based organization and private developer, either for profit or not-for-profit, may yield new mixed-income housing that is a credit to the community and give the faith-based organization long-term financial benefit.	Catholic Charities of So. Missouri; Springfield Baptist Temple; Other faith-based organizations		5-10 Years	Affordable (<80% AMI); Workforce (80-120% AMI); For rent or sale

DRAFT

2. DEVELOPMENT CODES/REGULATORY

These strategies include potential changes to Springfield codes, development review processes, or other regulations that may be considered to help meet Springfield's housing needs and goals.

Housing Improvement

Strategy	Implementing Entity(ies)	Current and Past Efforts	Time Frame (Years)	Populations Served or Type of Units Supported
2.1 Revise Zoning and Development Codes to Permit a Broad Range of Housing Types Amend the zoning code to increase housing choices and reduce barriers to development of duplexes, triplexes, fourplexes, townhomes, cottage clusters and other ""missing middle"" housing types. Evaluate standards annually to assess any identified barriers to constructing middle housing.	City of Springfield	Zoning for duplexes in limited areas; zoning code revisions are underway	1-5 Years	Affordable (<80% AMI); Workforce (80-120% AMI); Market Rate (>120% AMI); For rent or sale: Smaller Units
2.2 Broaden Housing Types Developed through Zoning Incentives Create incentives for developers to provide affordable and workforce housing in exchange for flexibility from existing development standards. Examples include height bonuses, density bonuses, reduced parking requirements, flexibility in how affordable units are provided.	City of Springfield		1-5 Years	Affordable (<80% AMI); Workforce (80-120% AMI); For rent or sale
2.3 Inclusionary Zoning Used to produce affordable housing within new market-rate residential developments. Typically implemented through an ordinance mandating that a minimum percentage of units remain affordable for a set period of time.	City of Springfield		1-5 Years	Affordable (<80% AMI); Workforce (80-120% AMI); For rent or sale

DRAFT

2. DEVELOPMENT CODES/REGULATORY (CONT.)

Housing Improvement				
Strategy	**Implementing Entity(ies)**	**Current and Past Efforts**	**Time Frame (Years)**	**Populations Served or Type of Units Supported**
2.4 Flexibility for Accessory Dwelling Units (ADUs) To gently increase density and housing options, permit single family residential property owners to develop ADUs. Consider eliminating off-street parking requirements and reducing rear setbacks or lot coverage restrictions.	City of Springfield	Permitted in specific areas only	< 1 Year	Workforce (80-120% AMI); Market Rate (>120% AMI); For rent; Smaller Units
2.5 Ensure Land Zoned for Higher Density is not Developed at Lower Densities Establish minimum density standards, prohibit low-density housing in high density zones, and allow single-dwelling detached homes in medium density zones only if they meet minimum density or maximum lot size requirements.	City of Springfield	No minimum density standards	1-5 Years	All income levels; For rent or sale High density
2.6 Revise Development Codes with Attention to Building Heights, Massing and Context Ensure infill development is compatible with existing development patterns by regulating transitions from low intensity to higher intensity uses, including massing, setbacks and site parking locations.	City of Springfield			All income levels; For rent or sale

DRAFT

2. DEVELOPMENT CODES/REGULATORY (CONT.)

Housing Improvement				
Strategy	**Implementing Entity(ies)**	**Current and Past Efforts**	**Time Frame (Years)**	**Populations Served or Type of Units Supported**
2.7 Encourage Tiny Homes and Villages Consider ways to encourage development of tiny homes (600 SF or less) built on foundations through regulatory incentives such as reductions in required off-street parking or open space, or exemptions from design requirements.	City of Springfield		< 1 Year	Affordable (<80% AMI); Workforce (80-120% AMI); For rent or sale; Smaller units
2.8 Mixed Housing Types in Planned Developments Require or incentivize a mix of housing types within residential Planned Developments (PD).	City of Springfield		1-5 Years	Workforce (80-120% AMI); Market Rate (>120% AMI); For sale or rent
2.9 Incentivize and Promote Accessible Design Provide incentives in the developent code to increase the number of units designed to meet Universal Design, Lifelong Housing Certification and similar certifications. Educate builders/contractors.	City of Springfield		< 1 Year	People with disabilities or mobility challenges; all income levels; For rent or sale

DRAFT

Housing Improvement

Strategy	Implementing Entity(ies)	Current and Past Efforts	Time Frame (Years)	Populations Served or Type of Units Supported
2.10 Pre-Approved Plan Sets for Middle Housing Types Pre-approved plan sets would be highly efficient, designed for constrained lots and low cost solutions. They would allow for streamlined permitting which may help attract developers that typically only build single-family housing. Consider partnering with a university, design institution or developing a competition to produce plans.	City of Springfield; Potential university partner		1-5 Years	All income levels; For rent or sale
2.11 Pre-Approved Plan Sets for Accessory Dwelling Units Provide a pre-approved set of plans for ADUs that if utilized by a developer/owner would lead to automatic approvals and reduced permitting schedule. Plans would reduce the need for architectural costs and reduce barriers to entry.	City of Springfield; Potential university partner		1-5 Years	All income levels; For rent or sale

DRAFT

3. FUNDING STRATEGIES

The following strategies are intended to make development of housing - particularly affordable housing - more feasible or financially viable by reducing fees or other costs, reducing process barriers, and helping first time home buyers to achieve their goal.

Housing Improvement

Strategy	Implementing Entity(ies)	Current and Past Efforts	Time Frame (Years)	Populations Served or Type of Units Supported
3.1 Establish Lending Partnerships Lending partnerships can contribute to the affordability of mortgage loans for home buying, including down payment assistance. Boost outreach and engagement efforts to inform the community about these programs and encourage housing construction and home buying.	Restore SGF; Regions Bank; Habitat for Humanity; Commerce Bank; Chase Bank; Missouri Housing Development Commission; Fannie Mae; Freddie Mac; Cadence Bank; OakStar Bank; FHA; Drew Lewis Foundation; Veterans Administration	Programs in effect through these entities	< 1 Year	Workforce (80-120% AMI); For sale
3.2 Expand Funding for Down Payment Assistance Programs Earmark additional CDBG funds for down-payment assistance programs to increase the rate of home ownership in Springfield, especially in areas with low home ownership rates.	City of Springfield, Community Development Department	Existing program restricted to certain geographical areas	1-5 Years	Affordable (<80% AMI); Workforce (80-120% AMI); For sale

DRAFT

Housing Improvement

Strategy	Implementing Entity(ies)	Current and Past Efforts	Time Frame (Years)	Populations Served or Type of Units Supported
3.3 Expand Funding for Rental Housing Improvements Expand the existing HOME Program to all neighborhoods of Springfield to promote rehabilitation of affordable rental housing throughout the city.	City of Springfield	HOME Program for rental housing	< 1 Year	Affordable (<80% AMI); Workforce (80-120% AMI); For rent;
3.4 Expand and Promote Community Land Trusts CLT is a model wherein a community organization owns the land and low- to moderate-income households own the housing and accrue equity. Springfield can support CLTs, including financial assistance such as grants or loans to homebuyers for down payments.	City of Springfield; Springfield Community Land Trust;	SCLT is established and operational	1-5 Years	Affordable (<80% AMI); Workforce (80-120% AMI); For sale

DRAFT

DRAFT

DRAFT

SECTION 05

APPENDIX

DRAFT

STAKEHOLDER INTERVIEWS

Neighborhoods

- Most neighborhoods have an official Neighborhood Association, registered with the City.
- The City has a Neighborhood Advisory Council that meets regularly. There are 24 registered neighborhoods, and 34 identified service areas.
- Resiliency hubs are run through the Office of Emergency Management. Severe weather, flash flooding and tornadoes are a concern.
- Springfield should elevate the quality of its neighborhoods to compete with local suburban and rural growth areas, including northwest Arkansas.
- Many far northside neighborhoods are distressed and deteriorating due to the age of the housing. Lack of infrastructure limits density potential as well.
- The northwest area is less than 30% home ownership with the lowest household incomes and highest concentration of substandard properties.
- The southeast quadrant contains the best neighborhoods. However, south side neighborhoods lack many supportive services. The southwest quadrant is considered the second best neighborhood.
- Seniors are not aging in place and are instead relocating.
- Poverty is concentrated north of Sunshine Street.
- Slow deterioration of neighborhoods began in the 1970s and 80s; accelerated in the 1990s. Transitioned from home ownership to renters as the housing stock aged.
- Fassnight neighborhood is middle class and beginning to decline.
- West Central neighborhood is beginning to decline.
- Division Street divides the northside from the southside.
- Heart of Westside and Tom Watkins neighborhoods need help, with small lots and no sidewalks.
- Doling neighborhood has issues with flooding, lack of sidewalks. Culverts are not wellmaintained.
- Woodland Heights is poised to gentrify. The neighborhood applied for and received funding through the Neighborhood Works program, run through Public Works. Paving alleys, community building repairs and adding electricity to Lafayette Park are recent funded projects. Needs zoning changes to permit townhomes and fourplexes. Many 1920-50's brick homes. Moon City Creative District holds neighborhood events. Needs additional sidewalks.
- Robberson needs additional sidewalks. Neighborhood is aging. Seniors struggle with home maintenance.
- Grant Beach neighborhood needs additional sidewalks.
- South Lone Pine (Oak Park) has a good mix of multifamily, commercial and single-family.
- West Central scores highest for crime on a heat map. The Grant Avenue Parkway redevelopment effort is located here.
- Downtown is primarily student housing and young professionals. Some empty nesters. Holds potential for condominiums.
- Rountree has some success with new commercial development, scaled to the neighborhood.
- Parkcrest is seeing younger families move in as older residents move out. They are renovating the 1960s-70s houses, which are mid-century ranches.
- Homeownership by younger people has declined. They are a target for affordable homes.
- Midtown needs additional sidewalks. Midtown is the historic black area with churches and Ozarks Technical College and Lincoln Hall. Also the location of African American Heritage Trail.
- Westside neighborhood sits adjacent to Route 66, a prime location for commercial development similar to Commercial Street. It also connects to West Central.
- Commercial Street is a CID and registered as a National Historic District with the state. Holds potential for higher density development. Jefferson Street footbridge connects it to Woodland Heights over railroad yards.
- Tom Watkins and north have environmental issues tied to the railroads. Concerns with pollution of the water table.

DRAFT

- Galloway Village, in southeast quadrant of the city, doubled in size since 2018 due to 300 units of multifamily added. Was previously designated as blighted. Residents are opposed to additional multifamily development. Location of Sequiota Park. Developer's property near the park is in limbo and historic buildings are sitting empty. Many seniors live in single-family homes.
- Lake Springfield on the south side is being master planned and the trail system should be linked to it.

Neighborhood Schools

- Empty historic school buildings in some neighborhoods have negative impacts. Grant Beach experienced this.
- Some buildings were renovated and reopened as schools; others were repurposed as housing, community centers and non-profit offices. This had positive effects on the neighborhoods where it occurred.
- The public school system is good. Neighborhood schools in general are pretty good.
- City has invested $100 million into older schools. The April election cycle has a school bond to renovate two middle schools in older neighborhoods. School renovations are seen as a catalyst.

Transportation

- Most north/south streets are State highways with high speeds and trash. Some do not have sidewalks.
- A multi-use path is desired. Any improvements would likely be funded by the city.

Home Ownership

- Typical home buyers are young professionals and retirees.
- Empty nesters are looking for homes in Phelps Grove and Rountree where there are historic homes from the 1920s and 30s.
- 40% homeownership is a decrease over the past two decades. Springfield purportedly has the second lowest homeownership rate in the nation.
- Some non-profit programs provide rent-to-own programs with requirements for income levels and education.
- Biggest barrier to home ownerhip is the general feeling of price plus interest rates. Lenders are able to lend and the pool has widened since 2007. There are more options. Good range of low down payment offerings, including zero percent down payment options and good programs.
- Census incomes may be skewed; there are many students in Springfield neighborhoods, and higher incomes just outside City boundaries.
- Good range of price points for home ownership at all income levels.
- Lack of subcontractors constrains home renovations.
- Competitive local banking environment.
- There is a large list of programs for housing purchase and repairs.
- Asbestos siding on older homes is very expensive to remediate.
- Habitat for Humanity is focused primarily on home repairs, along with some home building.

Rental Housing

- 60% rental rate, an increase over the past two decades.
- Some single-family rentals are owned by real estate entities who are investing in rental

DRAFT

properties.
- Rising rents are pushing residents out of their neighborhoods.
- Market rate housing rents are $125-130/sf for newer developments.
- 3-bedroom units rent for $900/month, 4-bedroom units for $1,000-1,200 in older homes in good repair. They also rent quickly.
- There is a market for 1-bedroom duplex and triplex units; a large market for 1-bedroom units that are not apartment buildings. All rents have escalated.
- Evictions without tenant rights are an issue for some. Increases the homeless population.
- Many non-profits are involved in acquiring, renovating and renting single family houses.
- Center City is a target for rental acquisitions. Primarily 1920-1940s housing that is renovated.
- High end senior housing is growing; low end senior housing is lacking. Seniors 55+ in crisis shelters has experienced a large increase.
- Great supply of student housing, primarily downtown.
- Workforce and quality affordable rental housing is needed.
- Mobile home parks are mostly rental. Well-positioned for redevelopment.
- Section 8 housing voucher holders face large security and utility deposits which are a barrier.
- Most Housing Authority units are for elderly and disabled, including veterans. Waiting list for Housing Authority units is 1.5 – 2 years.
- Many who are now housed are on the verge of homelessness.
- Abandoned properties are primarily due to investor-owned problem property owners.

Vacant Properties

- Many residential buildings are vacant because the interiors are in poor condition. There are issues with break ins where properties are vacant. Vacancies are predominantly located in the north and northwest areas.
- Some are held by absentee landlords.
- City Council has held workshops to address vacancies, especially those of absentee property owners.

Infill Development

- There should be investment in other housing types to increase the income range of affordability, especially for those aging in place.
- Tiny home villages of about 30 homes were successfully developed for the homeless and are successful. They easily fit into existing neighborhoods.
- Perceived opportunity for several duplexes on one large residential lot.
- Workforce housing is needed. Concerned about those on the edge of homelessness.
- Land costs in the city are now comparable to those in suburbs. Good opportunity to build in older neighborhoods and local banks are onboard.
- Westside and West Central are high rental and older senior home ownership. Connected to Route 66, these areas are prime for redevelopment similar to Commercial Street, which was developed by Vecino Partners.
- There are concerns about potential displacement and gentrification with redevelopment at Grant Parkway. Grant Parkway should have a positive impact.
- There is a great need for different styles of housing, other than a 3,000 s.f. home on a single lot. Condominiums may help increase density and home ownership rates.
- Education and trust-building is greatly needed with the community.
- Restore SGF wants to help builders get financing to renovate or build new homes.

DRAFT

Development Process

- Flexibility of the development approvals process is needed. It is not always developer friendly. Some developers are going elsewhere in Missouri and Arkansas where the development process is less difficult.
- Very little property is zoned for anything other than single-family or duplex.
- City expectations for development may not be financially feasible.
- Parking regulations are reasonable.
- City requires developers to provide infrastructure.
- City charter permits zoning by popular vote, which presents issues.
- NIMBYism is extensive and organized against development in Springfield.
- The Forward SGF 2040 Plan identifies catalyst sites for redevelopment. City has ability to enter into development agreements and approve conditional overlay zones for development areas.

Code Enforcement

- Building Development Services (BDS) oversees all permitting and inspections, as well as nuisance abatement.
- Springfield Fire Department works with BDS on commercial inspections, but does not inspect single-family residential.
- Enforcement is complaint driven. Problem properties are becoming more pervasive. Housing quality standards need enforcement.
- BDS staffing of 40 total employees. 20 are inspectors. 7 or 8 are land use inspectors (trash, mowing).
- 50-60 houses were demolished in 2022, especially north of Chestnut.
- BDS makes decisions whether to extend additional time for repairs or demolish a structure.
- No Missouri mandated code standards. Springfield adopted 2018 IRC.
- 600 properties lie within FEMA floodplains, most downtown.
- Perception by some that BDS goes after those renovating, while ignoring problem properties.
- Most agree that code enforcement is an issue. There is a need for public education of code violations and the complaint process. Public engagement is needed. There is also a need to not tolerate substandard housing.
- Inspectors can only enter property where a mailman can go. Must be invited into home or into backyard.
- May be some difficulties for BDS to track down property owners.
- Complaints of miscommunication between BDS and property owners; negative perceptions.
- Department has suffered from repeated turnover.
- BDS cleans up homeless camps, with police department escorts.
- Problem property owners hold houses that should be rented but lack running water or other utilities, or have pests. Tenants are easily intimidated.
- Most complaints are from Chestnut Expressway and northwards.
- A rental registration program was voluntary and failed. Faced opposition from realtor and landlord associations, which are powerful.
- Rental registration holds potential for displacement as substandard rental properties are inspected and possibly closed for repairs.

Crime

- Perception of crime is greater than actual occurrences. Crime rates are evenly distributed around the City.
- Police remain understaffed since the pandemic, although staffing is slowly improving.

DRAFT

- Loitering on public or private property is a crime under Missouri state laws. There is a perception that crime is perpetrated by the homeless, which may or may not be true.
- The high poverty rate strains the community and increases property crime and domestic violence due to stress.
- Flop houses and vacant homes are top complaints in the northern sector neighborhoods.
- Police have an outreach and education program and work with the Neighborhood Associations to sponsor positive relationships.

Land Banking

- The city is pursuing authorization for a land bank with the State legislature. There is potential for Restore SGF to operate the land bank when established.
- Goal is to increase the rate of home ownership.
- City acquires abandoned property and auctions surplus properties twice per year. Many developers pick up these properties.
- Greene County also auctions off properties with taxes unpaid for three years. The owner has 12 months to pay back liens and regain the property.

Amenities

- More areas would benefit from sidewalks.
- Some neighborhoods have fast food outlets, but not grocery stores.
- Biking groups utilize the trail system; more areas should have bike lanes for safety.
- E-bikes and scooters are only located on-campus.
- Students focus on the greenway trails, living downtown.
- Greenway trails are an attraction.
- Galloway Village lacks many sidewalks.
- Lack of neighborhood amenities needs improving. Amenities are important to healthy neighborhoods. Walkability, goods and services, grocers are needed to balance the needs within the neighborhoods.
- City should prioritize park improvements and trail connections between neighborhoods to attract young residents.

Resident Hot-Button Issues

- General opposition to multifamily development, and development in general.
- Need for public education to counteract fears around development, and how development can benefit the neighborhoods.
- There is less opposition to "missing middle" type housing.
- Rental housing carries a perception of increased crime.
- There is a lack of affordable housing, unless one is able to find older housing stock in northern neighborhoods.
- High poverty rate (mid 20% range); loss of businesses and railroad jobs.
- Minority population is isolated; many left for St. Louis and Kansas City in the early 1900s due to racist mobs. Population is slowly returning but lacks a sense of community.
- There is a movement to amend zoning to allow ADUs.City has invested $100 million into older schools. The April election cycle has a school bond to renovate two middle schools in older neighborhoods. School renovations are seen as a catalyst.
- Most neighborhoods have an official Neighborhood Association, registered with the city.
- The city has a Neighborhood Advisory Council that meets regularly. There are 24 registered

DRAFT

neighborhoods, and 34 identified service areas.

- Resiliency hubs are run through the office of Emergency Management. Severe weather, flash flooding and tornadoes are a concern.

DRAFT

DRAFT

CITY OF SPRINGFIELD HOUSING STUDY & NEIGHBORHOOD REVITALIZATION STRATEGY

PREPARED BY APD URBAN PLANNING & MANAGEMENT

EXPLANATION TO COUNCIL BILL 2024-003 (HOSMER)

FILED: 12/18/2023

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A resolution authorizing the City Manager, or designee, to apply for a Youth Homeless System Improvement Program Grant from the Department of Housing and Urban Development, in a minimum amount of $200,000, for the purpose of increasing the capacity of the local Continuum of Care by improving its existing response systems.

PURPOSE: To adopt a resolution authorizing the City Manager, or designee, to apply for a Youth Homelessness System Improvement ("YHSI") grant from the United States Department of Housing and Urban Development ("HUD"), in a minimum amount of $200,000, to increase the capacity of the local Continuum of Care (Ozarks Alliance to End Homelessness) by improving its existing response systems to better address youth homelessness.

BACKGROUND INFORMATION: The goal of the Youth Homelessness System Improvement ("YHSI") grant is to increase the capacity of selected communities to better serve youth and create projects that are responsive to the needs of youth at-risk of or experiencing homelessness in the community. The YHSI grant funding objectives will assist awarded communities in identifying strategies to attain the aforementioned goal. The City will partner with the local Continuum of Care (Ozarks Alliance to End Homelessness) in carrying out all the grant activities. Upon receiving authorization from City Council, the City of Springfield will be the collaborative applicant, and Community Partnership of the Ozarks ("CPO") will be the subrecipient lead agency, as the contracted agency to facilitate the Ozarks Alliance to End Homelessness ("OAEH"). If Springfield's application is selected by HUD for funding, it will enable the OAEH to build capacity for the local Youth Action Board ("YAB") by adding a Youth Services Organizer position at CPO, conducting a Youth Gaps Analysis, and providing additional Homeless Management Information System ("HMIS") licenses to build Coordinated Entry System capacity for youth. The award ceiling for this grant opportunity is $2 million. The funding timeframe is 30 months after selection.

REMARKS: This is the first YHSI Notice of Funding Availability ("NOFO") to be released by HUD. If the City of Springfield's YHSI application is selected by HUD for funding, it will not only increase the capacity of our local Continuum of Care ("OAEH") to better serve youth at-risk of or experiencing homelessness in the community, but also potentially improve the City's scoring on the annual Youth Homelessness Demonstration Program ("YHDP") grant opportunity as well. If selected by HUD for funding, the City staff will seek the authorization of the City Council to accept the award via a secondary resolution.

Submitted By: Bob Atchley, Senior City Planner

Authorized for inclusion on the agenda pursuant to City Code section 2-33:
Maurice S. Jones, Deputy City Manager 12/28/2023

Attachments: 1. Youth Homlessness _Res

One-rdg. X
P. Hrngs. _____
Pgs. 4
Filed: 01-02-24

Sponsored by: Hosmer

COUNCIL BILL 2024-003 RESOLUTION _____

A RESOLUTION

AUTHORIZING the City Manager, or designee, to apply for a Youth Homeless System Improvement Program Grant from the Department of Housing and Urban Development, in a minimum amount of $200,000, for the purpose of increasing the capacity of the local Continuum of Care by improving its existing response systems.

WHEREAS, the United States Department of Housing and Urban Development ("HUD") has an initiative called the "Youth Homelessness System Improvement Program" that awards grant funds to increase the capacity of selected communities to better serve youth and create projects that are responsive to the needs of youth at risk of or experiencing homelessness in the community; and

WHEREAS, if awarded, a Youth Homeless System Improvement Program Grant will be used by the City and its partner agencies to build capacity for the local Youth Action Board ("YAB") by adding a Youth Services Organizer position at Community Partnership of the Ozarks ("CPO"), conducting a Youth Gaps Analysis, and providing additional Homeless Management Information System ("HMIS") licenses to build Coordinated Entry System capacity for youth; and

WHEREAS, the City will partner with Continuum of Care (Ozarks Alliance to End Homelessness), in carrying out all the grant activities; and

WHEREAS, it is anticipated that the City will be the grant applicant and Community Partnership of the Ozarks will be the subrecipient lead agency.

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

Section 1 – The City Manager, or his designee, is hereby authorized to apply for a Youth Homeless System Improvement Program Grant from the Department of Housing and Urban Development, in a minimum amount of $200,000, for the purpose increasing the capacity of the local Continuum of Care by improving its existing response systems.

Section 2 – This Resolution shall be effective immediately upon adoption.

Passed at meeting: _____

_____
Mayor

Attest: _____, City Clerk

Filed as Resolution _____

Approved as to form: _____, Assistant City Attorney

Approved for Council action: _____, City Manager

EXPLANATION TO COUNCIL BILL 2024-004 (HARDINGER)

FILED: 01/02/2024

ORIGINATING DEPARTMENT: City Clerk

TITLE: A general ordinance submitting proposed amendments to Sections 2.1(1) and 2.6 of the Springfield City Charter to the qualified voters of the City at the general municipal election to be held by the City of Springfield on April 2, 2024, in order to change the length of the mayor's term from two years to four years with such change to first apply at the general municipal election to be held in 2025; and declaring an emergency.

PURPOSE: To call an election for proposed amendments to Sections 2.1 (1) and 2.6 of the Springfield City Charter to the qualified voters of the City at the general municipal election held by the City of Springfield on April 2, 2024, in order to change the length of the mayor's term from two years to four years with such change to first apply at the regular municipal election held in 2025.

BACKGROUND INFORMATION: Members of the community have questioned whether the mayor should also have a four-year term, which would make the mayoral term equal to the term length of the other eight councilmembers. The Committee of the Whole met on December 4, 2023, to consider the Mayor's term and recommended changes to Sections 2.1 (1) and 2.6 of the Springfield CIty Charter to change the Mayor's term from a two-year term to a four-year term. These changes would not apply until the Council Election to be held in April 2025.

Submitted By: Anita Cotter, City Clerk

Authorized for inclusion on the agenda pursuant to City Code section 2-33:
Jason Gage, City Manager 1/3/2024

Attachments: 1. Mayor Term charter change_ Ord

One-rdg. X
P. Hrngs. _____
Pgs. 4
Filed: 01-02-24

Sponsored by: Hardinger

First Reading: _____ Second Reading: _____

COUNCIL BILL 2024-004 GENERAL ORDINANCE _____

AN ORDINANCE

SUBMITTING proposed amendments to Sections 2.1(1) and 2.6 of the Springfield City Charter to the qualified voters of the City at the general municipal election to be held by the City of Springfield on April 2, 2024, in order to change the length of the mayor's term from two years to four years with such change to first apply at the general municipal election to be held in 2025; and declaring an emergency.

WHEREAS, Sections 2.1(1) and 2.6 of the Springfield City Charter provide for a two-year term for the mayor but a four-year term for all other City Council members; and

WHEREAS, members of the community have questioned whether the mayor should also have a four-year term which would make the mayoral term equal to the term length of the other eight councilmembers; and

WHEREAS, City Council desires to submit to the electors of the City these proposed amendments to the mayoral term at the general municipal election to be held on April 2, 2024; and

WHEREAS, such change if authorized by the electors would first apply at the general municipal election to be held in 2025; and

WHEREAS, the maximum consecutive years the mayor will be able to serve will remain eight years.

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

NOTE: Underlined language to be added. Language to be removed is ~~stricken~~.

Section 1 – City Council hereby submits the following proposed amendments to the Springfield City Charter to the qualified voters of the City at the general municipal election to be held on April 2, 2024, said amendments to read as follows:

CHARTER AMENDMENT NO. 2024-

BE IT ADOPTED BY THE PEOPLE OF THE CITY OF SPRINGFIELD, Missouri:

That the Springfield City Charter is hereby amended by amending Sections 2.1(1) and 2.6 thereof to read as follows:

Section 2.1. Number and term.

(1) *Election of Mayor.* One member of the City Council shall be known as the mayor who shall be elected to that office by the qualified voters of the city at large for a term of four ~~two~~ years and who shall serve until his successor shall be elected and qualified. A four-year term for the mayor ~~Provisions of this Section~~ shall first apply at the ~~next~~ general municipal election to be held in 2025, at which time the mayor shall be elected for a term of four ~~two~~ years ~~and one General Councilmember for a term of four years~~. Thereafter, the mayor shall be elected for a term of four ~~two~~ years, and at each regular municipal election there shall be elected two General Councilmembers and two Zone Councilmembers for terms of four years ~~except at the Municipal election in 1981 the General Councilmembers shall be elected for a short term of two years~~. The mayor shall be prohibited from serving more than four consecutive terms as Mayor through the general municipal election to be held in 2025. After the general municipal election to be held in 2025, the mayor shall be prohibited from serving more than two consecutive terms as Mayor.

Section 2.6. Mayor; Election and duties.

The mayor shall be elected by the qualified voters of the city at large for a term of four (4) ~~two (2)~~ years and shall have no regular administrative duties. He shall preside at all meetings of the council and shall be recognized as head of the city government for all legal and ceremonial purposes and by the governor for purposes of military law. He shall have the same right to vote as any other member of the council, but shall have no veto power. The council shall also select from among the councilmembers a mayor "pro-tempore," who shall act as mayor during the mayor's absence or the mayor's inability to act. If a vacancy should occur, the mayor "pro-tempore" shall assume the office of mayor until the next election or until such time as Council shall call a special election.

Section 2 – The City Clerk shall prepare, in accordance with the laws applicable to this election, and cause to be printed, a ballot to be used at said election, said ballot to read substantially as follows:

OFFICIAL BALLOT
CHARTER ELECTION
AMENDMENT NO. 2024-

CITY OF SPRINGFIELD, MISSOURI
QUESTION

Shall Sections 2.1(1) and 2.6 of the Springfield City Charter be amended to provide for a four-year term for the mayor instead of a two-year term, with the four-year term to first apply at the general municipal election to be held in 2025, and with the maximum consecutive years a mayor may serve to remain limited to eight years.

- → Yes - → No

INSTRUCTIONS TO VOTERS:

To vote FOR the question, complete the arrow opposite YES.

To vote AGAINST the question, complete the arrow opposite NO.

Section 3 – The City Clerk is hereby authorized and directed to notify the County Clerk of Greene County, Missouri, of the adoption of this Ordinance no later than 5:00 p.m. on the tenth Tuesday prior to the general municipal election date of April 2, 2024, and to include in said notification all of the terms and provisions required by Chapter 115.125, RSMo.

Section 4 – City Council finds and declares that this Ordinance constitutes an emergency pursuant to Section 2.12(4) of the Home Rule Charter of the City of Springfield, Missouri, because it provides for the submission of a proposal to the people. Therefore, this Ordinance shall be in full force and effect from and after passage.

Passed at meeting: _____

_____
Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: _____, City Attorney

Approved for Council action: _____, City Manager

EXPLANATION TO COUNCIL BILL 2024-013 (CARROLL)

FILED: 01/03/2024

ORIGINATING DEPARTMENT: City Clerk

TITLE: A general ordinance submitting proposed amendments to Section 19.16 of the Springfield City Charter to the qualified voters of the City at the general municipal election to be held by the City of Springfield on April 2, 2024, in order to establish a code of ethics applicable to all elected officials, appointed officers, board members, and employees of the City, to include an obligation for City Council to maintain and review the ethics policy at least every other year, to revise language to address employee violation of Section 19.16 to be subject to disciplinary action up to and including termination of employment, and adding a legal defense to forfeiture of office or termination of employment if a prior, written advisory opinion from the City Attorney was obtained and relied upon in good faith; and declaring an emergency.

PURPOSE: Submitting a CIty Charter amendment to the voters to clarify City Charter Section 19.16 to provide better guidance.

BACKGROUND INFORMATION: On March 29, 2023, members of the Finance and Administration Committee proposed a revision of Section 19.16 to provide better guidance. This information was then referred to the Committee of the Whole for review. The Committee of th Whole met on December 4, 2023, and January 3, 2024, and recommended revisions which include enacting a code of ethics policy applicable to all elected officials, appointed officers, board members, and employees of the City, adding an obligation for City Council to maintain and review the code of ethics policy at least every other year, revising language contained within Section 19.16 to address employee violation of Section 19.16 with disciplinary action up to and including termination, and adding a legal defense to forfeiture of office or termination of employment, if a prior, written advisory opinion from the City Attorney was obtained and relied upon in good faith.

These proposed revisions will be submitted to the voters on April 2, 2024.

Submitted By: Anita Cotter, City Clerk

Authorized for inclusion on the agenda pursuant to City Code section 2-33:
Jason Gage, City Manager 1/3/2024

Attachments: 1. Charter Revision 19.16_ord (2)

One-rdg. X
P. Hrngs. _____
Pgs. 5
Filed: 01-02-24

Sponsored by: Carroll

First Reading: _____ Second Reading: _____

COUNCIL BILL 2024-013 GENERAL ORDINANCE _____

AN ORDINANCE

SUBMITTING proposed amendments to Section 19.16 of the Springfield City Charter to the qualified voters of the City at the general municipal election to be held by the City of Springfield on April 2, 2024, in order to establish a code of ethics applicable to all elected officials, appointed officers, board members, and employees of the City, to include an obligation for City Council to maintain and review the ethics policy at least every other year, to revise language to address employee violation of Section 19.16 to be subject to disciplinary action up to and including termination of employment, and adding a legal defense to forfeiture of office or termination of employment if a prior, written advisory opinion from the City Attorney was obtained and relied upon in good faith; and declaring an emergency.

WHEREAS, Section 19.16 of the Springfield City Charter addresses ethics of elected officials, appointed officers, board members, and employees with regard to having a financial interest, direct or indirect, in any contract with the City, but does not provide sufficient guidance for determination of a breach of the Charter section; and

WHEREAS, members of the Finance and Administration Committee have proposed a revision of Section 19.16 to provide better guidance, which revisions include enacting a code of ethics policy applicable to all elected officials, appointed officers, board members, and employees of the City, adding an obligation for City Council to maintain and review the code of ethics policy at least every other year, revising language contained within Section 19.16 to address employee violation of Section 19.16 with disciplinary action up to and including termination, and adding a legal defense to forfeiture of office or termination of employment, if a prior, written advisory opinion from the City Attorney was obtained and relied upon in good faith; and

WHEREAS, City Council desires to submit to the electors of the City these proposed amendments to City Charter Section 19.16 at the general municipal election to be held on April 2, 2024.

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

NOTE: Underlined language to be added. Language to be removed is ~~stricken~~.

Section 1 – City Council hereby submits the following proposed amendment to the Springfield City Charter to the qualified voters of the City at the general municipal election to be held on April 2, 2024, said amendments to read as follows:

CHARTER AMENDMENT NO. 2024-

BE IT ADOPTED BY THE PEOPLE OF THE CITY OF SPRINGFIELD, Missouri:

That the Springfield City Charter is hereby amended by amending Section 19.16 thereof to read as follows:

Section 19.16. – Officers and employees interested in contracts.

(1) City Council shall enact, maintain, and review not less than every other year, a code of ethics applicable to all elected officials, appointed officers, board members, and employees of the City.

(2) No member of the council and no salaried officer or employee of the City shall have a financial interest, direct or indirect, in any contract with the City, or be financially interested, directly or indirectly, in the sale to the City of any land, materials, supplies or services, except on behalf of the City as an officer or employee. This section shall not apply if the transaction involves the sale of City bonds made after public notice and competitive bidding, provided the bid accepted is the lowest qualified bid received.

(3) No member of a board or commission shall have a financial interest, direct or indirect, in any contract with the department or administrative agency managed or operated by the board or commission on which he is serving, or be financially interested, directly or indirectly, in the sale to the board or commission of any land, materials, supplies, or services, except on behalf of the department or administrative agency.

(4) Any violation of this Section renders the contract or sale void.~~, and any~~ Any council member, officer, ~~employee,~~ or board member violating ~~the~~this Section thereby forfeits his office or employment~~.~~ and any employee violating this Section is subject to disciplinary action up to and including termination. A prior, written advisory opinion from the City Attorney, obtained and relied upon in good faith, shall be a defense under this Section.

(5) Notwithstanding any other provision of the Charter to the contrary, the City may acquire land from an employee of the City, other than a salaried officer, by purchasing the land from the employee or through the exercise of eminent domain; provided, however, such land shall not be purchased by the City at more than the fair market value as determined by an independent appraiser.

Section 2 – The City Clerk shall prepare, in accordance with the laws applicable to this election, and cause to be printed, a ballot to be used at said election, said ballot to read substantially as follows:

OFFICIAL BALLOT
CHARTER ELECTION
AMENDMENT NO. 2024-
CITY OF SPRINGFIELD, MISSOURI
QUESTION

Shall Section 19.16 of the Springfield City Charter be amended to require enactment of a code of ethics, to be reviewed by Council not less than every other year, revise provisions to address employee violations with disciplinary action up to and including termination, and add a legal defense to forfeiture of office or termination of employment if a prior, written advisory opinion from the City Attorney was obtained and relied upon in good faith?

- → Yes - → No

INSTRUCTIONS TO VOTERS:

To vote FOR the question, complete the arrow opposite YES.

To vote AGAINST the question, complete the arrow opposite NO.

Section 3 – The City Clerk is hereby authorized and directed to notify the County Clerk of Greene County, Missouri, of the adoption of this Ordinance no later than 5:00 p.m. on the tenth Tuesday prior to the general municipal election date of April 2, 2024, and to include in said notification all of the terms and provisions required by Chapter 115.125, RSMo.

Section 4 – City Council finds and declares that this Ordinance constitutes an emergency pursuant to Section 2-12(4) of the Home Rule Charter of the City of Springfield, Missouri, because it provides for the submission of a proposal to the people. Therefore, this Ordinance shall be in full force and effect from and after passage.

Passed at meeting: _____

_____
Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: _____, City Attorney

Approved for Council action: _____, City Manager

EXPLANATION TO COUNCIL BILL 2024-005 (LEE)

FILED: 12/18/2023

ORIGINATING DEPARTMENT: Health

TITLE: A special ordinance authorizing the City Manager, or designee, to accept a Disease Intervention Specialist Workforce Program Grant from the Federal Department of Health and Human Services Centers for Disease Control and Prevention through the Missouri Department of Health and Senior Services in the amount of $303,194.10 for use by the Springfield-Greene County Health Department in support of implementing sexually transmitted disease prevention and control strategies and to enter into necessary agreements to carry out the grant; amending the Fiscal Year 2023-2024 budget in the amount of $303,194.10 for the purpose of appropriating the grant funds; and declaring that this Ordinance qualifies for approval in one reading.

PURPOSE: Authorizing the City Manager, or designee, to accept a Disease Intervention Specialist Workforce Program grant from the Federal Department of Health and Human Services Centers for Disease Control and Prevention through the Missouri Department of Health and Senior Services in the amount of $303,194.10 for use by the Springfield-Greene County Health Department in support of implementing sexually transmitted disease prevention and control strategies and to enter into necessary agreements to carry out the grant; amending the Fiscal Year 2023-2024 budget in the amount of $303,194.10 for the purpose of appropriating the grant funds; and declaring that this Ordinance qualifies for approval in one reading.

BACKGROUND INFORMATION: The Springfield Greene-County Health Department ("SGCHD") has the opportunity to accept an additional $303,194.10 in Disease Intervention Specialist Workforce Program ("DIS") grant funds from the Federal Department of Health and Human Services ("HHS") and the Centers for Disease Control and Prevention ("CDC") through the Missouri Department of Health and Senior Services ("MDHSS"). This funding will provide extended budgetary support and improved capacity through December 31, 2024 for the SGCHD to continue implementing support strategies and activities identified by the CDC to prevent and control the spread of sexually transmitted diseases. Previously, a DIS grant was accepted by City Council on 10.17.2022 (Ordinance 27771) in the amount of $162,500 and on 2.21.2023 (Ordinance 27808) in the amount of $303,194.

This budget adjustment accepts the increase in funds and budgets in the amount of $303,194.10 in expenditures in the SGCHD Fiscal Year 2022-2023.

This Ordinance authorizes the acceptance of grant funds from the state or federal government and may be passed as a one-reading ordinance pursuant to City Charter

Section 2.16(25) as it relates to a contract for acceptance of grant funds from a state or federal agency.

Submitted By: Brad Stulce, Public Health Resource Manager

Authorized for inclusion on the agenda pursuant to City Code section 2-33:
Collin Quigley, Deputy City Manager 1/3/2024

Attachments:
1. Disease Investigation Specialist Workforce Grant Amendment _ Ord
2. DIS Workforce Grant BA - Exhibit A

One-rdg. X
P. Hrngs. _____
Pgs. 5
Filed: 01-02-24

Sponsored by: Lee

First Reading: _____ Second Reading: _____

COUNCIL BILL 2024-005 SPECIAL ORDINANCE _____

AN ORDINANCE

AUTHORIZING the City Manager, or designee, to accept a Disease Intervention Specialist Workforce Program Grant from the Federal Department of Health and Human Services Centers for Disease Control and Prevention through the Missouri Department of Health and Senior Services in the amount of $303,194.10 for use by the Springfield-Greene County Health Department in support of implementing sexually transmitted disease prevention and control strategies and to enter into necessary agreements to carry out the grant; amending the Fiscal Year 2023-2024 budget in the amount of $303,194.10 for the purpose of appropriating the grant funds; and declaring that this Ordinance qualifies for approval in one reading.

WHEREAS, the Springfield Greene-County Health Department ("SGCHD") has the opportunity to accept an additional $303,194.10 in Disease Intervention Specialist Workforce Program ("DIS") grant funds from the Federal Department of Health and Human Services ("HHS") and the Centers for Disease Control and Prevention ("CDC") through the Missouri Department of Health and Senior Services ("MDHSS"); and

WHEREAS, previously, a DIS grant was accepted by City Council on October 17, 2022 (Ordinance 27771) in the amount of $162,500 and on February 21, 2023 (Ordinance 27808) in the amount of $303,194; and

WHEREAS, the funding will provide extended budgetary support and improved capacity through December 31, 2024 for the SGCHD to continue implementing support strategies and activities identified by the CDC to prevent and control the spread of sexually transmitted diseases.

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

Section 1 – The City Manager, or designee, is hereby authorized to accept grant funds in the amount of $303,194.10 from the Missouri Department of Health and Senior

Services and to execute contracts necessary to carry out the intent of this Grant on forms approved by the City Attorney.

Section 2 – The Fiscal Year 2023-2024 budget of the Springfield-Greene County Health Department is hereby amended in the accounts and in the amounts as shown on Budget Adjustment No. 049, a copy of which is attached hereto and incorporated herein by reference as “Exhibit A.”

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

Section 4 – The City Manager is directed to cause the appropriate accounting entries to be made in the books and records of the City. In the event additional funding is provided under this Grant by the grantor, the Director of Finance is hereby authorized to adjust this appropriation by an amount not to exceed 20 percent.

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

Passed at meeting: _____

_____
Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Mary B. Bozarth, Assistant City Attorney

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

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit A

Budget Adjustment
049

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
27270	11	50010	414100			$ 303,194.10	Disease Intervention Specialist Workforce Program Grant Year 3- 1/1/2024 - 12/31/2024
Net Revenue Adjustment						$ 303,194.10	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
27270	11	50010	500110			$ 303,194.10	Disease Intervention Specialist Workforce Program Grant Year 3- 1/1/2024 - 12/31/2024
Net Expenditure Adjustment						$ 303,194.10	

Fund Balance Appropriation:

Fund		Title	Amount

Explanation: To amend the FY2023-24 budget by appropriating grant funds from the Federal Department of Health and Human Services for the Disease Intervention Specialist Workforce Program to help prevent and control sexually transmitted diseases.

Requested By:

01-02-2024
Department Head Date

Approved By:

01-02-2024
Director of Finance Date

City Manager Date

Authorization:

Council Bill No. 2024-005
Ordinance No.
1st Reading
2nd Reading
Journal Imp No.

EXPLANATION TO COUNCIL BILL 2024-006 (LEE)

FILED: 12/18/2023

ORIGINATING DEPARTMENT: Health

TITLE: A special ordinance authorizing the City Manager, or designee, to accept a Public Health Agency Infrastructure Grant from the Federal Department of Health and Human Services and the Centers for Disease Control and Prevention, through the Missouri Department of Health and Senior Services, in the amount of $601,902 for use by the Springfield-Greene County Health Department to develop a stronger workforce and improve software and data systems that are critical to public health efforts and to enter into necessary agreements to carry out the grant; amending the Fiscal Year 2023-2024 budget in the amount of $601,902 to appropriate the grant funds; and declaring that this Ordinance qualifies for approval in one reading.

PURPOSE: Authorizing the City Manager, or designee, to accept a Public Health Agency Infrastructure Grant from the Federal Department of Health and Human Services and the Centers for Disease Control and Prevention, through the Missouri Department of Health and Senior Services, in the amount of $601,902 for use by the Springfield-Greene County Health Department to develop a stronger workforce and improve software and data systems that are critical to public health efforts and to enter into necessary agreements to carry out the grant; amending the Fiscal Year 2023-2024 budget in the amount of $601,902 to appropriate the grant funds; and declaring that this Ordinance qualifies for approval in one reading.

BACKGROUND INFORMATION: The Springfield-Greene County Health Department ("SGCHD") has the opportunity to accept a $601,902 Public Health Infrastructure Grant ("PHIG") from the Federal Department of Health and Human Services ("HHS") and the Centers for Disease Control and Prevention ("CDC") through the Missouri Department of Health and Senior Services ("MDHSS"). PHIG's purpose is to create a foundation for the CDC's public health infrastructure network, providing maximum flexibility so jurisdictions can address their most pressing needs to ensure every U.S. community has the people, services, and systems needed to promote and protect health. The PHIG funds will be utilized by SGCHD through the project timeline extending to 2027 to develop a stronger workforce and improve software and data systems that are critical to public health efforts.

This budget adjustment accepts the increase in funds and budgets in the amount of $601,902 in expenditures in the SGCHD Fiscal Year 2023-2024.

This Ordinance authorizes the acceptance of grant funds from the state or federal government and may be passed as a one-reading ordinance under City Charter Section 2.16(25).

REMARKS: The Springfield-Greene County Health Department recommends approval of this Council bill and budget adjustment appropriating the grant funds.

Submitted By: Brad Stulce, Public Health Resource Manager

Authorized for inclusion on the agenda pursuant to City Code section 2-33:
Collin Quigley, Deputy City Manager 1/3/2024

Attachments:
1. Local Public Health Agency Infrastructure Grant _ Ord
2. LPHA Infrastructure Grant BA_Exhibit A

One-rdg. X
P. Hrngs. _____
Pgs. 5
Filed: 01-02-24

Sponsored by: Lee

First Reading: _____ Second Reading: _____

COUNCIL BILL 2024-006 SPECIAL ORDINANCE _____

AN ORDINANCE

AUTHORIZING the City Manager, or designee, to accept a Public Health Agency Infrastructure Grant from the Federal Department of Health and Human Services and the Centers for Disease Control and Prevention, through the Missouri Department of Health and Senior Services, in the amount of $601,902 for use by the Springfield-Greene County Health Department to develop a stronger workforce and improve software and data systems that are critical to public health efforts and to enter into necessary agreements to carry out the grant; amending the Fiscal Year 2023-2024 budget in the amount of $601,902 to appropriate the grant funds; and declaring that this Ordinance qualifies for approval in one reading.

WHEREAS, the Springfield-Greene County Health Department ("SGCHD") has the opportunity to accept a $601,902 Public Health Infrastructure Grant ("PHIG") from the Federal Department of Health and Human Services ("HHS") and the Centers for Disease Control and Prevention ("CDC") through the Missouri Department of Health and Senior Services ("MDHSS"); and

WHEREAS, the PHIG's purpose is to create a foundation for the CDC's public health infrastructure network, providing maximum flexibility so jurisdictions can address their most pressing needs to ensure every U.S. community has the people, services, and systems needed to promote and protect health; and

WHEREAS, PHIG funds will be utilized by SGCHD through the project timeline extending to 2027 to develop a stronger workforce and improve software and data systems that are critical to public health efforts.

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

Section 1 – The City Manager, or designee, is hereby authorized to accept grant funds in the amount of $601,902 from the Missouri Department of Health and Senior

Services and to execute contracts necessary to carry out the intent of this Grant on forms approved by the City Attorney.

Section 2 – The Fiscal Year 2023-2024 budget of the Springfield-Greene County Health Department is hereby amended in the accounts and in the amounts as shown on Budget Adjustment No. 050, a copy of which is attached hereto and incorporated herein by reference as “Exhibit A.”

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

Section 4 – The City Manager is directed to cause the appropriate accounting entries to be made in the books and records of the City. In the event additional funding is provided under this Grant by the grantor, the Director of Finance is hereby authorized to adjust this appropriation by an amount not to exceed 20 percent.

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

Passed at meeting: _____

_____
Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Mary B. Bozarth, Assistant City Attorney

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

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit A

Budget Adjustment
050

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
27270	11	50010	416010			$ 601,902	Local Public Health Infrastructure 8/1/23 - 11/30/27
Net Revenue Adjustment						$ 601,902	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
27270	11	50010	500110			$ 601,902	Local Public Health Infrastructure 8/1/23 - 11/30/27
Net Expenditure Adjustment						$ 601,902	

Fund Balance Appropriation:

Fund		Title	Amount

Explanation: To amend the FY24 budget by appropriating $601,902 from the CDC to establish, expand, train and sustain public health workforce.

Requested By:

1-02-2024
Department Head Date

Approved By:

1-02-2024
Director of Finance Date

City Manager Date

Authorization:

Council Bill No. 2024-006
Ordinance No.
1st Reading
2nd Reading
Journal Imp No.

EXPLANATION TO COUNCIL BILL 2024-007 (CARROLL)

FILED: 12/21/2023

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A general ordinance amending Chapter 36 of the Springfield City Code, known as the 'Land Development Code,' Article III, 'Zoning Regulations,' Division 7, Sections 36-363, Conditional use permits and 36-368, Publication and Posting of Notices for the purpose of allowing City Council to add, modify, or remove conditions to a Conditional Use Permit. (Staff recommends approval; the Planning and Zoning Commission recommends denial.)

PURPOSE: Amending Chapter 36 of the Springfield, Missouri, City Code, known as the 'Land Development Code,' Article III, 'Zoning Regulations,' Division 7, Sections 36-363, Conditional use permits and 36-368, Publication and Posting of Notices for the purpose of allowing City Council to add, modify or remove conditions to a Conditional Use Permit. (Staff recommends approval; the Planning and Zoning Commission recommends denial).

BACKGROUND INFORMATION: ZONING ORDINANCE TEXT AMENDMENT: CONDITIONAL USE PERMIT TEXT AMENDMENT

At their November 17, 2022, meeting, the Plans and Policies Committee voted to recommend that City Council initiate amendments related to Conditional Use Permits ("CUP"). City Council initiated these amendments to the Zoning Ordinance on March 6, 2023.

FINDINGS FOR STAFF RECOMMENDATION:

1. The Planning and Zoning Commission held at public hearing on this text amendment. Commission postponed this case to seek more comment. No further comment has been received to date.
2. The Planning and Zoning Commission postponed this text amendment on March 23, 2023, to ensure that the proposed language would allow City Council to modify or remove conditions of a CUP. The proposed language has been edited to reflect the intent of this amendment.
3. The Planning and Zoning Commission postponed this text amendment to December 2024. After further review by staff, it was determined that Planning and Zoning Commission does not have the authority to postpone City Council initiated text amendments and is required to make its recommendation within 30 days of the public hearing according to Section 36-367(6) which reads:

Recommendations. Within 30 days after the public hearing, except when the applicant requests the amendment be tabled or there is a tie vote by the commission, the

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

1. Recommend against the proposed change in the zoning district classification or the text of this article.

2. Recommend a change in the zoning district classification or the text of this article.

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.

4. Staff is proposing amendments to allow City Council to add, modify or remove conditions to a Conditional Use Permit. 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.

5. The current language has been interpreted that City Council does not have the ability to impose conditions. These amendments will ensure that the intent of the conditional use permit process is realized by City Council's ability 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. The proposed amendment is similar to language in section 36-367 (11) for zoning and text amendments; 36-367 (11) (a) Actions of City Council. When the planning and zoning commission has recommended a change in the zoning district classification or the text of this article together with recommendations for additional requirements pursuant to subsection 36-367(6)(c), the city council shall have discretion to either accept, reject, or make other or additional requirements.

6. The City Council still has the ability to remand items back to Commission for further review if needed, but this allows the Council the authority to impose additional conditions or other additional requirements. However, by City Code, if changes are proposed to site plans there will be a two-week layover to allow applicants/designers to make any changes to site plans and to allow staff to review and to comment as to the proposed changes meeting or not meeting city standards.

7. The proposed text amendment is consistent with the Springfield Comprehensive Plan; The ability of City Council to respond to potentially adverse impacts of certain uses is consistent with the Comprehensive Plan's guiding principle of Quality of Place.

8. The proposed text amendment is consistent with the intent and purpose of this article; The proposed amendment meets the intent of the conditional use permit

process as defined by the Zoning Ordinance.

9. The areas of the city that are most likely to be affected by the proposed text amendment and the manner in which those areas will be affected are citywide.

10. The proposed text amendment is not necessitated by a change in conditions in the zoning districts affected and the nature of such changed conditions. Rather, this amendment was necessitated by Council having the ability to add or amendment conditions to a CUP.

11. The Growth and Development Advisory Committee (GDAC), Downtown Springfield Association (DSA), Commercial Club and all Registered Neighborhood Associations were notified of these amendments and public hearing dates.

REMARKS: The Planning and Zoning Commission held a public hearing on November 9, 2023, and at their meeting on November 30, 2023 recommended **denial**, by a vote of 7 to 0, which included a motion that stated that if the commission recommends denial and that the denial includes the following language:

1. The city has not provided us with a reason why this change to our land development code is necessary.

2. The city recently passed a new comprehensive plan that will cause an entirely new land development code to be presented to the planning commission and ultimately city council.

3. Allowing for changes and modifications without planning commission input takes away from the public another opportunity to comment and ultimately reduces transparency and development projects that affect our neighborhoods, citizens, and city; and

4. This commission has placed on hold other text amendments out of respect for a new land development code coming forward. The Planning and Development staff recommends the text amendment be approved (see the attached Development Review Staff Report).

FINDINGS FOR STAFF RECOMMENDATION: Staff recommends approval of the text amendment based on its consistency with the *Comprehensive Plan.*

Submitted By: Michael Sparlin, Senior City Planner

Authorized for inclusion on the agenda pursuant to City Code section 2-33:
Maurice S. Jones, Deputy City Manager 1/2/2024

Attachments:

1. Conditional Use Permit_ord
2. Conditional Use Permit_exhA
3. Conditional Use Permit_exhB

One-rdg._____
P. Hrngs._____
Pgs._____29_____
Filed:_____01-02-24_____

Sponsored by:_____Carroll_____

First Reading:_____ Second Reading:_____

COUNCIL BILL_____2024-007_____ GENERAL ORDINANCE_____

AN ORDINANCE

AMENDING Chapter 36 of the Springfield City Code, known as the 'Land Development Code,' Article III, 'Zoning Regulations,' Division 7, Sections 36-363, Conditional use permits and 36-368, Publication and Posting of Notices for the purpose of allowing City Council to add, modify, or remove conditions to a Conditional Use Permit. (Staff recommends approval; the Planning and Zoning Commission recommends denial.)

_____

WHEREAS, the City Council initiated amendments to Sections 36-363 and 36-368 of the Springfield City Code at its meeting on March 6, 2023; and

WHEREAS, the proposed amendments would allow City Council to add, modify, or remove conditions to a Conditional Use Permit without requiring the matter be remanded to the Planning and Zoning Commission; and

WHEREAS, following proper notice, the Planning and Zoning Commission held a public hearing regarding the proposed amendments to Sections 36-363 and 36-368 on November 9, 2023, a copy of the Record of Proceedings from said public hearing being attached hereto and incorporated herein by this reference as "Exhibit A," and at its meeting on November 30, 2023, recommended denial of the proposed changes; and

WHEREAS, City Council now desires to adopt the proposed changes to Sections 36-363 and 36-368 contained in this Ordinance.

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

Section 1 – Chapter 36 of the Springfield City Code, known as the 'Land Development Code," Article III, 'Zoning Regulations,' Division 3, 'Administration, Enforcement, and Review,' Section 36-350, 'Planning and zoning commission,' is hereby amended to read as follows:

Note: Language to be added is underlined, language to be removed is ~~stricken~~ and existing language is black.

Sec. 36-363. Conditional use permits.

(1) *Purpose.* The conditional use permit procedure is designed to provide the planning and zoning commission and the city council with ~~an~~ the 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 reviews 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, after considering any recommendations of the planning and zoning commission, to impose conditions upon such uses and structures that are designed to avoid, minimize or mitigate potentially adverse effects upon the community or other properties in the vicinity of the proposed use or structure, and to deny requests for a conditional use permit when it is apparent that a proposed use or structure will or may cause harm to the community or injury to the value, lawful use and reasonable enjoyment of other properties in the vicinity of the proposed use or structure.

(2) *Authorized conditional uses.* The ~~planning and zoning commission may recommend, and the~~ city council, after considering any recommendations of the planning and zoning commission, may authorize the establishment of those conditional uses that are expressly authorized to be permitted as a conditional use in a particular zoning district or in one or more zoning districts. No conditional use shall be authorized unless this article specifically authorizes such conditional use to be granted and unless such grant complies with all of the applicable provisions of this article.

(3) *Contents of application.* An application for a conditional use permit shall be filed with the department of planning and development. The application shall contain the following information as well as such additional information as may be prescribed by rule of the planning and zoning commission or the director of planning and development.

(a) The applicant's name and address and his legal interest in the subject property.

(b) The owner's name and address, including trustees, and, if different than the applicant, the owner's signed consent to the filing of the application and authorization for the applicant to act in his behalf.

(c) The street address (or common description) and a copy of the deed of record or legal description of the property as prepared by and certified by a land surveyor or attorney.

(d) The zoning classification and present use of the subject property.

(e) A description of the proposed conditional use.

(f) The names and addresses of all owners of real property, as shown on the records of the county assessor, adjacent to, or within 185 feet of the subject property. The names and addresses shall be compiled by an abstract company, title company, county assessor's office, City of Springfield, or attorney at law.

(g) A site plan, pursuant to section 36-360, site plan review, of this article.

(h) A statement as to why the proposed conditional use will comply with the applicable standards in subsection (10) [of this section].

(i) A statement as to how the proposed conditional use is to be designed, arranged and operated in order to ensure that development and use of neighboring property in accordance with the applicable district regulations will not be prevented or made unlikely, and that the value, use and reasonable enjoyment of such property will not be impaired or adversely affected.

(j) An identification of any potentially adverse effects that may be associated with the proposed conditional use, and of the means proposed by the applicant to avoid, minimize or mitigate such effects.

(4) *Planning and zoning commission h~~H~~earing on conditional use permit application.* After the director of planning and development, or designee, has certified to the planning and zoning commission that a conditional use permit application is complete and does not contain or reveal violations of this article or other applicable regulations, the planning and zoning commission shall hold a public hearing on the application. Notice of this hearing shall be given in the manner and form required by section 36-368, publication and posting of notices, of this article. After this hearing, the planning and zoning commission may recommend that the city council grant or deny the conditional use permit application. When recommending that the council grant a conditional use permit application, the planning and zoning commission may recommend that the council impose conditions, safeguards, and restrictions upon the premises benefitted by the conditional use that the planning and zoning commission believes necessary to comply with the standards set out in subsection (10) of this

section to avoid, minimize, or mitigate any potentially adverse or injurious effect of such conditional uses upon other property in the neighborhood, and to carry out the general purpose and intent of this article ~~A public hearing on an application for a conditional use permit shall be held and notice thereof given in the manner and form required by section 36-368, publication and posting of notices, of this article. No public hearing on a conditional use permit application shall be held unless the director of planning and development, or his duly designated delegate, has certified to the planning and zoning commission that the application is complete and does not contain or reveal violations of this article or other applicable regulations~~.

After its public hearing on the conditional use permit application is concluded, the planning and zoning commission shall transmit to the city council its recommendation containing specific findings of fact on the proposed conditional use without unreasonable delay and in all cases, within 30 days from the close of the hearing. The executive secretary of the planning and zoning commission shall maintain complete records of all actions of the commission and the city council with respect to applications for conditional use permits.

~~*(5) Conditions and restrictions.* In granting a conditional use, the planning and zoning commission may recommend, and the city council may impose such conditions, safeguards and restrictions upon the premises benefitted by the conditional use as may be necessary to comply with the standards set out in subsection (10) of this article [section] to avoid, or minimize, or mitigate any potentially adverse or injurious effect of such conditional uses upon other property in the neighborhood, and to carry out the general purpose and intent of this article. Such conditions shall be set out in the ordinance approving the conditional use permit.~~

~~*(6) Decisions and records.* The planning and zoning commission shall, after the public hearing is concluded, transmit to the city council its recommendation containing specific findings of fact on the proposed conditional use without unreasonable delay and in all cases, within 30 days from the close of the hearing. The secretary of the planning and zoning commission shall maintain complete records of all actions of the commission and the city council with respect to applications for conditional use permits.~~

(5~~6~~) *City council hearing on conditional use permit application*. After receipt of the planning and zoning commission's recommendation and report on the conditional use permit application, the city council shall hold a public hearing on the application. Notice of this hearing shall be given in the manner and form required by section 36-368, publication and posting of notices, of this article. At this hearing, the city council shall consider the application, together with the planning and zoning commission's recommendations on the application. After this hearing, the council may grant or deny the conditional use permit application. When granting a conditional use permit, the city council shall consider any conditions, safeguards, or restrictions that the planning and zoning

commission recommended for imposition on the premises benefitted by the conditional use. However, the city council may modify or delete any such conditions, safeguards, and restrictions recommended by the planning and zoning commission. The city council may also add any conditions, safeguards, and restrictions not recommended by the planning and zoning commission that the city council believes necessary for the conditional use to comply with the standards set out in subsection (10) of this section to avoid, minimize, or mitigate any potentially adverse or injurious effect of such conditional uses upon other property in the neighborhood, and to carry out the general purpose and intent of this article. All conditions imposed by the City Council on the conditional use shall be set out in the ordinance approving the conditional use permit.

(6~~7~~) *Effect of issuance of a permit for a conditional use.* The issuance of a conditional use permit shall not authorize the establishment or extension of any use nor the development, construction, reconstruction, structural alteration or moving of any building or structure, but shall merely authorize the preparation, filing and processing of applications for any permits or approvals, which may be required by the codes and ordinances of the city, including, but not limited to, a building permit, a certificate of occupancy or subdivision approval.

(7~~8~~) *Period of validity.*

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

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

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

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

property owner to show that the conditional use has not been discontinued or abandoned for a period of 12 consecutive months or longer.

(8~~9~~) *Amendments.* Amendments or changes as to the use authorized by the conditional use process must follow the same process as the original conditional use application. Expansions or additions to structures associated with conditional uses may be approved by the director of planning and development without further conditional use authorization under the following circumstances:

(a) Said proposed expansion is limited to a structural addition to an existing or proposed building not to exceed ten percent of the gross building floor area within the existing structure to be expanded.

(b) Said proposed expansion is limited to one time subsequent to the original conditional use authorization.

(c) Said proposed expansion is reviewed and approved by the director of planning and development with the determination that such expansion does not violate any of the conditions set forth in the original conditional use authorization, does not require further imposition of new conditions and does not adversely impact surrounding properties.

(9) *Limitation on applications for conditional use permit*. If the city council denies an application for a conditional use permit, an applicant for the conditional use permit may not file another conditional use permit application for the same subject property, absent a substantive change to the application that was denied, until at least six months after the city council's denial of the initial application.

(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:

Sec. 36-368. - Publication and posting of notices.

(3) City council. Prior to holding a public hearing on any rezoning, conditional use permit, or request to amend the text of the zoning ordinance, the council shall give written notice thereof in the same manner as is required for notices of public hearings before the planning and zoning commission by subsection (2).

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

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

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

Passed at meeting:_____

_____
Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: _____, Assistant City Attorney

Approved for Council action: _____, City Manager

EXHIBIT A

RECORD OF PROCEEDINGS

Planning and Zoning Commission – March 23, 2023

Citywide
Applicant: City of Springfield

Mr. Sparlin stated that this a request to amend section 36-363 and 36-368 to allow for City Council to add, modify or remove conditions to a Conditional Use Permit. The Growth and Development Advisory Committee (GDAC), Downtown Springfield Association (DSA), Commercial Club, and all registered neighborhood associations were notified of these amendments and public hearing dates.

Mr. Jobe opened the public hearing.

Discussion with staff and commission members and 3 citizens speaking against certain changes.

Mr. Jobe closed the public hearing.

Discussion with staff and commission on possible postponement.

COMMISSION ACTION: #1
Mr. Colony motioned to **reopen the public hearing** for Conditional Use Permit Amendments (Citywide). Mr. Knuckles seconded the motion. Ayes: Colony, Knuckles, Pauly, Ridge, and Gunther. Nays: Jobe. Abstain: None. Absent: Broekhoven, Lebeck, and Scott.

Mr. Jobe opened the public hearing.

Discussion with staff and commission regarding postponement.

Mr. Jobe closed the public hearing.

COMMISSION ACTION: #2
Mr. Colony motioned to **postpone** Conditional Use Permit Amendments (Citywide) to April 20, 2023. Mr. Knuckles seconded the motion. Ayes: Colony, Knuckles, Pauly, Ridge, and Gunther. Nays: Jobe. Abstain: None. Absent: Broekhoven, Lebeck, and Scott.

Bob Hosmer, AICP
Planning Manager

Planning and Zoning Commission – April 20, 2023

Conditional Use Permit Amendments
Citywide
Applicant: City of Springfield

Mr. Sparlin stated this is a request to amend section 36-363 and 36-368 to allow City Council to add, modify or remove conditions to a Conditional Use Permit. Staff recommends approval.

Mr. Jobe asked if this would allow City Council to impose additional or remove existing requirements without having to remand back for consideration and if this is typical of other municipalities.

Ms. Istenes stated that it is not uncommon, and they looked at other municipalities.

Mr. Scott asked if this was to streamline the development process.

Ms. Sparlin noted that it came by the request of the Plans and Policy committee and that council initiated the amendment.

Mr. Jobe opened the public hearing.

Mr. Jobe closed the public hearing.

COMMISSION ACTION: #1
Mr. Knuckles motioned to **approve** Conditional Use Permit Amendments (Citywide). (No second). No vote.

Mr. Colony does not believe this is a good idea and noted that the Commission is here for a reason and already had situations where cases were approved that we have recommended denial.

Mr. Jobe appreciates the intent of the amendment to streamline the process but believes it does not require this extreme measure and takes away from the Commission's function and will be voting to deny it.

Ms. Burris stated that City Council cannot remove conditions, but can impose conditions, safeguards and restrictions.

Mr. Colony read the section where it said, "allow City Council to add, modify or remove conditions to a conditional use permit."

Ms. Burris went over page 7, section 6 where it says, "the Council may grant or deny a conditional use permit application," "Council shall consider any conditions, safeguards, or restrictions recommended by the Planning and Zoning Commission, but may independently impose any conditions, safeguards, and restrictions upon the premises benefited that it

believes necessary to comply with the standards." She noted that it does not say about "removing."

Mr. Scott asked about postponing until the language of the staff report correlates with the proposed text amendment.

Mr. Knuckles asked that his motion be considered, and the proposal come back in another form.

Mr. Jobe suggest a motion be made for postponement or a second motion (Mr. Knuckles motion).

More discussion on matching/reconciling the language (staff report/text amendment) with staff and commission.

COMMISSION ACTION: #2
Mr. Scott motioned to **postpone** Conditional Use Permit Amendments (Citywide) for clarity on the language (correlate with text amendment and staff report) to the next Planning and Zoning meeting on May 11, 2023. Mr. Colony seconded. Ayes: Jobe, Broekhoven, Colony, Knuckles, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: Lebeck.

Bob Hosmer, AICP
Planning Manager

Planning and Zoning Commission – November 9, 2023

Conditional Use Permit Amendments
Citywide
Applicant: City of Springfield

Mr. Hosmer stated that this is a request to amend section 36-363 and 36-368 to allow City Council to add, modify or remove conditions to a Conditional Use Permit.

Mr. Knuckles asked what had changed.

Mr. Hosmer noted that it didn't state clearly that City Council has the authority to change, alter, or recommend different conditions or impose new conditions, noting that the Planning and Zoning Commission can make a recommendation and this text amendment clarifies the change.

Mr. Lebeck talked about an analogy to zoning but said that City Council has the authority to change that zoning.

Mr. Hosmer said that they can reject or modify it as long as it is within the same district. The commission and staff discussed different scenarios/situations on what City Council can do (make significant changes/refer back to the Planning and Zoning Commission).

Mr. Colony believes the process should not be changed and not a good idea and voiced his concerns that members of the public may or may not have the opportunity to come back if City Council could recommend a change.

Mr. Hosmer read what the substantial conformity for a planned development is and noted that if it is significantly altered and not consistent with the plan then, it must come back to the Commission and City Council.

Mr. Scott noted that he is uncomfortable with diluting the purpose and power of the Commission with this change and suggested an amendment.

Mr. Colony asked what is being improved and what is wrong with the current way it is now.

Mr. Griesemer noted that if City Council would like to add conditions, safeguards and/or restrictions, then they can do that without sending it back and doesn't delay the process.

Mr. Colony again noted his objections and gave out examples.

Mr. Lebeck asked how many times a Conditional Use Permit has been sent back in the last four years and Mr. Hosmer noted that it has happened approximately one or twice and is very infrequent.

Further discussion with staff and commission on what a Conditional Use Permit is and examples given.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:
Planning and Zoning Commission Board Member Lebeck moved to postpone Conditional Use Permit Amendments to December 2024 and Commissioner Colony seconded the motion and it was **postponed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Scott, Commissioner Lebeck, Commissioner Colony. Nays: Commissioner Knuckles. Absent: Britton Jobe. Abstain: None.

Bob Hosmer, AICP
Planning Manager

Planning and Zoning Commission – November 30, 2023

Conditional Use Permit Amendments
Citywide
Applicant: City of Springfield

Mr. Chris Hoeman presented information on Code Item Section 36-367, Subsection 6 and noted that it calls for the Planning and Zoning Commission to make their recommendations within 30 days of a public hearing and wanted to bring it back to the attention of the Commission and Mr. Sparlin is here for any questions.

Mr. Colony asked Mr. Sparlin to be reminded why this amendment would improve the process.

Mr. Sparlin went over a scenario of when a project goes forward to City Council and the neighborhood has asked for a condition where the developer and the Council are both in agreement, and it makes it more convenient, and everyone is in agreement, and this would make an improvement of the process.

Mr. Colony went through this senecio where it was denied, and it goes before City Councils and items are added in order to get things going forward but does not come back to Planning and Zoning or the neighborhood and believes that is why the current process for Conditional Use Permits (CUP) is the correct one.

Mr. Hosmer noted whenever something has been modified by City Council, then the pubic would have a chance to speak on it due to the 2-week layover where it would be vetted to meet standards.

Mr. Hoeman noted the City Council holds open the hearing process to the amended item.

Mr. Colony asked about the Planning and Zoning Commission schedule and believes there needs to be conditional approval/comments from the Commission if this could be held over for more of a review.

Mr. Pauly asked if this amendment passes then would City Council would have the ability to delete any type of changes that Planning and Zoning Commission has placed on it.

Mr. Hosmer noted that City Council is an elected board and has the ability to make amendments, but this does not happen very often, and they are usually in sync with the Planning and Zoning Commission.

Mr. Pauly reaffirmed that his was initiated by the Plans and Policies Committee and noted the dates of November 17, 2022, to August 9, 2023, was when the committee only met and why is this so important to bring forward.

Mr. Lebeck commented on the date of November 17, 2022, of the original vote and why the urgency now.

Mr. Hosmer stated that this amendment is to bring it more into line on how we do our rezoning cases and went over what City Council's authority is.

Mr. Lebeck is asking why the change now.

Mr. Hosmer gave an example of where City Council could make modifications or other safeguards to go further, protect a neighborhood, etc.

Mr. Lebeck noted that the Planning and Zoning Commission has architects, engineers and other people equipped to read site-plans and make good recommendations again asking why the change and asking about the 30 days for recommendations.

Mr. Colony asked why it took nine months for this to come back to the Planning and Zoning Commission.

Mr. Sparlin noted that there were internal staff discussions and correction of errors and went over the timeframe.

Mr. Colony quoted, "if it ain't broke, don't fix it" and does not believe the current process is broken and wants items to be reviewed again by the Commission if a major amendment is made to the project or not voted unanimously by City Council.

Staff noted that conditions could be added, i.e., it could be part of the criteria that doesn't increase the density or intensity, or the zoning district, or if it does, then remand it back.

Mr. Colony is asking for it to be tabled and the commission to give a proper work-through as a group.

Mr. Sparlin stated that on item number 6 in the staff analysis and recommendations the current language has been interpreted that City Council does not have the ability to impose conditions and the purpose of the conditional use permit is to impose conditions and believes the legal analysis of the sections needed to be more clear and staff believes that it accomplishes the goals of providing City Council to impose conditions as well as modify and remove.

Ms. Ridge stated that she presumes this would streamline the process but does not see it as an emergency basis.

Mr. Lebeck went over his concerns and asked how the Commission gets their recommendations and/or support to the City Council.

Staff and the Commission further discussed the best pathway to not recommend approval to the proposed changes and suggested recommendations with some context as to why they are not recommending the change.

Mr. Hoeman noted that any recommendations proposed to City Council can come by a motion, second, and a vote of the Commission and this may require multiple votes if there are multiple recommendations.

Mr. Colony asked for clarification on how long has conditional use permits have been allowed in Springfield and staff noted since 1995, and asked if City Council does not have the authority to impose additional conditions how are they approving them?

Staff went over the process of the approval or denial.

Ms. Ridge voiced her concern for citizens to have input and to be informed.

Mr. Knuckles went over the proposed changes, noting that he would like to keep it as it is currently and will vote against it and would like to add a recommendation to the motion.

Ms. Broekhoven made comments regarding the process and the timeframe and believes they are being forced to make recommendations within 30 days and believes it does not allow for substantially meaningful conditions to go back to council. Believes this does not give the commission as well as the public the opportunity to review.

Staff went over that council members thought they had the authority to impose conditions, and that they wanted to strengthen the language to be very clear.

Ms. Broekhoven noted that the commission postponed it at the November 9, 2023, and noted that it aligns with the schedule of the new code development updates and asked if there are any opportunities for the commission to do their due diligence without advancing the text amendment further and she also mentioned for

Mr. Hoeman noted that he is not aware of any provisions in the code that would allow to withhold their recommendations.

Mr. Pauly made a comment about losing public input with the change.

Commission members reinstated their opposition to the change, specially noting that the Commission's minimum standards cannot be remanded back or heard again by the Commission and this change will allow City Council to engage in entitlement negotiations with substantial changes and not what was advertised with the public.

Mr. Lebeck noted the commission's frustration and would like to make a motion if this commission recommends denial of the text amendment and that the denial includes the following language.

Ms. Broekhoven closed the public hearing.

Commission Action #1
Planning and Zoning Commission Board Member Lebeck moved to recommend with comments for Conditional Use Permit Text Amendments (see below) and Commissioner Colony seconded the motion.

1. The city has not provided us with a reason why this change to our land development code is necessary;
2. The city recently passed a new comprehensive plan that will cause an entirely new land development code to be presented to the planning commission and ultimately city council;
3. Allowing for changes and modifications without planning commission input takes away from the public another opportunity to comment and ultimately reduces transparency and development projects that affect our neighborhoods, citizens and city; and
4. This commission has placed on hold other text amendments out of respect for a new land development code coming forward.

It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Commissioner Scott, Britton Jobe. Abstain: None.

Commission Action #2
Planning and Zoning Commission Board Member Lebeck moved to approve Conditional Use Permit Amendments, Commissioner Colony seconded the motion. It Failed with the following vote: Ayes: None. Nays: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Absent: Dan Scott, Britton Jobe. Abstain: None. **Motion Failed**

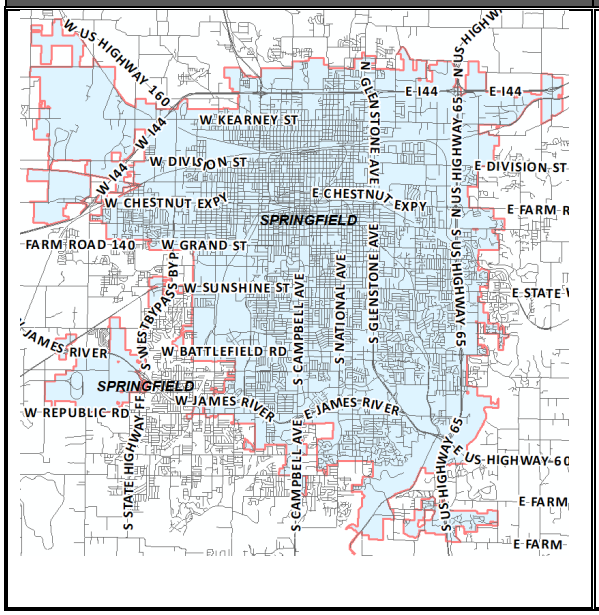
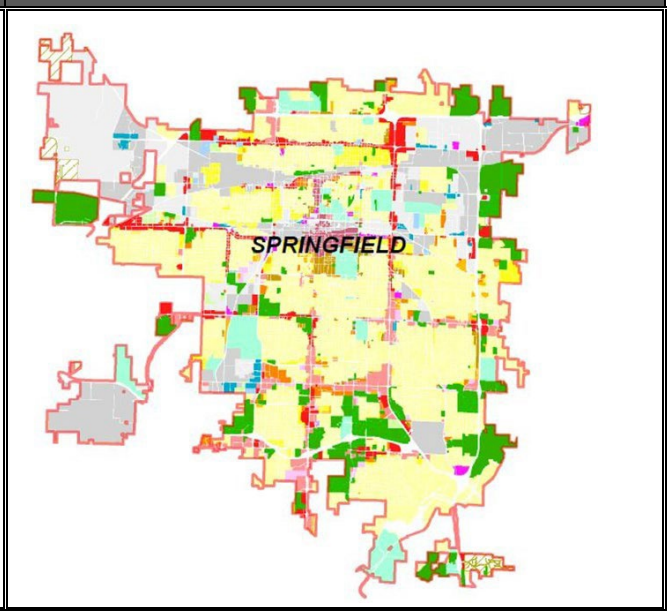
Bob Hosmer, AICP
Planning Manager

Exhibit B

DEVELOPMENT REVIEW STAFF REPORT

Case Number:	Conditional Use Permit Text Amendment
Location:	Citywide
Total Acres:	N/A
Applicant:	City of Springfield
Existing Land Use:	N/A
Neighborhood Meeting:	N/A
Planning and Zoning Commission:	November 30, 2023
City Council:	January 8, 2024
Public Notification:	Legal in Daily Events
Staff:	Michael Sparlin, Senior Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to approve as submitted in the staff report (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

Request to amend section 36-363 and 36-368 to allow City Council to add, modify or remove conditions to a Conditional Use Permit.

LOCATION MAP	ZONING MAP
	

DEVELOPMENT REVIEW STAFF REPORT

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments
(7) Findings by the commission.

(a) *Text amendments.* If the request is for an amendment of the text of this article, the recommendation of the planning and zoning commission may consider:

1. Whether the proposed text amendment is consistent with the Springfield Comprehensive Plan;
2. Whether the proposed text amendment is consistent with the intent and purpose of this article;
3. The areas of the city that are most likely to be affected by the proposed text amendment and the manner in which those areas will be affected;
4. Whether the proposed text amendment is necessitated by a change in conditions in the zoning districts affected and the nature of such changed conditions;
5. Information submitted at the public hearing.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

Increased use flexibility that promotes redevelopment and revitalization will need to be balanced by regulatory codes that promote and emphasize quality design and construction that is pedestrian focused and has a greater experience factor. The city's guiding principle of Quality of Place emphasizes the need for more public and private amenities and features. Future code changes will need to support the implementation of planning that promotes the development of places with a wide array of convenient services in proximity to amenity-rich, attractive, inviting, integrated corridors and districts that are within walking distance of neighborhood, trails, parks, and mixed-use centers with diverse housing options.

DEPARTMENT COMMENTS:

The proposed text amendment is supported by city departments.

CITY OF Springfield

DEVELOPMENT REVIEW STAFF REPORT

STAFF ANALYSIS AND RECOMMENDATION:

1. At their November 17, 2022 meeting, the Plans and Policies Committee voted to recommend that City Council initiate amendments related to Conditional Use Permits (CUP). City Council initiated these amendments to the Zoning Ordinance on March 6, 2023.

2. The Planning and Zoning Commission held at public hearing on March 23, 2023 on this text amendment. Commission postponed this case to seek more comment. No further comment has been received to date.

3. The Planning and Zoning Commission postponed this text amendment on April 20, 2023 to ensure that the proposed language would allow City Council to modify or remove conditions of a CUP. The proposed language has been edited to reflect the intent of this amendment.

4. At their November 9, 2023 meeting, the Planning and Zoning Commission postponed this text amendment to December 2024. After further review by staff, it was determined that Planning and Zoning Commission does not have the authority to postpone City Council initiated text amendments and is required to make its recommendation within 30 days of the public hearing according to Section 36-367(6) which reads:

   Recommendations. Within 30 days after the public hearing, except when the applicant requests the amendment be tabled or there is a tie vote by the commission, the planning and zoning commission shall make one of the following recommendations in connection with each proposed change in zoning district classification or the text of this article:
   (a) *Recommend against the proposed change in the zoning district classification or the text of this article.*
   (b) *Recommend a change in the zoning district classification or the text of this article.*
   (c) *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.*

5. Staff is proposing amendments to allow City Council to add, modify or remove conditions to a Conditional Use Permit. 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.

6. The current language has been interpreted that City Council does not have the ability to impose conditions. These amendments will ensure that the intent of the conditional use permit process is realized by City Council's ability 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. The proposed amended is similar to language in section 36-367 (11) for zoning and text amendments; *36-367 (11) (a) Actions of City Council. When the planning and zoning commission has recommended a change in the zoning district classification or the text of this article together with recommendations for additional requirements pursuant to subsection 36-367(6)(c), the city council shall have discretion to either accept, reject, or make other or additional requirements.*

7. The City Council still has the ability to remand items back to Commission for further review if needed but this allows the Council the authority to impose additional conditions or other additional requirements. However, by City Code if changes are proposed to site plans there will be a two-week layover to allow applicants/designers to make any changes to site plans and to allow staff to review and to comment as to the proposed changes meeting or not meeting city standards.

8. The proposed text amendment is consistent with the Springfield Comprehensive Plan; The ability of City Council to respond to potentially adverse impacts of certain uses is consistent with the Comprehensive Plan's guiding principle of Quality of Place.

9. The proposed text amendment is consistent with the intent and purpose of this article; The proposed amendment meets the intent of the conditional use permit process as defined by the Zoning Ordinance.

10. The areas of the city that are most likely to be affected by the proposed text amendment and the manner in which those areas will be affected are citywide.

11. The proposed text amendment is not necessitated by a change in conditions in the zoning districts affected and the nature of such changed conditions. Rather, this amendment was necessitated by Council having the ability to add or amendment conditions to a CUP.

12. The Growth and Development Advisory Committee (GDAC), Downtown Springfield Association (DSA), Commercial Club and all Registered Neighborhood Associations were notified of these amendments and public hearing dates.

DEVELOPMENT REVIEW STAFF REPORT

STAFF RECOMMENDATION:

1. Staff recommends approval of the text amendment based on its compatibility with the *Comprehensive Plan*.

PLANNING AND ZONING OPTIONS:

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

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

CITY OF Springfield

DEVELOPMENT REVIEW STAFF REPORT

PROPOSED AMENDMENT:

Note: Language to be added is underlined, language to be removed is ~~stricken~~ and existing language is black.

Sec. 36-363. Conditional use permits.

(1) *Purpose.* The conditional use permit procedure is designed to provide the planning and zoning commission and the city council with ~~an~~ the 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 reviews 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, after considering any recommendations of the planning and zoning commission, to impose conditions upon such uses and structures that are designed to avoid, minimize or mitigate potentially adverse effects upon the community or other properties in the vicinity of the proposed use or structure, and to deny requests for a conditional use permit when it is apparent that a proposed use or structure will or may cause harm to the community or injury to the value, lawful use and reasonable enjoyment of other properties in the vicinity of the proposed use or structure.

(2) *Authorized conditional uses.* The ~~planning and zoning commission may recommend, and the~~ city council, after considering any recommendations of the planning and zoning commission, may authorize the establishment of those conditional uses that are expressly authorized to be permitted as a conditional use in a particular zoning district or in one or more zoning districts. No conditional use shall be authorized unless this article specifically authorizes such conditional use to be granted and unless such grant complies with all of the applicable provisions of this article.

(3) *Contents of application.* An application for a conditional use permit shall be filed with the department of planning and development. The application shall contain the following information as well as such additional information as may be prescribed by rule of the planning and zoning commission or the director of planning and development.

(a) The applicant's name and address and his legal interest in the subject property.

(b) The owner's name and address, including trustees, and, if different than the applicant, the owner's signed consent to the filing of the application and authorization for the applicant to act in his behalf.

(c) The street address (or common description) and a copy of the deed of record or legal description of the property as prepared by and certified by a land surveyor or attorney.

(d) The zoning classification and present use of the subject property.

(e) A description of the proposed conditional use.

(f) The names and addresses of all owners of real property, as shown on the records of the county assessor, adjacent to, or within 185 feet of the subject property. The names and addresses shall be compiled by an abstract company, title company, county assessor's office, City of Springfield, or attorney at law.

(g) A site plan, pursuant to section 36-360, site plan review, of this article.

(h) A statement as to why the proposed conditional use will comply with the applicable standards in subsection (10) [of this section].

(i) A statement as to how the proposed conditional use is to be designed, arranged and operated in order to ensure that development and use of neighboring property in accordance with the applicable district regulations will not be prevented or made unlikely, and that the value, use and reasonable enjoyment of such property will not be impaired or adversely affected.

(j) An identification of any potentially adverse effects that may be associated with the proposed conditional use, and of the means proposed by the applicant to avoid, minimize or mitigate such effects.

(4) *Planning and zoning commission h~~H~~earing on conditional use permit application.* After the director of planning and development, or designee, has certified to the planning and zoning commission that a conditional use permit application is complete and does not contain or reveal violations of this article or other applicable regulations, the planning and zoning commission shall hold a public hearing on the application. Notice of this hearing shall be given in the manner and form required by section 36-368, publication and posting of notices, of this article. After this hearing, the planning and zoning commission may recommend that the city council grant or deny the conditional use permit application. When recommending that the council grant a conditional use permit application, the planning and zoning commission may recommend that the council impose conditions, safeguards, and restrictions upon the premises benefitted by the conditional use that the planning and zoning commission believes necessary to comply with the standards set out in subsection (10) of this section to avoid, minimize, or mitigate any potentially adverse or injurious effect of such conditional uses upon other property in the neighborhood, and to carry out the general purpose and intent of this article ~~A public hearing on an application for a conditional use permit shall be held and notice thereof given in the manner and form required by section 36-368, publication and posting of notices, of this article. No public hearing on a conditional use permit application shall be held unless the director of planning and development, or his duly designated delegate, has certified to the planning and zoning commission that the application is complete and does not contain or reveal violations of this article or other applicable regulations~~.

After its public hearing on the conditional use permit application is concluded, the planning and zoning commission shall transmit to the city council its recommendation containing specific findings of fact on the proposed conditional use without unreasonable delay and in all cases, within 30 days from the close of the hearing. The executive secretary of the planning and zoning commission shall maintain complete records of all actions of the commission and the city council with respect to applications for conditional use permits.

~~(5) *Conditions and restrictions.* In granting a conditional use, the planning and zoning commission may recommend, and the city council may impose such conditions, safeguards and restrictions upon the premises benefitted by the conditional use as may be necessary to comply with the standards set out in subsection (10) of this article [section] to avoid, or minimize, or mitigate any potentially adverse or injurious effect of such conditional uses upon other property in the neighborhood, and to carry out the general purpose and intent of this article. Such conditions shall be set out in the ordinance approving the conditional use permit.~~

~~(6) *Decisions and records.* The planning and zoning commission shall, after the public hearing is concluded, transmit to the city council its recommendation containing specific findings of fact on the proposed conditional use without unreasonable delay and in all cases, within 30 days from the close of the hearing. The secretary of the planning and zoning commission shall maintain complete records of all actions of the commission and the city council with respect to applications for conditional use permits.~~

(5~~6~~) *City council hearing on conditional use permit application*. After receipt of the planning and zoning commission's recommendation and report on the conditional use permit application, the city council shall hold a public hearing on the application. Notice of this hearing shall be given in the manner and form required by section 36-368, publication and posting of notices, of this article. At this hearing, the city council shall consider the application, together with the planning and zoning commission's recommendations on the application. After this hearing, the council may grant or deny the conditional use permit application. When granting a conditional use permit, the city council shall consider any conditions, safeguards, or restrictions that the planning and zoning commission recommended for imposition on the premises benefitted by the conditional use. However, the city council may modify or delete any such conditions, safeguards, and restrictions recommended by the planning and zoning commission. The city council may also add any conditions, safeguards, and restrictions not recommended by the planning and zoning commission that the city council believes necessary for the conditional use to comply with the standards set out in subsection (10) of this section to avoid, minimize, or mitigate any potentially adverse or injurious effect of such conditional uses upon other property in the neighborhood, and to carry out the general purpose and intent of this article. All conditions imposed by the City Council on the conditional use shall be set out in the ordinance approving the conditional use permit.

(6~~7~~) *Effect of issuance of a permit for a conditional use.* The issuance of a conditional use permit shall not authorize the establishment or extension of any use nor the development, construction, reconstruction, structural alteration or moving of any building or structure, but shall merely authorize the preparation, filing and processing of applications for any permits or approvals, which may be required by the codes and ordinances of the city, including, but not limited to, a building permit, a certificate of occupancy or subdivision approval.

(7~~8~~) *Period of validity.*

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

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

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

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

(~~8~~9) *Amendments.* Amendments or changes as to the use authorized by the conditional use process must follow the same process as the original conditional use application. Expansions or additions to structures associated with conditional uses may be approved by the director of planning and development without further conditional use authorization under the following circumstances:

(a) Said proposed expansion is limited to a structural addition to an existing or proposed building not to exceed ten percent of the gross building floor area within the existing structure to be expanded.

(b) Said proposed expansion is limited to one time subsequent to the original conditional use authorization.

(c) Said proposed expansion is reviewed and approved by the director of planning and development with the determination that such expansion does not violate any of the conditions set forth in the original conditional use authorization, does not require further imposition of new conditions and does not adversely impact surrounding properties.

(9) *Limitation on applications for conditional use permit*. If the city council denies an application for a conditional use permit, an applicant for the conditional use permit may not file another conditional use permit application for the same subject property, absent a substantive change to the application that was denied, until at least six months after the city council's denial of the initial application.

(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:

Sec. 36-368. - Publication and posting of notices.

(3) City council. Prior to holding a public hearing on any rezoning, conditional use permit, or request to amend the text of the zoning ordinance, the council shall give written notice thereof in the same manner as is required for notices of public hearings before the planning and zoning commission by subsection (2).

EXPLANATION TO COUNCIL BILL 2024-008 (SIMPSON, HARDINGER, HORTON,

FILED: 12/16/2023

ORIGINATING DEPARTMENT: Finance

TITLE: A general ordinance amending the Fee Schedule for certain City services as provided in the Springfield City Code, by making such adjustments as provided in the attached "Evaluation of Charges for Municipal Services"; and adopting new fees for certain City Services.

PURPOSE: A general ordinance amending the Fee Schedule for certain City services as provided in the Springfield City Code, by making such adjustments as provided in the attached "Evaluation of Charges for Municipal Services;" and adopting new fees for certain City services. (The Finance and Administration Committee recommends approval.)

BACKGROUND INFORMATION: Annually, the Budget and Evaluation Division of the Finance Department reviews fees for municipal services. The fees are reviewed to determine if reasonable and appropriate levels of cost recovery are being maintained. Adjustments to municipal fees are recommended based on the policy statement included in the fee study and the recommendations of the Finance and Administration Committee from its November 30, 2023 meeting.

The schedules of fees and charges evaluated are attached to the proposed Council Bill as "Exhibit A." Per the policy, approximately one-third of the fees are fully evaluated on an annual rotating basis. The remaining two-thirds of the fees not included in "Exhibit A" will increase by the Consumer Price Index of 3.0% for Fiscal Year 2024-2025 to keep pace with inflation. 126 fees are included in the evaluation of charges and the cost recovery of the recommended fees is 100% percent (excluding Hazelwood Cemetery fees which require special consideration).

All fees are recommended by staff to be effective July 1, 2024.

REMARKS: The evaluation report, including the recommended fee adjustments, was presented and approved for Council consideration by the Finance and Administration Committee at its November 30, 2023 meeting.

Submitted By:

Authorized for inclusion on the agenda pursuant to City Code section 2-33:
Collin Quigley, Deputy City Manager 1/2/2024

Attachments:

1. Annual Evaluation of Charges for Municipal Services_ORD
2. Eval of Charges for Muni Svcs - Based on 2023 ELECTRONIC

One-rdg. _____
P. Hrngs. _____
Pgs. 34
Filed 01-02-24

Sponsored by Simpson, Hardinger, Horton, and Jenson

First Reading _____ Second Reading _____

COUNCIL BILL 2024-008 GENERAL ORDINANCE_____

AN ORDINANCE

AMENDING the Fee Schedule for certain City services as provided in the Springfield City Code, by making such adjustments as provided in the attached "Evaluation of Charges for Municipal Services"; and adopting new fees for certain City Services.

_____

WHEREAS, City Code Section 2-425 authorizes the City to charge various fees in amounts contained on schedules adopted by this Ordinance and on file with the City Clerk; and

WHEREAS, an "Evaluation of Charges for Municipal Services" has been compiled by the City's Finance Department and said Evaluation contains the Fee Schedule for various City fees to be charged; and

WHEREAS, the "Evaluation of Charges for Municipal Services" was presented to the Finance and Administration Committee on November 30, 2023, and said Committee recommended that it be forwarded to City Council for adoption; and

WHEREAS, a public hearing was held on January 8, 2024, concerning the proposed changes to the "Evaluation of Charges for Municipal Services," including the contained Fee Schedule.

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

Section 1 –City Council hereby adopts the Fee Schedule contained within the "Evaluation of Charges for Municipal Services," which is attached hereto as "Exhibit A" and incorporated herein, a copy of which shall be maintained on file with the City Clerk pursuant to Sec. 2-425 of the City Code.

Section 2 – The fees and charges included in "Exhibit A" are hereby adopted and approved, and the schedule of fees and charges shown in "Exhibit A" for various departments of the City are hereby adopted and shall take effect on July 1, 2024.

Starting July 1, 2024, City officials are authorized to charge the fees shown on “Exhibit A.”

Section 3 – The two-thirds of City-imposed fees or charges not included in “Exhibit A” will increase by the All Urban Consumer Price Index of 3.0% on July 1, 2024.

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

Passed at meeting: _____

_____
Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: _____, Assistant City Attorney

Approved for Council action: _____, City Manager

Exhibit A

CITY OF SPRINGFIELD, MISSOURI

EVALUATION OF CHARGES FOR MUNICIPAL SERVICES

BASED ON 2023 FISCAL YEAR ACTIVITY

CITY OF Springfield

DEPARTMENT OF FINANCE
BUDGET AND EVALUATION

TABLE OF CONTENTS

FEE STUDY OVERVIEW **3**
Policy Statement 4
Overview 5
Findings and Recommendations 5-6
Evaluation Summary by Fee Type 7

PERMIT, PLAN REVIEW, AND INSPECTION FEES **9**
Driveway and Right of Way Permit 10-11
Public Improvement 11
Encroachment Permit 11-12
Taxicab and Wrecker Inspection 12

CHARGES FOR SERVICES **13**
Escrow Fee 14
Hazelwood Cemetery 14-15
Micromobility Rental Device Fee 15
Right of Way Infrastructure Repair 15
Street Cleaning 15
Street Repair 15-16
Traffic Signs 17-19

FEES IN LIEU OF **21**
Fee in Lieu of Sidewalk Construction 22
Fee in Lieu of Stormwater Construction 22

ORDINANCE VIOLATION CHARGES **23**
Tree Abatement 24

ENTERPRISE FUND FEES **25**
Biosolids and Industrial Pretreatments 26-27
Sanitary Landfill Goods and Tipping Fee 28

CITY CODE SECTION REFERENCE GUIDE **29**
City Code Reference Guide 30

Fee Study Overview

Fees and charges for various City services are required to be established by Ordinance and on file with the City Clerk pursuant to Section 2-425 of the Springfield City Code. Fees established are evaluated using the criteria below:

1. This evaluation shall utilize information on Service Efforts and Accomplishments (SEAs) for each category of charges as compiled by the various departments.

2. The report will be reviewed by the City Council Finance and Administration Committee before submittal to the full Council. The final report shall be submitted to the full Council no later than February 15.

3. If approved by City Council, fee changes and new fees are effective on July 1, unless otherwise stated in the proposed ordinance.

4. The following general guidelines were used in the annual evaluation:

    - We will recover 100 percent of the related cost to provide the service except in the instance of Hazelwood Cemetery and some Springfield-Greene County Health Department fees.

    - The director of finance shall determine the annual percentage change in costs by using the All-Urban Consumer Price Index (CPI) to determine the increase, if any, from the previous 12 months. Per City Code Sec. 2-425(b). One-third of fees will be fully evaluated on an annual rotating basis. The remaining two-thirds of fees not evaluated, will increase by the CPI to keep pace with inflation.

    - Some Springfield-Greene County Health Department fees require special consideration. They are intentionally set below 100% cost recovery for public health and welfare purposes such as animal shelter turn-ins and impoundments, and vaccine administration for food handlers. These fees should not be so high it discourages use by the public.

    - One food permit fee is not at 100% cost recovery at the passage and implementation of the FY2023-24 fee rates. The Springfield-Greene County Health Department requests this fee continue to go up incrementally at 10% plus CPI per year until 100% cost recovery is achieved.

    - Any efficiency achieved in the process of providing a service, which reduces costs, should be accompanied by a corresponding reduction in the related charges for services.

    - Enterprise funds are determined differently than other fees in the fee study. They are established to recover operating costs as well as long-term capital investments. They are included in the fee study to ensure annual review.

    - Administrative boards, such as Parks, Art Museum and the Airport are allowed to review and set their own schedule of charges. Accordingly, charges set by these boards are not reviewed as part of this evaluation.

BASED ON 2023 ACTIVITY

The Budget and Evaluation Section of the Finance Department has completed the annual review of the City's charges for municipal services. These charges are reviewed to determine if reasonable and appropriate levels of cost recovery are being maintained. Recommended fee adjustments from the current evaluation based on FY2022-23 data are presented in this report.

OVERVIEW

The term "cost" in relationship to municipal services is the total of the allocable cost of direct and indirect labor, supplies, charges, and capital outlay used to provide each specific service. Allocations for both departmental and city-wide administrative overhead are also included in the cost determination.

Service Efforts and Accomplishments (SEAs) measures used to review the charges for services include, as appropriate, the following:

Measures of Efforts
- Non-financial resources
  - Number of labor hours, by position, expended to deliver services
- Financial resources
  - Fully burdened labor costs, by position, expended to deliver services
  - Expenditures used to deliver services, including both direct and indirect costs

Measures of Accomplishments
- Output measures
  - Number of service units produced
- Outcome measures
  - Average cost per service unit produced
  - Average revenue generated per service unit produced

Measures of Efficiency
- Percentage of cost recovery
- Percentage increase or decrease of average cost per service unit from prior period
- Percentage increase or decrease of cost recovery from prior period

FINDINGS AND RECOMMENDATIONS

This year's evaluation of charges for municipal services included a detailed analysis of the departmental and financial data that compose service costs. Recommendations for adjustments to the evaluated charges are based on the policy approved by City Council in September 2020. This is the fourth year of the three-year cycle, so we have come full circle and are back to the first fees utilizing this methodology.

The new methodology was recommended to reduce large fluctuations in fees and improve efficiency in the process. A three-year average is used for determining direct and indirect costs. Also, the average of a larger pool of positions within a job title (not just within the specific department) is utilized to provide a more consistent average and reduce fluctuations due to retirements and/or vacancies.

Only fees evaluated this year

A total of one hundred and twenty-six charges for municipal services were evaluated for a portion of Environmental Services fees and all Public Works fees. The recommended adjustments for these charges are summarized as follows:

- There is one existing fee and one new fee recommended to be added to the fee study.
- Of the one hundred and twenty-five established fees, twenty-five charges are recommended to be held constant.
- Four charges are recommended to be reduced.
- The remaining ninety-six are recommended to be increased.

The existing fee recommended is the permitting of micromobility rental devices (e-scooters) on city right of way. This fee was an estimate at the time the devices were approved by City Council. This process has been established and the resources needed for permitting the devices complete (page 15). The new fee is within Hazelwood Cemetery for the lot sale of single cremains unit (described below).

All fees changes are recommended by staff to be effective July 1st, 2024.

FINDINGS AND RECOMMENDATIONS (cont.)

If the recommended fee adjustments are approved the cost recovery would be set at 100% (excluding those intentionally set below cost). The recommended fee adjustments would generate an additional $1,793,114 in total revenue. Of this potential revenue increase, $16,312 would be in the general fund and $1,776,802 in non-general fund revenue. Total proposed revenue generated is $18,849,971; $155,190 of which is general fund revenue, $18,694,781 is derived from a variety of non-general funds.

Sanitary landfill fees represent $15,688,482, or 83.2% of projected revenue generated for this year's evaluation. The largest portion of additional revenue generated is the change in tipping fees would generate an estimated $1,194,056 for FY2024-25.

The fees and charges evaluated are grouped into several descriptive categories: Permit, Plan Review, and Inspection Fees; Charges for Services; Fee In Lieu Of; Ordinance Violations; and Enterprise Fund Fees. Each category of charges has distinct characteristics and considerations that impact cost recovery decisions. The following page of narrative presents a summary of the charges within each category and an explanation of charges of particular interest.

LAYOUT OF THIS DOCUMENT

This comprehensive report includes a large set of data. Reading the numeric information from left to right, this document includes the following information: The **current fee** is as of July 1st, 2023. The **city cost** is the result of this year's evaluation and the percent of **cost recovery** based on the current fee. Next is the **units of service** recorded for the most recent fiscal year end June 30, 2023. The **revenue generated** is the estimated revenue for fiscal year 2024 based on the current fee. The **proposed fee** is the City's recommendation to increase cost recovery beginning July 1, 2024. Next is the **change in fee** from the current fee and then the **new cost recovery** based on the recommendation. Finally, the **projected revenue** is based on the FY23 units of service and the **change in revenue** is the projected difference.

Only fees evaluated this year

Fee Type	Revenue Generated	Projected Revenue	Change in Revenue
General Fund			
Permits	$ -	$ -	$ -
Charges for Services	138,878	155,190	16,312
Fee in lieu of	-	-	-
Violations	-	-	-
Enterprise	-	-	-
General Fund Total	$ 138,878	$ 155,190	$ 16,312
Non-General Fund			
Permits	$ 726,883	$ 812,012	$ 85,129
Charges for Services	955,026	1,037,154	82,128
Fee in lieu of	309,257	649,673	340,416
Violations			
Enterprise	14,926,813	16,195,942	1,269,129
Non-General Fund Total	$ 16,917,979	$ 18,694,781	$ 1,776,802
Total Revenue	**$ 17,056,857**	**$ 18,849,971**	**$ 1,793,114**

PERMIT, PLAN REVIEW, AND INSPECTION FEES SUMMARY

The permit, plan and inspection fees are the traditional fees charged by the City for the various permits issued and plan reviews and inspections conducted in relation to land development, commercial and residential construction, and specific activities within the City. Individuals and entities desiring to participate in such development or activities are required by City ordinance to apply for various permits and submit to plan reviews and inspections to ensure the public's safety, health, and general welfare.

The City's goal in charging these fees is to recover incurred costs that can be clearly identified as being directly associated with specific consumers of the City's regulatory services. Examples of fees included in this category are final plat reviews, building permits, sign permits, driveway permits, taxicab inspections, and food permits.

There are thirteen fees in this section this year and no new fees proposed. The current average cost recovery for these charges is 92.0%. If the recommended fee adjustments are approved, the cost recovery would be 100%.

CHARGES FOR SERVICES SUMMARY

The City has established charges for some services that are not regulatory in nature, nor imposed by City ordinance. These services provide a tangible product to a relatively small number of individuals and entities, with some services offered as an alternative to what is available in the private sector. The consumers of these City services have the freedom to choose whether the products provided have enough value to justify paying the established charge.

Examples of charges within this category include; community room rentals, vaccination administration fees, traffic signs and Hazelwood Cemetery burial services. As with other fee charges, the City restricts its cost recovery for these services to the actual cost incurred, except for the services offered at Hazelwood Cemetery, which require sensitivity to local market conditions and concerns.

A total of eighty-three Public Works charges are identified in this category. Excluding the Hazelwood Cemetery charges, the current average cost recovery is 95%, if the recommended fee adjustments are approved, the average cost recovery would be 100%. There are two new fees in this section. One is the permitting of Micromobility rental devices on city right of way and the other one is in the Hazelwood section below.

Hazelwood Cemetery

In addition to the City's direct cost in providing services, other factors must be considered when establishing the fee levels for burial services and burial lot prices with Hazelwood Cemetery. The impact of the City's fee structure on the local competitive market must be minimized. For all grave open/close services and lot sales, Hazelwood is currently mid-market. Although the charge for lot sales provides more than 100% cost recovery, the rates include funding for the perpetual care and preservation of the cemetery as required by state statute and city code. There is one new lot sale fee proposed for single unit cremains (page 14). Currently it is being charged at 1/5 the adult grave rate.

FEE IN LIEU OF SUMMARY

This section is for fees in lieu of construction as allowed by current City Code. When sidewalk construction or detention for flood control is required, a request may be considered by the City to accept a fee in lieu of construction when certain conditions exist, or construction is not practical in the location. The decision to accept the fee in lieu of construction rests with the City Manager and/or the Director of Public Works. The fees collected are maintained in separate funds and are used for future construction needs within that area. There are no new fees proposed within this section.

ORDINANCE VIOLATIONS SUMMARY

The charges in the fourth category have been established by City ordinance, as allowed by State statutes, to recover the costs incurred by the City while enforcing certain ordinance violations. Violators may also be subject to punitive fines and court costs ordered by the Municipal Court. All these charges relate to DWI offenses, animal impoundment, or weed, health, and tree abatements.

A total of two charges are identified in this category. Due to the special nature of these charges, full cost recovery is allowed to be maintained each year regardless of the percentage adjustment required.

ENTERPRISE FUND FEES SUMMARY

A total of 20 fees are identified in this section and there are no new fees proposed. The fees in this section are determined differently than the other fees in this study. These fees are established to recover operating costs as well as recover long-term capital investment. These funds are not supported by general tax revenue. They are being included in this document to ensure annual review.

CITY OF Springfield

Permit, Plan Review, and Inspection Fees

These fees are traditional fees charged by the City for the various permits issued and plan reviews and inspections conducted in relation to land development, commercial and residential construction, and specific activities within the City. Individuals and entities desiring to participate in such development or activities are required by City ordinance to apply for various permits and submit to plan reviews and inspections to ensure the public's safety, health, and general welfare.

PERMIT, PLAN REVIEW, AND INSPECTION FEES

			Current Status Based on FY 22-23 Data					Proposed Fees for FY 24-25					
Department	Fee Category	Service Description	Current Fee	City Cost	Cost Recovery	Units of Service	Revenue Generated	Proposed Fee	% Change in Fee	New Cost Recovery	Projected Revenue	Change in Revenue	Comments
Public Works	Driveway and Right of Way Permit	Commercial Driveway Permit	$ 172	$ 253	68%	37	$ 6,364	$ 253	47.1%	100%	$ 9,361	$ 2,997	Permits must be obtained for all driveway construction and improvements. Improved refers to a driveway which connects to a street with concrete curbs and gutters. Unimproved refers to a driveway which connects to a street without concrete curbs and gutters.
		Residential Driveway Permit - Improved	$ 120	$ 122	98%	70	$ 8,400	$ 122	1.7%	100%	$ 8,540	$ 140	
		Residential Driveway Permit - Unimproved	$ 136	$ 149	91%	58	$ 7,888	$ 149	9.6%	100%	$ 8,642	$ 754	
		Sidewalk Permit	$ 155	$ 238	65%	44	$ 6,820	$ 238	53.5%	100%	$ 10,472	$ 3,652	Permits must be obtained for all sidewalk construction and improvements. If sidewalk construction is in conjunction with driveway construction, only the driveway permit fee will apply.
		Right of Way Excavation Permit	$ 53	$ 54	98%	1135	$ 60,155	$ 54	1.9%	100%	$ 61,290	$ 1,135	Permits must be obtained to perform excavations in the City's rights-of-way.
		Right of Way Excavation Acceptance	$ 180	$ 180	100%	1135	$ 204,300	$ 180	0.0%	100%	$ 204,300	$ -	An inspection fee is charged for all excavations in the public right-of-way. This inspection is to assure that the utility company and/or contractor meets the city specifications on any backfill or full repair work.
		Right of Way Plan/Infrastructure Review - Large	$ 783	$ 745	105%	21	$ 16,443	$ 745	-4.9%	100%	$ 15,645	$ (798)	Large projects require a more detailed plan review and coordination to administer plans and impacts to the City Infrastructure. This fee is a one time fee to cover average cost to review plans and inspect infrastructure repairs during construction for projects covering multiple blocks over multiple weeks and/or have major infrastructure impacts.

PERMIT, PLAN REVIEW, AND INSPECTION FEES

			Current Status Based on FY 22-23 Data					Proposed Fees for FY 24-25					
Department	**Fee Category**	**Service Description**	**Current Fee**	**City Cost**	**Cost Recovery**	**Units of Service**	**Revenue Generated**	**Proposed Fee**	**% Change in Fee**	**New Cost Recovery**	**Projected Revenue**	**Change in Revenue**	**Comments**
Public Works	Driveway and Right of Way Permit	Right of Way Excavations Requiring Traffic Control - Large Project	$ 276	$ 289	96%	21	$ 5,796	$ 289	4.7%	100%	$ 6,069	$ 273	When an excavation permit requires work in the street or right of way, traffic control is required. Permit is valid for seven calendar days form the first day traffic control is installed and shall remain active until contractor has no longer blocked any access to lanes or sidewalks. Permit is for quality assurance checks of traffic control operations for a projects that will occupy more than one block, have excavations at mulitple locations in the same block, or for work on a street classifed as a collector or arterial route. An additional fee will be charged for each seven days or portion thereof.
Public Works / Environmental Services	Public Improvement Fee	Public Improvement Fee	5.00%	5.40%	93%	32	$ 380,934	5.40%	8.0%	100%	$ 457,121	$ 76,187	Projects completed by private developers for streets, storm sewer and sanitary sewer public improvement are assessed an engineering and inspection fee. The fee is 5% of the project cost. For FY20, there were $2.9 Million in improvement projects. A "consent to annex" will be required as a condition to extend City sewer to any subdivision outside the city limits of Springfield. The consent to annex shall require an acceptable title search by an acceptable title company. The developer is responsible for providing the title search.
		Technology Fee	0.34%	0.35%	97%	32	$ 25,904	0.35%	3.0%	100%	$ 26,666	$ 762	The technology fee for public improvements, based on a percentage of the project cost, is an additional .34%. This percentage will capture the portion of the license and maintenance of the electronic submission and review system for this division.
Public Works	Encroachment Permit	Encroachment Permit	$ 266	$ 269	99%	9	$ 2,394	$ 269	1.1%	100%	$ 2,421	$ 27	A permit is required for an encroachment on public right-of-way. Authority is granted to the Public Works Director to issue a license agreement for new awnings, canopies, planters, street furniture or sidewalk cafes.

PERMIT, PLAN REVIEW, AND INSPECTION FEES

			Current Status Based on FY 22-23 Data					Proposed Fees for FY 24-25					
Department	**Fee Category**	**Service Description**	**Current Fee**	**City Cost**	**Cost Recovery**	**Units of Service**	**Revenue Generated**	**Proposed Fee**	**% Change in Fee**	**New Cost Recovery**	**Projected Revenue**	**Change in Revenue**	**Comments**
Public Works	Encroachment Permit	Encroachment Permit-Council Action	$ 391	$ 440	89%	0	$ -	$ 440	12.5%	100%	$ -	$ -	Encroachments not defined in Section 98-323 of City Code require City Council action. The cost of the permit includes the staff time indicated above as well as Assistant City Attorney's time for council bill preparation.
Public Works	Taxicab and Wrecker Inspection	Taxicab and Wrecker Inspection	$ 33	$ 33	100%	45	$ 1,485	$ 33	0.0%	100%	$ 1,485	$ -	Taxicabs and wreckers are inspected annually for compliance with safety and equipment requirements.

Charges for Services

This category of charges is for services that are not regulatory in nature, nor imposed by City ordinance. These services provide a tangible product to a relatively small number of individuals and entities, with some services offered as an alternative to what is available in the private sector. The consumers of these City services have the freedom to choose whether or not the products provided have enough value to justify paying the established charges.

CHARGES FOR SERVICES

			Current Status Based on FY 22-23 Data					Proposed Fees for FY 24-25					
Department	Fee Category	Service Description	Current Fee	City Cost	Cost Recovery	Units of Service	Revenue Generated	Proposed Fee	% Change in Fee	New Cost Recovery	Projected Revenue	Change in Revenue	Comments
Public Works	Escrow Fee	Escrow Fee	$ 547	$ 717	76%	15	$ 8,205	$ 717	31.1%	100%	$ 10,755	$ 2,550	After approving request for securing public improvements the escrow fee must be paid in order to continue with processing and review of security agreements. Fee covers cost for review, processing, and coordination of securities. Fee is for review and does not constitute reimbursement if escrow is denied.
Public Works	Hazelwood Cemetery (Burial Services)	Open/Close - Adult Grave	$ 891	$ 981	91%	73	$ 65,043	$ 950	6.6%	97%	$ 69,350	$ 4,307	The charge for preparing the grave site for an adult, infant, or cremation remains burial. The Niche fee is for niche placement, either in-ground or above ground.
		Open/Close - Infant Grave	$ 325	$ 549	59%	1	$ 325	$ 325	0.0%	59%	$ 325	$ -	
		Open/Close - Cremains (Unit)	$ 428	$ 431	99%	34	$ 14,552	$ 450	5.1%	104%	$ 15,300	$ 748	
		Open/Close - Cremains (Niche)	$ 665	$ 1,119	59%	8	$ 5,320	$ 700	5.3%	63%	$ 5,600	$ 280	
		Additional Fee for Non-Office Hour Services	$ 393	$ 675	58%	7	$ 2,751	$ 400	1.8%	59%	$ 2,800	$ 49	The additional charge for Saturday, Sunday, holiday or evening/late burial (in addition to the Open/Close charge) for the cost of overtime for employees performing the service. This is the minimum fee based on four hours; fee may be prorated at equivalent hourly rate for time over four hours.
		Disinterment - Adult Grave	$ 1,031	$ 1,263	82%	0	$ -	$ 1,100	6.7%	87%	$ -	$ -	The charge for removing the remains from a graveside at Hazelwood. A licensed funeral director is required by law to be present (Cost of funeral director is not included). Reinterment will incur additional burial fees if moved to another location at Hazelwood.
		Disinterment - Infant Grave	$ 558	$ 793	70%	0	$ -	$ 550	-1.4%	69%	$ -	$ -	
		Disinterment - Cremains	$ 411	$ 368	112%	0	$ -	$ 400	-2.7%	109%	$ -	$ -	
Public Works	Hazelwood Cemetery (Grave/Lot Sales)	Lot Sales - Adult	$ 839	$ 210	400%	47	$ 39,433	$ 975	16.2%	464%	$ 45,825	$ 6,392	The charge for a lot sale includes funding for the perpetual care of the cemetery and is set at a rate to not undercut the prices charged by the other local cemeteries. The charge for an infant lot is based proportionally to the size of an adult grave. Cremains unit is 1/5 of adult single grave space. Mausoleum lots are also available.
		Lot Sales - Infant	$ 283	$ 210	135%	0	$ -	$ 325	14.8%	155%	$ -	$ -	
		NEW - Cremains Unit Single	$ -	$ 210	0%	8	$ -	$ 195	100.0%	93%	$ 1,560	$ 1,560	
		Lot Sales - Historical Graves	$ 1,083	$ 210	516%	3	$ 3,249	$ 1,225	13.1%	583%	$ 3,675	$ 426	The lot sale and the charge for researching and verifying gravesites that have been "historically vacant" (never sold/used) throughout the cemetery.

CHARGES FOR SERVICES

			Current Status Based on FY 22-23 Data					Proposed Fees for FY 24-25					
Department	Fee Category	Service Description	Current Fee	City Cost	Cost Recovery	Units of Service	Revenue Generated	Proposed Fee	% Change in Fee	New Cost Recovery	Projected Revenue	Change in Revenue	Comments
Public Works	Hazelwood Cemetery (Grave/Lot Sales)	Lot Sales - Reinstated Graves	$ 1,307	$ 569	230%	0	$ -	$ 1,475	12.9%	259%	$ -	$ -	State statute allows the City to declare "purchased/not used" graves to be abandoned if unused for more than 50 years. The charge recovers the cost of filing the public notices and recording fee, conducting field study of the lot and research by the City Attorney's Office.
Public Works	Micromobility Rental Device Fee	Permitting Micromobility rental devices on City Rights of Way (per every 20 devices)	$ 500	$ 645	78%	25	$ 12,500	$ 645	29.0%	100%	$ 16,125	$ 3,625	The city shall collect a fee associated with permitting Micromobility rental devices within the City. Fee covers cost for e-scooter inspections, field reviews of docking stations/parking, customer concerns, processing, and contract renewal. Bike dock and storage areas fees are $250 for each new area and is not included in this fee.
Public Works	Right-Of-Way Infrastructure Repair Fee	Stormwater Structure Repair per hour	$ 324	$ 367	88%	0	$ -	$ 367	13.3%	100%	$ -	$ -	Stormwater structure repair is for box culverts and pipes damaged by sanitary sewer, gas, water, and communication companies while placing or repairing their facilities. This fee is an hourly rate since the extent of the repair can vary significantly by project. This fee includes the crew and equipment required; the cost of concrete and pipe is not includes and will be charged at the current City contract price.
Public Works	Street Cleaning Fees	Street Sweeping Service Mobilization Fee	$ 216	$ 278	78%	12	$ 2,592	$ 278	28.7%	100%	$ 3,336	$ 744	Mobilization fees are the minimum fee required to prepare the equipment and to provide the operator and equipment on site.
		Street Flushing Service Mobilization Fee	$ 148	$ 148	100%	0	$ -	$ 148	0.0%	100%	$ -	$ -	
		Street Sweeping/Square Foot	$ 0.0048	$ 0.0052	92%	1,987,759	$ 9,541	$ 0.0052	8.3%	100%	$ 10,336	$ 795	The service the equipment operator provides includes, labor and equipment per unit of measure cleaned.
		Street Flushing/Square Foot	$ 0.0033	$ 0.0033	100%	0	$ -	$ 0.0033	0.0%	100%	$ -	$ -	
Public Works	Street Repair Mobilization Fees	Concrete/Excavation Crew Mobilization Fee	$ 601	$ 629	96%	292	$ 175,492	$ 629	4.7%	100%	$ 183,668	$ 8,176	Mobilization fees are the minimum fee required to provide a crew and equipment on site, prepare the site, setup, and tear down.
		Sidewalk Crew Mobilization Fee	$ 279	$ 319	87%	145	$ 40,455	$ 319	14.3%	100%	$ 46,255	$ 5,800	
		Saw Cut Crew Mobilization Fee	$ 113	$ 113	100%	405	$ 45,765	$ 113	0.0%	100%	$ 45,765	$ -	

CHARGES FOR SERVICES

			Current Status Based on FY 22-23 Data					Proposed Fees for FY 24-25					
Department	**Fee Category**	**Service Description**	**Current Fee**	**City Cost**	**Cost Recovery**	**Units of Service**	**Revenue Generated**	**Proposed Fee**	**% Change in Fee**	**New Cost Recovery**	**Projected Revenue**	**Change in Revenue**	**Comments**
Public Works	Street Repair Mobilization Fees	Asphalt Crew Mobilization Fee	$ 280	$ 311	90%	52	$ 14,560	$ 311	11.1%	100%	$ 16,172	$ 1,612	Mobilization fees are the minimum fee required to provide a crew and equipment on site, prepare the site, setup, and tear down.
		Temporary Asphalt Crew Mobilization Fee	$ 237	$ 262	90%	460	$ 109,020	$ 262	10.5%	100%	$ 120,520	$ 11,500	
		Finish Grading Crew Mobilization Fee	$ 163	$ 163	100%	309	$ 50,367	$ 163	0.0%	100%	$ 50,367	$ -	
		Daily Remobilization Fee	$ 255	$ 277	92%	0	$ -	$ 277	8.6%	100%	$ -	$ -	
Public Works	Street Repair Services Fees	Water Main Break	$ 335	$ 336	100%	0	$ -	$ 336	0.3%	100%	$ -	$ -	The service the crew provides includes labor, equipment and materials per unit of measure.
		Concrete Pavement per SF	$ 4.88	$ 5.42	90%	50913	$ 248,455	$ 5.42	11.1%	100%	$ 275,948	$ 27,493	
		Sidewalk per SF	$ 3.98	$ 3.98	100%	12228	$ 48,667	$ 3.98	0.0%	100%	$ 48,667	$ -	
		Asphalt cap, 2" per SF	$ 2.59	$ 2.89	90%	7287	$ 18,873	$ 2.89	11.6%	100%	$ 21,059	$ 2,186	
		Asphalt cap, temporary per SF	$ 2.87	$ 3.35	86%	35339	$ 101,423	$ 3.35	16.7%	100%	$ 118,386	$ 16,963	
		Asphalt Stamping per SF	$ 7.99	$ 8.18	98%	0	$ -	$ 8.18	2.4%	100%	$ -	$ -	
		Finish Grading per SF	$ 1.15	$ 1.15	100%	8528	$ 9,807	$ 1.15	0.0%	100%	$ 9,807	$ -	
		Concrete Curb per SF	$ 18.41	$ 18.75	98%	540	$ 9,941	$ 18.75	1.8%	100%	$ 10,125	$ 184	
		Concrete Curb and Gutter per SF	$ 31.12	$ 31.70	98%	360	$ 11,203	$ 31.70	1.9%	100%	$ 11,412	$ 209	
		Saw Cut per SF	$ 1.08	$ 1.08	100%	14630	$ 15,800	$ 1.08	0.0%	100%	$ 15,800	$ -	
		Bricks / ea.	$ 3.45	$ 3.66	94%	130	$ 449	$ 3.66	6.1%	100%	$ 476	$ 27	
		ADA Ramp / ea.	$ 1,434	$ 1,568	91%	21	$ 30,114	$ 1,568	9.3%	100%	$ 32,928	$ 2,814	

CHARGES FOR SERVICES

			Current Status Based on FY 22-23 Data					Proposed Fees for FY 24-25					
Department	**Fee Category**	**Service Description**	**Current Fee**	**City Cost**	**Cost Recovery**	**Units of Service**	**Revenue Generated**	**Proposed Fee**	**% Change in Fee**	**New Cost Recovery**	**Projected Revenue**	**Change in Revenue**	**Comments**
Public Works	Regulatory Sign Fees	**STOP 30"**	$ 125	$ 132	95%	0	$ -	$ 132	5.6%	100%	$ -	$ -	Charges to developers for the City to install the initial set of traffic signs in a new subdivision. Developers have the option to have the signs fabricated by a private contractor and install the signs themselves with no charge paid to the City; however the signs must meet the City sign standards for material and installation hardware. The charges are also used for traffic signs damaged in auto accidents. Signs in **Bold type** are typical signs that would be installed in new subdivision.
		STOP 36"	$ 136	$ 143	95%	0	$ -	$ 143	5.3%	100%	$ -	$ -	
		30" STOP with All Way Plaque	$ 136	$ 140	97%	0	$ -	$ 140	2.8%	100%	$ -	$ -	
		36" STOP with All Way Plaque	$ 141	$ 147	96%	0	$ -	$ 147	4.0%	100%	$ -	$ -	
		30" STOP with double street names (6 3/4")	$ 206	$ 206	100%	0	$ -	$ 206	0.0%	100%	$ -	$ -	
		30" STOP with double street names (9")	$ 238	$ 238	100%	0	$ -	$ 238	0.0%	100%	$ -	$ -	
		30" STOP with double street names and cross traffic does not stop (6 3/4")	$ 228	$ 228	100%	0	$ -	$ 228	0.0%	100%	$ -	$ -	
		30" STOP with double street names and cross traffic does not stop (9")	$ 262	$ 262	100%	0	$ -	$ 262	0.0%	100%	$ -	$ -	
		30" STOP with double street names and Street Ends or No Outlet (6 3/4")	$ 238	$ 238	100%	0	$ -	$ 238	0.0%	100%	$ -	$ -	
		30" STOP with double street names and Street Ends or No Outlet (9")	$ 283	$ 283	100%	0	$ -	$ 283	0.0%	100%	$ -	$ -	
		30" STOP with double one way arrow	$ 157	$ 160	98%	0	$ -	$ 160	1.6%	100%	$ -	$ -	
		30" STOP with double one way arrows (back to back)	$ 161	$ 164	98%	0	$ -	$ 164	2.0%	100%	$ -	$ -	
		30" STOP with double one way arrows and cross traffic does not stop	$ 185	$ 185	100%	0	$ -	$ 185	0.0%	100%	$ -	$ -	
		YIELD 36"	$ 123	$ 129	95%	0	$ -	$ 129	5.2%	100%	$ -	$ -	
		Right Lane Must Turn Right 30 X 30	$ 127	$ 133	95%	0	$ -	$ 133	4.9%	100%	$ -	$ -	

CHARGES FOR SERVICES

			Current Status Based on FY 22-23 Data					Proposed Fees for FY 24-25					
Department	**Fee Category**	**Service Description**	**Current Fee**	**City Cost**	**Cost Recovery**	**Units of Service**	**Revenue Generated**	**Proposed Fee**	**% Change in Fee**	**New Cost Recovery**	**Projected Revenue**	**Change in Revenue**	**Comments**
Public Works	Regulatory Sign Fees	Center Lane Sign 24 X 30	$ 123	$ 130	94%	0	$ -	$ 130	6.0%	100%	$ -	$ -	Charges to developers for the City to install the initial set of traffic signs in a new subdivision. Developers have the option to have the signs fabricated by a private contractor and install the signs themselves with no charge paid to the City; however the signs must meet the City sign standards for material and installation hardware. The charges are also used for traffic signs damaged in auto accidents. Signs in **Bold type** are typical signs that would be installed in new subdivision.
		One Way 12 X 36	$ 113	$ 119	95%	0	$ -	$ 119	5.6%	100%	$ -	$ -	
		One Way (double sided) 12 X 36	$ 122	$ 127	96%	0	$ -	$ 127	4.3%	100%	$ -	$ -	
		DO NOT ENTER 30 X 30	$ 127	$ 133	96%	0	$ -	$ 133	4.6%	100%	$ -	$ -	
		Speed Limit 20/25/30/35/40 24 X 30	$ 121	$ 128	95%	0	$ -	$ 128	5.7%	100%	$ -	$ -	
		Speed Limit 25 with yellow border 32 X 42	$ 140	$ 147	95%	0	$ -	$ 147	4.8%	100%	$ -	$ -	
		No Left/Right/U-turn Turn (symbol) 24 X 24	$ 117	$ 124	95%	0	$ -	$ 124	5.8%	100%	$ -	$ -	
		Keep Right (symbol) with Stripe Board (8 x 18) 18 X 24	$ 127	$ 132	96%	0	$ -	$ 132	4.2%	100%	$ -	$ -	
		Keep Right (symbol) with Stripe Board (12 x 36) 24 X 30	$ 141	$ 147	96%	0	$ -	$ 147	4.3%	100%	$ -	$ -	
		2hr Parking, Res Permit Parking 12 X 18	$ 108	$ 113	95%	0	$ -	$ 113	4.9%	100%	$ -	$ -	
		No Parking, Handicap Parking 12 X 18	$ 107	$ 113	94%	0	$ -	$ 113	5.9%	100%	$ -	$ -	
		No Parking; No Parking, Stopping, Standing; Loading Zone 18 X 24	$ 118	$ 123	96%	0	$ -	$ 123	4.1%	100%	$ -	$ -	
		Replace Pole Only	$ 110	$ 114	97%	0	$ -	$ 114	3.2%	100%	$ -	$ -	
		Reset Existing Sign	$ 91	$ 91	100%	0	$ -	$ 91	0.0%	100%	$ -	$ -	
		End of Roadway Diamonds 18 X 18	$ 110	$ 116	95%	0	$ -	$ 116	5.3%	100%	$ -	$ -	

CHARGES FOR SERVICES

			Current Status Based on FY 22-23 Data					Proposed Fees for FY 24-25					
Department	**Fee Category**	**Service Description**	**Current Fee**	**City Cost**	**Cost Recovery**	**Units of Service**	**Revenue Generated**	**Proposed Fee**	**% Change in Fee**	**New Cost Recovery**	**Projected Revenue**	**Change in Revenue**	**Comments**
Public Works	Warning Sign Fees	**Stripe Board 12 X 36**	$ 113	$ 119	95%	0	$ -	$ 119	5.6%	100%	$ -	$ -	Charges to developers for the City to install the initial set of traffic signs in a new subdivision. Developers have the option to have the signs fabricated by a private contractor and install the signs themselves with no charge paid to the City; however the signs must meet the City sign standards for material and installation hardware. The charges are also used for traffic signs damaged in auto accidents. Signs in **Bold type** are typical signs that would be installed in new subdivision.
		Curve Warning / Stop Ahead/ Signal Ahead/ Intersection Ahead 30 X 30	$ 127	$ 133	95%	0	$ -	$ 133	5.0%	100%	$ -	$ -	
		Curve Warning with Advisory Speed Plaque	$ 143	$ 148	96%	0	$ -	$ 148	3.7%	100%	$ -	$ -	
		Direction Arrow (L/R/D) with 2 Stripe Boards	$ 168	$ 172	97%	0	$ -	$ 172	2.6%	100%	$ -	$ -	
		Chevron 18 X 24	$ 113	$ 119	95%	0	$ -	$ 119	5.6%	100%	$ -	$ -	
		Splitter Island Sign; No Trespassing 24 X 24	$ 119	$ 125	95%	0	$ -	$ 125	5.0%	100%	$ -	$ -	
		Advance Railroad Warning 30"	$ 123	$ 131	94%	0	$ -	$ 131	6.5%	100%	$ -	$ -	
		Cross Traffic Does Not Stop 18 X 30	$ 117	$ 123	95%	0	$ -	$ 123	4.8%	100%	$ -	$ -	
Public Works	Pedestrian Sign Fees	**Pedestrian / School Crosswalk with diagonal arrow, AHEAD, or SCHOOL plaque**	$ 160	$ 162	99%	0	$ -	$ 162	1.3%	100%	$ -	$ -	
Public Works	Pedestrian Sign Fees	Pedestrian / School Crosswalk with diagonal arrow or AHEAD plaque and Sign Post Panel	$ 178	$ 183	97%	0	$ -	$ 183	2.8%	100%	$ -	$ -	
	Street Name Sign Fees	Double Sided Blade 6 3/4 X 30	$ 117	$ 117	100%	0	$ -	$ 117	0.0%	100%	$ -	$ -	
		Double Sided Blade/No Outlet/Street Ends 6 3/4 X 36	$ 120	$ 120	100%	0	$ -	$ 120	0.0%	100%	$ -	$ -	
		Double Sided Blade 6 3/4 X 42	$ 124	$ 124	100%	0	$ -	$ 124	0.0%	100%	$ -	$ -	
	Street Name Sign Fees	Double Sided Blade/No Outlet/Street Ends 9 X 36	$ 124	$ 124	100%	0	$ -	$ 124	0.0%	100%	$ -	$ -	
		Double Sided Blade 9 X 42	$ 130	$ 130	100%	0	$ -	$ 130	0.0%	100%	$ -	$ -	

CITY OF Springfield

Fee in Lieu of

This new section is for fees in lieu of construction allowed by City Code. When sidewalk construction or detention for flood control is required, a request may be considered by the City to accept a fee in lieu of construction when certain conditions exist, or construction is not practical in the location. The decision to accept the fee in lieu of construction rests with the City Manager and/or the Director of Public Works. The fees collected are maintained in separate funds and are used for future construction needs within that area.

FEE IN LIEU OF

			Current Status Based on FY 22-23 Data					Proposed Fees for FY 24-25					
Department	Fee Category	Service Description	Current Fee	City Cost	Cost Recovery	Units of Service	Revenue Generated	Proposed Fee	% Change in Fee	New Cost Recovery	Projected Revenue	Change in Revenue	Comments
Public Works	Fee in Lieu of Sidewalk Construction	Per linear foot of Sidewalk	$ 34.32	$ 84.32	41%	6,762	$ 232,072	$ 84.32	145.7%	100%	$ 570,172	$ 338,100	Per City Code, for any new development, redevelopment, or subdivision activity, sidewalk must be constructed if not already in place along applicable public street frontages. As outlined in City Code, if certain conditions or hardships exist that would not make construction of sidewalk practical, the Administrative Review Committee (ARC) may consider a request from the developer to pay a fee in lieu of constructing the sidewalk. If approved by ARC, the developer may pay a fee in lieu of the appropriate sidewalk footage to allow issuance of the building permit or final plat approval without constructing sidewalk. At a time to be determined by the City Manager and/or Director of Public Works, collected fees in lieu of shall be used to construct sidewalk in the same City Council Zone as the property from where the fee was collected. The total amount to be paid by the developer is determined at the time of issuance of the building permit by multiplying the approved linear footage approved by ARC by the current approved fee in lieu of.
Public Works	Fee in Lieu of Stormwater Detention - One or Two Family Residential	Volume of Detention 0-24,000 c.f.	$ 1.09	$ 1.12	97%	10,202	$ 11,120	$ 1.12	3.0%	100%	$ 11,454	$ 334	Whenever detention for flood control is required pursuant to the flood control and water quality protection manual, the applicant may propose to pay a fee in lieu of constructing partial or full detention. The criteria and conditions under which a project is eligible for a fee-in-lieu payment are established in the flood control and water quality protection manual. The decision to accept the fee in lieu of detention shall rest with the director of public works. The fees shall be used by the city to construct, improve and maintain regional detention and conveyance systems within the drainage basin where the detention would have been constructed. The two major drainage basins in the city are the Sac River and James River basins.
		Volume of Detention 24,001-100,000 c.f.	$ 0.55	$ 0.57	97%	0	$ -	$ 0.57	3.0%	100%	$ -	$ -	
		Volume of Detention > 100,001 c.f.	$ 0.55	$ 0.57	97%	0	$ -	$ 0.57	3.0%	100%	$ -	$ -	
	Fee in Lieu of Stormwater Detention - Other Land Uses	Volume of Detention 0-24,000 c.f.	$ 2.73	$ 2.81	97%	24,200	$ 66,066	$ 2.81	3.0%	100%	$ 68,048	$ 1,982	
		Volume of Detention 24,001-100,000 c.f.	$ 1.64	$ 1.69	97%		$ -	$ 1.69	3.0%	100%	$ -	$ -	
		Volume of Detention > 100,001 c.f.	$ 1.09	$ 1.12	97%	0	$ -	$ 1.12	3.0%	100%	$ -	$ -	

Ordinance Violation Charges

The charges in this category have been established by City ordinance, as allowed by State statutes, to recover the costs incurred by the City while enforcing certain ordinance violations. Violators may also be subject to punitive fines and court costs ordered by the Municipal Court. Due to the special nature of these charges, full cost recovery is maintained each year regardless of the percentage adjustment required. All of these charges relate to DWI offenses, probation, animal impoundment, or weed, health and tree abatements.

ORDINANCE VIOLATION CHARGES

			Current Status Based on FY 22-23 Data					Proposed Fees for FY 24-25					
Department	**Fee Category**	**Service Description**	**Current Fee**	**City Cost**	**Cost Recovery**	**Units of Service**	**Revenue Generated**	**Proposed Fee**	**% Change in Fee**	**New Cost Recovery**	**Projected Revenue**	**Change in Revenue**	**Comments**
Public Works	Tree Abatement	Investigation and Processing Charge	$ 263	$ 263	100%	0	$ -	$ 263	0.0%	100%	$ -	$ -	City Code provides for the recovery of costs incurred by the City to abate property of trees creating hazards to public ways when the property owner fails to respond to proper notice of the violation.
		Abatement Charge (Per Hour)	$ 399	$ 526	76%	0	$ -	$ 526	31.8%	100%	$ -	$ -	
		Each Hour or portion thereof by City Crew or Contractor Charge (City Contract)	Contract	Contract	100%	0	N/A	Contract	Contract	100%	N/A	N/A	Investigation and Processing Charge recovers the administrative costs to investigate and process a Tree Abatement. Abatement Charge establishes the charge for each hour or portion thereof for the City to physically abate the conditions contained in the Tree Abatement notice, including drive time, setup time, and cleanup time. The property owner is also responsible for the charge of landfill fees for eliminating the debris. Alternatively, the City may choose to abate the nuisance through an outside contract. The contract costs to the City will be charged to the property owner.

Enterprise Fund Fees

Fees in this section are determined differently than the other fees in this study. These fees are established to recover operating costs as well as recover long-term capital investment. They are being included in this document to ensure annual review. These charges relate to Sanitary Landfill and Clean Water Services.

ENTERPRISE FUND FEES

			Current Status Based on FY 22-23 Data			Proposed Fees for FY 24-25				
Department	**Fee Category**	**Service Description**	**Current Fee**	**Units of Service**	**Revenue Generated**	**Proposed Fee**	**% Change in Fee**	**Projected Revenue**	**Change in Revenue**	**Comments**
Environmental Services	Clean Water Services	Fats, Oils, and Grease (FOG)	$ 178	1,086	$ 193,308	$ 196	9.9%	$ 212,443	$ 19,135	As a result of the new EPA/MDNR mandates, all Food Service Establishments (FSEs) must be permitted and inspected regularly to ensure proper FOG removal devices are in place and maintained properly.
		Industrial Pretreatment Fees (IPP): Categorical Industrial User (CIU)	$ 3,439	25	$ 85,975	$ 3,779	9.9%	$ 94,475	$ 8,500	Any industrial user subject to a regulation containing pollutant discharge limits promulgated by the USEPA in accordance with section 307(b) and © of the act, which applies to industrial users. Includes prohibitive discharge limits established pursuant to section 403.5 of the act, categorical pretreatment standards, restricted discharges and local limits.
		Categorical Industrial User - No Discharge (CIU-ND)	$ 1,054	4	$ 4,216	$ 1,158	9.9%	$ 4,632	$ 416	Any industrial user subject to a regulation containing pollutant discharge limits promulgated by the USEPA in accordance with section 307(b) and (c) of the act, which applies to industrial users. Includes prohibitive discharge limits established pursuant to section 403.5 of the act, categorical pretreatment standards, restricted discharges and local limits. Must be permitted and monitored as a no-discharge facility to ensure they do not discharge wastewaters to the Publicly Owned Treatment Works; either by evaporation, off-site treatment, or other means of wastewater disposal.

ENTERPRISE FUND FEES

			Current Status Based on FY 22-23 Data			Proposed Fees for FY 24-25				
Department	**Fee Category**	**Service Description**	**Current Fee**	**Units of Service**	**Revenue Generated**	**Proposed Fee**	**% Change in Fee**	**Projected Revenue**	**Change in Revenue**	**Comments**
Environmental Services	Clean Water Services	Significant Industrial User (SIU)	$ 4,791	11	$ 52,701	$ 5,265	9.9%	$ 57,915	$ 5,214	Industrial user that discharges an average of 25,000 gdp or more of process wastewater to the POTW, contributes a process waste stream which makes up five percent more of the average dry weather hydraulic or organic capacity of the POTW treatment plant, is designated as such by the POTW on the basis that it has reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
		Industrial User (IU)	$ 781	27	$ 21,087	$ 858	9.9%	$ 23,166	$ 2,079	Any nonresidential user identified in division A, B, D, E, or I of the Standard Industrial Classification Manual or any user which discharges wastewater containing toxic or poisonous substances or any substance which cause interference or pass through in the POTW.
		Surcharge-Industrial User-High Strength With Excess BOD/TSS	$ 798	22	$ 17,556	$ 877	9.9%	$ 19,294	$ 1,738	Some industrial customers have wastewater that is made up of higher concentrations of pollutants that increase the City's cost for treatment. As a result, these customers pay a surcharge for wastewater treatment. Currently, the surcharge is applied to two pollutants; Biochemical Oxygen Demand (BOD) and Total Suspended Solids (TSS). BOD is regulated because of low levels of oxygen in the water causes fish kills and other aquatic life impacts. TSS is regulated because the solids in water block sunlight and make photosynthesis more difficult so plant food sources don't grow for fish and aquatic life.
		Testing Charges	*		$ 95,534	*		$ 95,534	$ -	*Testing charges vary by industry due to number and type of parameter analyses required, pricing based on local private laboratory charges.

ENTERPRISE FUND FEES

			Current Status Based on FY 22-23 Data			Proposed Fees for FY 24-25				
Department	**Fee Category**	**Service Description**	**Current Fee**	**Units of Service**	**Revenue Generated**	**Proposed Fee**	**% Change in Fee**	**Projected Revenue**	**Change in Revenue**	**Comments**
Environmental Services	Sanitary Landfill and Associated Facilities	One Yard of Wood Mulch	$ 8.00	10,057	$ 80,456	$ 8.75	9.4%	$ 87,999	$ 7,543	An unscreened landscaping mulch of ground, woody materials for use on flower beds, shrubs, trees, and pathways.
		One Yard of Fine Wood Mulch	$ 19.00	2,194	$ 41,686	$ 20.00	5.3%	$ 43,880	$ 2,194	A fine textured landscaping mulch of ground, woody materials for use on flower beds, shrubs, trees and pathways.
		One Yard of Finished Compost	$ 28.00	4,176	$ 116,928	$ 30.00	7.1%	$ 125,280	$ 8,352	A high quality compost of yard and garden organic materials.
		Brush Lot Fee Car/SUV/Pickup or Trailer <8'	$ 9.50	12,665	$ 120,318	$ 10.25	7.9%	$ 129,816	$ 9,499	Gate fee for brush disposal at Yardwaste Recycling Center.
		Brush Lot Fee Trailer 8'-12'	$ 17.75	3,390	$ 60,173	$ 19.50	9.9%	$ 66,105	$ 5,933	
		Brush Lot Fee Trailer 12'-16'	$ 23.50	2,186	$ 51,371	$ 25.50	8.5%	$ 55,743	$ 4,372	
		Brush Lot Fee Trailer Dump Truck	$ 35.00	20	$ 700	$ 38.00	8.6%	$ 760	$ 60	
		Brush Lot Fee Large Volume $/cubic yard	$ 6.00	-	$ -	$ 6.50	8.3%	$ -	$ -	
		One Bag Mopost	$ 4.50	656	$ 2,952	$ 4.50	0.0%	$ 2,952	$ -	Fee for bagged compost and mulch products and sold at City recycling sites.
		One Bag Momulch	$ 3.50	224	$ 784	$ 3.50	0.0%	$ 784	$ -	
		YRC Delivery Fee (10 Mile Radius)	$ 46.00	60	$ 2,760	$ 46.00	0.0%	$ 2,760	$ -	Fee for delivery of bulk mulch or compost and mulch products produced and sold at City recycling sites.
		YRC Delivery Fee (Per Mile 10-20 Miles)	$ 2.35	154	$ 362	$ 2.60	10.6%	$ 400	$ 39	
		Tipping Fees	$ 35.47	394,078	$ 13,977,947	$ 38.50	8.5%	$ 15,172,003	$ 1,194,056	Minimum fee for disposal of Municipal Solid Waste, Construction & Demolition Waste, and Other Special Waste accepted by prior approval.

City Code Section Reference Guide

City Code Section Reference Guide

Page #	Description	Code Section	Code Section Title	Department
10	Driveway Permit	98-115	Issuance of permit; fee	Public Works
10	Sidewalk Permit	2-425(b)	Fees	Public Works
10-11	Right of Way Excavation Permit or Inspection	98-45	Fees	Public Works
11	Public Improvement Fee	98-12	Private construction of streets and other public improvements	Public Works/Environmental Services
12	Encroachment Permit - Administrative	98-323	Application and Permit Required	Public Works
12	Encroachment Permit - Council Action	98-322.1	Encroachment license pursuant to special ordinance	Public Works
12	Taxicab and Wrecker Inspection	118-126	Vehicle Inspection Fee	Public Works
14	Escrow Fee	98-14	Assurance for completion of improvements	Public Works
14-15	Hazelwood Burial Services	30-33	Fees and charges generally	Public Works
15	Micromobility device on City Right of Way	98-352	Micromobility device rental program	Public Works
15-16	Right of Way Repairs	98-51	Payment of charges for final repair	Public Works
15-16	Street Sweeping or Flushing	2-425	Fees	Public Works
17-19	Regulatory / Roadway Signs	2-425	Fees and charges generally	Public Works
22	Fee in Lieu of Sidewalk Construction	36-471	Sidewalk/pedestrian walkways	Public Works
22	Fee in Lieu of Stormwater Detention	96-16	Detention fee in lieu	Public Works
24	Tree Abatement	114-31	Trees on private property creating hazard to public ways	Public Works
26	Fats, Oils, Grease	2-425	Fees for City services; license and inspection fees	Clean Water Services
26-27	Industrial Pretreatment Fees	120-5	Fees and charges	Clean Water Services
27	Biosolids	2-425	Fees	Clean Water Services
28	Sanitary Landfill Mulch	2-425	Fees for City services; license and inspection fees	Sanitary Landfill

CITY OF Springfield

EXPLANATION TO COUNCIL BILL 2024-009 (SIMPSON)

FILED: 12/18/2023

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A special ordinance approving the selection of The Salvation Army and Women's Medical Respite as recipients of the City's Coronavirus State and Local Fiscal Recovery Funds allotted for non-congregate shelters; and authorizing the City Manager, or designee, to enter into agreements to carry out the programs.

PURPOSE: To allocate the City's Coronavirus State and Local Fiscal Recovery Funds under Special Ordinance 27874 for the creation of a homeless shelter based on acceptable proposals from non-profit organizations and authorizing the City Manager to enter into funding agreements as necessary with the agencies.

BACKGROUND INFORMATION: By Special Ordinance 27538 City Council accepted the award of $40,276,290 in Coronavirus State and Local Fiscal Recovery ("SLFRF") Funds from the U.S. Department of Treasury. SLFRF must be obligated by December 31, 2024, and all funds expended by December 31, 2026.

By Special Ordinance 27730 City Council allotted $7,000,000 for Housing/Homeless Projects.

By Special Ordinance 27874 City Council allotted up to $1,927,610 for the development of congregate or non-congregate homeless shelter.

The Department of Planning and Development issued a Notice of Funding Availability ("NOFA") with a Request for Proposals ("RFP") on August 7, 2023, for Homeless Emergency Shelter Grants for agencies to acquire, construct, renovate, or rehabilitate buildings for sheltering homeless persons.

Three agencies responded to the RFP with proposals to develop congregate shelters. "Exhibit A" shows the amount proposed by each agency. The proposals were evaluated by a 5-member staff committee using the Criteria in "Exhibit A." The agencies were The Salvation Army, The Council of Churches of the Ozarks, and Women's Medical Respite, all of whom currently aid homeless persons. A summary of the Evaluation is provided in "Exhibit B."

Staff recommends award to The Salvation Army and Women's' Medical Respite, the top ranked agencies. After researching the Treasury ARPA regulations, it was determined that a large part of Women's Medical Respite's proposed use of funds to pay a current debt on their facility is ineligible. The amount of The Salvation Army's proposal will not be significantly jeopardized if their award is reduced by $27,910, which

is the amount of eligible expenses for Women's Medical Respite project.

REMARKS:
City Council must approve the selection of and the award of ARPA funds for these agencies and authorize the City Manager to enter into the agreements to carry out the programs and reallocate any unused funds to meet the grant obligation and expenditure deadlines.

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 12/29/2023

Attachments:
1. ARPA Shelter Award_ Ord
2. ARPA Shelter Awards_exhA
3. ARPA Shelter Awards_exhB

One-rdg. _____
P. Hrngs. _____
Pgs. 13
Filed: 01-02-24

Sponsored by: Simpson

First Reading: _____ Second Reading: _____

COUNCIL BILL 2024-009 SPECIAL ORDINANCE _____

AN ORDINANCE

APPROVING the selection of The Salvation Army and Women's Medical Respite as recipients of the City's Coronavirus State and Local Fiscal Recovery Funds allotted for non-congregate shelters; and authorizing the City Manager, or designee, to enter into agreements to carry out the programs.

_____

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

WHEREAS, City Council, through Special Ordinance 27730 adopted on July 25, 2022, allotted $7,000,000 of the City's Coronavirus State and Local Fiscal Recovery Funds for housing/homeless projects; and

WHEREAS, City Council, through Special Ordinance 27874 adopted on July 10, 2023, directed that, from the $7,000,000 allocated for housing/homeless projects, $1,927,610 be applied specifically for the development of non-congregate shelters; and

WHEREAS, three agencies, The Salvation Army, The Council of Churches of the Ozarks, and Women's Medical Respite responded to the Request for Proposals ("RFP"); and

WHEREAS, the three proposals were evaluated by a 5-member staff committee using the criteria set forth in "Exhibit A"; and

WHEREAS, upon evaluation, the 5-member staff committee recommends an award to The Salvation Army in the amount of $1,832,569 and an award to Women's Medical Respite in the amount of $29,111; and

WHEREAS, City Council must approve the selection of these agencies to receive the designated Coronavirus State and Local Fiscal Recovery Funds and must authorize the City Manager, or his designee, to enter into agreements to carry out the programs.

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

Section 1 – City Council approves the selection of The Salvation Army and Women's Medical Respite as recipients of the City's Coronavirus State and Local Fiscal Recovery Funds allotted for non-congregate shelters.

Section 2 – City Council hereby authorizes the City Manager, or his designee, to develop and enter into funding agreements with The Salvation Army and Women's Medical Respite for the recommended funding amounts set forth in "Exhibit B," which is attached hereto and incorporated herein by reference, provided that any agreements or documents executed pursuant to this authority are in a form approved by the City Attorney.

Section 3 –This Ordinance shall be in full force and effect from and after passage.

Passed at meeting: _____

_____
Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: _____, Assistant City Attorney

Approved for Council action: _____, City Manager

EXHIBIT A

Homeless Emergency Shelter Proposal Ranking Score Sheet

Scoring Ranges

	15 Point Questions	10 Point Questions	5 Point Questions
Acceptable	10 – 15	7 – 10	4 – 5
Marginal	7 – 9	5 – 7	2 – 3
Unacceptable	0 – 6	0 – 4	0 – 1

	Evaluation Criteria	Maximum Points	Score
1.	**Evidence of Experience with Shelter Operations** - the applicant must be able to demonstrate in detail that their organization has prior experience with operating shelters for those that are homeless, and/or those Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking, as defined by HUD, in accordance with current Homeless Management Information System (HMIS) standards, and utilizing a Housing First approach.	15	_____
2.	**Agency's Capacity** - The applicant must describe the proposed program staffing, including the experience of key staff members, and support the proposed level of staffing and resources needed to operate the program effectively.	15	_____
3.	**Experience with Federal Grant Funding and OAEH Involvement** – the applicant organization must have a high level of experience with federal grant funding and reporting, including the tracking of racial and demographic information for unduplicated beneficiaries. The applicant must be committed to or demonstrate active involvement in the Ozarks Alliance to End Homelessness (OAEH).	10	_____
4.	**Addition of Shelter Beds** – the completion of the homeless Emergency Shelter project must result in a cumulative increase in the number of shelter beds within the OAEH.	10	_____
5.	**Project Readiness** – the applicant must be able to demonstrate in detail that the project is shovel ready and can be fully completed, and the funds can be fully expended, with all City reimbursement requests being processed prior to 12/31/2026. Preference will be given to projects in which the applicant has appropriate site control, architectural plans are in place, and zoning requirements are met at the time of proposal submission. The applicant must provide evidence that the developer has appropriate skills and experience related to the development of shelters or other similar facilities.	10	_____
6.	**Location Factors –** all projects must be located within the city limits of	5	_____

Springfield and must fully comply with zoning requirements at the time of proposal submission. Preference will be given to proposals that are located on or near a city bus line.

7.	**Cost Effectiveness** - the applicant's proposal allows for the most efficient and cost-effective use of ARPA funds so that the greatest number of qualifying populations of individuals and families will be assisted.	5	_____
8.	**Reliable Source of Secured Operating Funding** – the applicant must be able demonstrate in detail that the organization has secured a clear and reliable source of funding for operating the homeless ES. The sources and uses of the operating funding must be enumerated in detail. (Operating costs cannot be paid with ARPA funding).	10	_____
9.	**Leveraging** – projects will be prioritized that can provide matching funds to the project, including funds that have been obligated toward shelter operations. The applicant must demonstrate how the proposed program will leverage other funding or resources to serve more clients or provide additional services.	10	_____
10.	**NOFA Funding will Fully Complete Project** – as of the time of proposal submittal, the funding associated with this NOFA / RFP must be sufficient to allow the homeless ES project to be fully completed. The applicant must demonstrate that U.S. Treasury Department ARPA funds will be fully expended prior to 12/31/2026.	10	_____

Ranked By: _____

TOTAL POINTS (100) _____

HOME-ARPA ALLOCATIONS					
PROJECTS	requested	%		awarded	% of request
TKI - Non Congregate Shelter	$1,976,753	55%		$1,976,753	100%
3 Rentals - SCLT / Rebound / Sankofa	$1,238,950	34%		$1,238,950	100%
Support Services	$400,000	11%		$400,000	100%
TOTAL	$3,615,703			$3,615,703	

Final allocations or adjustment are permitted up to 25% in any project category for required changes during imlementation and final subgrantee agreements. The total allocation will not be changed.

CITY SLFRF ARPA ALLOCATION for CONGREGATE SHELTER					
PROJECTS	requested	%		recommendation	% of request
Council of Churches - Safe to Sleep	$1,100,000	35%		$0	0%
Salvation Army - Harbor House	$1,861,680	60%		$1,833,770	99%
Women's Medical Respite	$144,442	5%		$27,910	19%
TOTAL	$3,106,122			$1,861,680	

Final allocations or adjustment are permitted up to 25% in any project category for required changes during imlementation and final subgrantee agreements. The total allocation will not be changed.

Homeless Emergency Shelter Proposals

ARPA proposals Congregate Shelter - $1,876,760

Grant term: 3/1/2021 - 12/31/2026

Proj.	Project Name	Agency	Requested	Experce Shltr Op 1	Agency Capacity 2	Experience Fed Grants & OAEH 3	Added Shelter Beds 4	Project Readiness 5	Location Factors 6	Cost Effective 7	Secured Op Funds 8	Leveraging 9	Complete Project 10	TOTAL	comm mbr#
sts	STS	**Council of Churches - Safe to Sleep**	$ 1,100,000.00	13	15	10	1	2	3	3	7	6	4	64	1
sa	SA	**Salvation Army - Harbor House**	$ 1,861,680.00	15	15	10	10	7	5	5	8	10	9	94	BJ
wmr	WMR	**Women's Medical Respite**	$ 144,442.31	9	11	7	10	8	5	3	3	10	7	73	
		SUBTOTAL	$ 3,106,122.31												
sts	STS	**Council of Churches - Safe to Sleep**	$ 1,100,000.00	15	10	10	0	3	1	1	7	4	4	55	comm mbr#
sa	SA	**Salvation Army - Harbor House**	$ 1,861,680.00	15	15	10	10	7	5	2	10	5	5	84	2
wmr	WMR	**Women's Medical Respite**	$ 144,442.31	12	10	5	10	10	5	5	4	4	10	75	DF
		SUBTOTAL	$ 3,106,122.31												
sts	STS	**Council of Churches - Safe to Sleep**	$ 1,100,000.00	15	15	10	1	3	3	3	8	10	9	77	comm mbr#
sa	SA	**Salvation Army - Harbor House**	$ 1,861,680.00	14	15	10	10	10	4	5	8	10	9	95	3
wmr	WMR	**Women's Medical Respite**	$ 144,442.31	15	15	8	10	9	4	5	7	8	10	91	GT
		SUBTOTAL	$ 3,106,122.31												
sts	STS	**Council of Churches - Safe to Sleep**	$ 1,100,000.00	15	15	10	0	3	2	3	10	10	5	73	comm mbr#
sa	SA	**Salvation Army - Harbor House**	$ 1,861,680.00	15	15	10	10	10	3	5	7	10	10	95	4
wmr	WMR	**Women's Medical Respite**	$ 144,442.31	15	10	8	10	7	5	5	5	10	10	85	LG
		SUBTOTAL	$ 3,106,122.31												
sts	STS	**Council of Churches - Safe to Sleep**	$ 1,100,000.00	14	12	8	7	3	4	4	9	9	7	77	comm mbr#
sa	SA	**Salvation Army - Harbor House**	$ 1,861,680.00	12	13	7	10	9	5	4	9	10	7	86	4
wmr	WMR	**Women's Medical Respite**	$ 144,442.31	10	12	5	7	10	4	3	4	10	9	74	BA
		SUBTOTAL	$ 3,106,122.31												

copy & paste Row 5 to 24 below then sort by Column B to put all 5 scores for each agency together

ARPA proposals Congregate Shelter - $1,876,76

				15	15	10	10	10	5	5	10	10	10	

Grant term: 3/1/2021 - 12/31/2026

Proj.	Project Name	Agency	Requested	Experce Shltr Op 1	Agency Capacity 2	Experience Fed Grants & OAEH 3	Added Shelter Beds 4	Project Readiness 5	Location Factors 6	Cost Effective 7	Secured Op Funds 8	Leveraging 9	Complete Project 10	TOTAL
sa	SA	**Salvation Army - Harbor House**	$ 1,861,680.00	15	15	10	10	7	5	5	8	10	9	94
sa	SA	**Salvation Army - Harbor House**	$ 1,861,680.00	15	15	10	10	7	5	2	10	5	5	84
sa	SA	**Salvation Army - Harbor House**	$ 1,861,680.00	14	15	10	10	10	4	5	8	10	9	95
sa	SA	**Salvation Army - Harbor House**	$ 1,861,680.00	15	15	10	10	10	3	5	7	10	10	95

sa	SA	**Salvation Army - Harbor House**	$ 1,861,680.00	12	13	7	10	9	5	4	9	10	7	86	454
		Salvation Army - Harbor House	$ 1,861,680.00	71	73	47	50	43	22	21	42	45	40	454	
sts	STS	**Council of Churches - Safe to Sleep**	$ 1,100,000.00	13	15	10	1	2	3	3	7	6	4	64	
sts	STS	**Council of Churches - Safe to Sleep**	$ 1,100,000.00	15	10	10	0	3	1	1	7	4	4	55	
sts	STS	**Council of Churches - Safe to Sleep**	$ 1,100,000.00	15	15	10	1	3	3	3	8	10	9	77	
sts	STS	**Council of Churches - Safe to Sleep**	$ 1,100,000.00	15	15	10	0	3	2	3	10	10	5	73	
sts	STS	**Council of Churches - Safe to Sleep**	$ 1,100,000.00	14	12	8	7	3	4	4	9	9	7	77	346
		Council of Churches - Safe to Sleep	$ 1,100,000.00	72	67	48	9	14	13	14	41	39	29	346	
wmr	WMR	**Women's Medical Respite**	$ 144,442.31	9	11	7	10	8	5	3	3	10	7	73	
wmr	WMR	**Women's Medical Respite**	$ 144,442.31	12	10	5	10	10	5	5	4	4	10	75	
wmr	WMR	**Women's Medical Respite**	$ 144,442.31	15	15	8	10	9	4	5	7	8	10	91	
wmr	WMR	**Women's Medical Respite**	$ 144,442.31	15	10	8	10	7	5	5	5	10	10	85	
wmr	WMR	**Women's Medical Respite**	$ 144,442.31	10	12	5	7	10	4	3	4	10	9	74	398
		Women's Medical Respite	$ 144,442.31	61	58	33	47	44	23	21	23	42	46	398	

EXHIBIT B

Homeless Emergency Shelter Program proposals **ARPA proposals Congregate Shelter - $1,861,680**

Grant term: 3/1/2021 - 12/31/2026		Experce Shltr Op	Agency Capacity	Experience Fed Grants & OAEH	Added Shelter Beds	Project Readiness	Location Factors	Cost Effective	Secured Op Funds	Leveraging	Complete Project	
Agency	Requested	1	2	3	4	5	6	7	8	9	10	TOTAL
Salvation Army - Harbor House	**$ 1,861,680.00**	**71**	**73**	**47**	**50**	**43**	**22**	**21**	**42**	**45**	**40**	**454**
Council of Churches - Safe to Sleep	**$ 1,100,000.00**	**72**	**67**	**48**	**9**	**14**	**13**	**14**	**41**	**39**	**29**	**346**
Women's Medical Respite	**$ 144,442.31**	**61**	**58**	**33**	**47**	**44**	**23**	**21**	**23**	**42**	**46**	**398**
Total score possible		***75***	***75***	***50***	***50***	***50***	***25***	***25***	***50***	***50***	***50***	***500***

CITY SLFRF ARPA ALLOCATION for CONGREGATE SHELTER

PROJECTS	REQUESTED	% of requested funds	RECOMMENDATION	% of request to available funds
Salvation Army - Harbor House	**$1,861,680**	**59.9%**	**$1,832,569**	**98.4%**
Council of Churches - Safe to Sleep	**$1,100,000**	**35.4%**	**$0**	**0.0%**
Women's Medical Respite *	**$144,442**	**4.7%**	**$29,111**	**1.6%**
TOTAL	**$3,106,122**		**$1,861,680**	

Women's Medical Respite *

Requested Total per Line Item	NOT ELIGIBLE	ELIGIBLE	NOTES
$17,433.00	$0.00	**$17,433.00**	Furnace Replacement
$114,431.02	$114,431.02	**$0.00**	Facility debt payments
$9,620.00	$0.00	**$9,620.00**	Privacy Fence
$1,201.29	$0.00	**$1,201.29**	Facility Closing Costs
$1,757.00	$900.00	**$857.00**	Security System
$144,442.31	$115,331.02	**$29,111.29**	

Operating costs and debt payments are not eligible expenses.

Homeless Emergency Shelter Program proposals

ARPA proposals Congregate Shelter - $1,861,680

Grant term: 3/1/2021 - 12/31/2026

Agency	Requested	Experce Shltr Op	Agency Capacity	Experience Fed Grants & OAEH	Added Shelter Beds	Project Readiness	Location Factors	Cost Effective	Secured Op Funds	Leveraging	Complete Project	TOTAL
		1	2	3	4	5	6	7	8	9	10	
Women's Medical Respite	$ 144,442.31	61	58	33	47	44	23	21	23	42	46	398
Total score possible		***75***	***75***	***50***	***50***	***50***	***25***	***25***	***50***	***50***	***50***	***500***
% of Total		***81%***	***77%***	***66%***	***94%***	***88%***	***92%***	***84%***	***46%***	***84%***	***92%***	***80%***

CITY SLFRF ARPA ALLOCATION for CONGREGATE SHELTER

PROJECTS	requested	% of requested funds	recommendation	% of request to available funds
Women's Medical Respite *	$144,442	4.7%	$27,910	1.5%
TOTAL (3 requests)	$3,106,122		$1,861,680	

Women's Medical Respite * only $27,910 eligible (operating costs are not eligible)

Requested Total per Line Item	NOT eligible	ELIGIBLE	
17433.00	0.00	17433.00	Furnace Replacement
114431.02	114431.02	0.00	Facility payments
9620.00	0.00	9620.00	Privacy Fence
1201.29	0.00	1201.29	Facility Closing Costs
1757.00	900.00	857.00	Security System
$144,442.31	$115,331.02	$29,111.29	

Homeless Emergency Shelter Program proposals

ARPA proposals Congregate Shelter - $1,861,680

Grant term: 3/1/2021 - 12/31/2026

Agency	Requested	Experce Shltr Op	Agency Capacity	Experience Fed Grants & OAEH	Added Shelter Beds	Project Readiness	Location Factors	Cost Effective	Secured Op Funds	Leveraging	Complete Project	TOTAL
		1	2	3	4	5	6	7	8	9	10	
Council of Churches - Safe to Sleep	$ 1,100,000.00	72	67	48	9	14	13	14	41	39	29	346
Total score possible		***75***	***75***	***50***	***50***	***50***	***25***	***25***	***50***	***50***	***50***	***500***
% of Total		***96%***	***89%***	***96%***	***18%***	***28%***	***52%***	***56%***	***82%***	***78%***	***58%***	***69%***

CITY SLFRF ARPA ALLOCATION for CONGREGATE SHELTER

PROJECTS	requested	% of requested funds	recommendation	% of request to available funds
Council of Churches - Safe to Sleep	$1,100,000	34.5%	$0	0.0%
TOTAL (3 requests)	$3,106,122		$1,861,680	

Homeless Emergency Shelter Program proposals

ARPA proposals Congregate Shelter - $1,861,680

Grant term: 3/1/2021 - 12/31/2026

Agency	Requested	Experce Shltr Op	Agency Capacity	Experience Fed Grants & OAEH	Added Shelter Beds	Project Readiness	Location Factors	Cost Effective	Secured Op Funds	Leveraging	Complete Project	TOTAL
		1	2	3	4	5	6	7	8	9	10	
Salvation Army - Harbor House	$ 1,861,680.00	71	73	47	50	43	22	21	42	45	40	454
Total score possible		***75***	***75***	***50***	***50***	***50***	***25***	***25***	***50***	***50***	***50***	***500***
% of Total		***95%***	***97%***	***94%***	***100%***	***86%***	***88%***	***84%***	***84%***	***90%***	***80%***	***91%***

CITY SLFRF ARPA ALLOCATION for CONGREGATE SHELTER

PROJECTS	requested	% of requested funds	recommendation	% of request to available funds
Salvation Army - Harbor House	$1,861,680	59.9%	$1,833,770	98.5%
TOTAL (3 requests)	$3,106,122		$1,861,680	

EXPLANATION TO COUNCIL BILL 2024-010 (CARROLL)

FILED: 12/21/2023

ORIGINATING DEPARTMENT: Human Resources

TITLE: A special ordinance approving the Eighth Amendment to the July 1, 2021, Collective Bargaining Agreement between the City and the Springfield Police Officers Association, Fraternal Order of Police Lodge 22, representing changes requested by the Springfield Police Officers Association, Fraternal Order of Police Lodge 22, regarding seniority and reinstatements; and authorizing the City Manager, or designee, on behalf of the City, to execute and deliver the Eighth Amendment to the Collective Bargaining Agreement to the Springfield Police Officers Association, Fraternal Order of Police Lodge 22.

PURPOSE: To approve entering into the Eighth Amendment to the July 1, 2021 Collective Bargaining Agreement ("CBA") between the City and the Springfield Police Officers Association, Fraternal Order of Police Lodge 22 (“SPOA”), representing changes requested by the SPOA regarding seniority and reinstatements; and authorizing the City Manager, or his designee, on behalf of the City, to execute and deliver the Eighth Amendment to the Collective Bargaining Agreement to the SPOA.

BACKGROUND INFORMATION: On April 4, 2023, the public voted to amend the City Charter to allow, in certain conditions, for reinstatements to the classified service to occur without the requirement of an open competitive process. The CBA with the SPOA contains provisions regarding seniority that currently require department and rank seniority to be based on the last date of hire. The SPOA has requested changes to these sections, specifically sections 12.4 "Termination of Seniority," and 12.6 "Additional Provisions Applicable to Seniority." These changes will allow reinstated members of the bargaining unit to retain the seniority the reinstated employee had at the time of separation.

The City has previously established a team to represent the City in collective bargaining. The City's team is amenable to the requested changes. Such changes will hopefully encourage eligible, former employees to seek reinstatement within the City's Police Department.

Remarks: The recommendations and explanations contained herein are consistent with City Council's policies. It is respectfully requested that City Council approve this Eighth Amendment to the SPOA CBA and authorize the City Manager, or designee, to enter into the amendment.

Submitted By: Rochelle Yoap, Assistant Director of Human Resources

Authorized for inclusion on the agenda pursuant to City Code section 2-33:
Jason Gage, City Manager 12/28/2023

Attachments:
1. 8th Amendment to SPOA CBA_Ord
2. Ex. 1 8th Am to SPOA CBA

One-rdg. _____
P. Hrngs. _____
Pgs. 6
Filed: 01-02-24

Sponsored by: Carroll

First Reading:_____ Second Reading:_____

COUNCIL BILL 2024-010 SPECIAL ORDINANCE _____

AN ORDINANCE

APPROVING the Eighth Amendment to the July 1, 2021, Collective Bargaining Agreement between the City and the Springfield Police Officers Association, Fraternal Order of Police Lodge 22, representing changes requested by the Springfield Police Officers Association, Fraternal Order of Police Lodge 22, regarding seniority and reinstatements; and authorizing the City Manager, or designee, on behalf of the City, to execute and deliver the Eighth Amendment to the Collective Bargaining Agreement to the Springfield Police Officers Association, Fraternal Order of Police Lodge 22.

WHEREAS, the City and the Springfield Police Officers Association, Fraternal Order of Police Lodge 22 ("SPOA"), are parties to a certain Collective Bargaining Agreement effective July 1, 2021 (the "CBA"); and

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

WHEREAS, the SPOA has requested that the City agree to amend the language in Article 12 "Seniority," Sections 12.4 "Termination of Seniority" and 12.6 "Additional Provisions Applicable to Seniority," so as to allow former employees, upon reinstatement, to retain the seniority the former employee had prior to leaving employment with the City; and

WHEREAS; the City's team is agreeable to amending Sections 12.4 "Termination of Seniority" and 12.6 "Additional Provisions Applicable to Seniority" and reached a tentative agreement with the SPOA to enter into the Eighth Amendment to the CBA to amend Sections 12.4 and 12.6, said tentative agreement being subject to ratification by the bargaining unit and approval by City Council; and

WHEREAS, the bargaining unit voted to ratify the proposed Eighth Amendment on or about December 22, 2023; and

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

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

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

Section 2 – City Council hereby authorizes the City Manager, or designee, to execute and deliver the Eighth Amendment to the CBA to the SPOA. City Council also authorizes the City Manager to enter into and execute any future agreements with the SPOA involving interpretations of language in the CBA, including any amendments thereto.

Section 3 – This Ordinance shall be in full force and effect from and after passage.

Passed at meeting: _____

_____
Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: _____, Assistant City Attorney

Approved for Council action: _____, City Manager

Exhibit 1

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

This Eighth Amendment ("Eighth Amendment") is to the collective bargaining agreement ("CBA") between the City of Springfield, Missouri ("City") and the Springfield Police Officers Association, Fraternal Order of Police Lodge 22 ("SPOA").

Whereas, the City and SPOA are parties to a July 1, 2021 CBA, regarding the bargaining unit defined in the CBA and the CBA was previously amended by First, Second, Third, Fourth, Fifth, Sixth, and Seventh Amendments;

Whereas, the SPOA has requested that the City agree to amend the language in Article 12 "Seniority," Sections 12.4 "Termination of Seniority" and 12.6 "Additional Provisions Applicable to Seniority," so as to allow former employees, upon reinstatement, to retain the seniority the former employee had prior to leaving employment with the City;

Whereas, the City is amenable to making the requested changes and will present to the City's Personnel Board a proposed amendment to Merit Rule 8.12 to allow retirees who are beneficiaries of the Police and Fire Pension Plan to be eligible for reinstatement; and

Whereas all other provisions of the CBA will remain unchanged.

Now therefore, in consideration of the foregoing, and contingent upon approval and authorization from City Council, the parties agree to amend sections 12.4 and 12.6 of the CBA, as set forth below (additions are listed in *italics,* deletions are ~~stricken~~*)* and to be effective upon execution:

12.4 Termination of Seniority

Subject to Section 12.6 below, ~~S~~seniority shall terminate when an employee's employment with the City of Springfield Police Department is terminated for any reason other than a layoff of less than twelve (12) months. If an employee challenges his termination and is reinstated, his seniority date shall be the same as if he had not been discharged.

12.6 Additional Provisions Applicable to Seniority

The City and the SPOA agree that for purposes of annual shift bidding, departmental seniority, and rank seniority, Merit Rule ~~8.7~~ *8.12 regarding reinstatement applies such that a former police department employee reinstated to a position of the same class in the bargaining unit shall have the same seniority as the employee had at the time of separation. This shall apply to any reinstatement that occurs after the date of this amendment. In all instances not involving reinstatement or a layoff of less than twelve (12) months and which occur after* ~~does not apply, and further agree that from and after~~ the November 8, 2015 Letter of Agreement between the

parties, only an employee's most recent hire or rehire date is applicable in accordance with this Article 12.

_____	_____
Justin Hollingsworth, President SPOA 22	Jason Gage, City Manager
_____	_____
Date	Date

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

_____
David Holtmann, Director of Finance

Approved as to form:

_____
City Attorney or Assistant City Attorney

EXPLANATION TO COUNCIL BILL 2024-011 (HORTON)

FILED: 12/19/2023

ORIGINATING DEPARTMENT: Law

TITLE: A special ordinance authorizing the City Manager, or designee, on behalf of the City of Springfield, to enter into a Contract for Sale of Real Estate with Springfield QOZ Self-Storage LLC d/b/a Devon Self-Storage, for 0.43 acres of vacant land in the 300 block of West Chestnut Street; and authorizing the issuance of a quitclaim deed for the same. (Staff recommends approval.)

PURPOSE: To authorize the City Manager, or designee, on behalf of the City of Springfield, to enter into a Contract for Sale of Real Estate ("Exhibit 1") with Springfield QOZ Self-Storage LLC d/b/a Devon Self-Storage, for 0.43 acres of vacant land in the 300 block of West Chestnut Street, and to issue a quitclaim deed for the same. (Staff recommends approval.)

BACKGROUND INFORMATION: This property lies directly to the north of the building previously occupied by Gannett Media d/b/a the Springfield News-Leader (the "News-Leader Building"). The property consists of the northern half of Chestnut Street, vacated in 2000 by Vacation No. 650, and an area acquired by the Missouri Highways and Transportation Commission in the 1950s for the construction of Chestnut Expressway and deeded to the City in 1986, which was recorded in the Greene County Recorder's office in Book 1931 Page 354. The property has been improved with a parking lot that was constructed by Gannett Media in 2000 in accordance with a license granted by the City in Special Ordinance 23957.

The News-Leader Building has since been acquired by Springfield QOZ Self-Storage LLC d/b/a Devon Self-Storage ("Devon Self-Storage") for use as a self-storage facility. The licensed parking lot will no longer be used or maintained by Gannett Media, and is not useful or desirable for public parking. Devon Self-Storage will use the area for parking and to allow for the News-Leader Building to be re-configured to allow for drive-through self-storage.

Staff has determined there is sufficient public benefit provided by the transfer of this property to justify the City selling the surplus property. As consideration for the property, Devon Self-Storage is providing 3000 sq. ft. of climate-controlled storage until November 1, 2027 (See Lease Agreement, "Exhibit 2").

At the December 14, 2023 meeting, the Planning and Zoning Commission determined that the disposal of the property was consistent with the Comprehensive Plan (Request to Dispose 530).

Staff recommends approval.

Submitted By: Kyle Tolbert, Assistant City Attorney

Authorized for inclusion on the agenda pursuant to City Code section 2-33:
Jason Gage, City Manager 12/28/2023

Attachments:
1. 300 W Chestnut Disposal_Ord
2. Contract for Sale of Real Estate_ Ex 1
3. Lease Agreement _ Ex 2
4. Staff Report_Ex3

One-rdg. _____
P. Hrngs. _____
Pgs. 27
Filed: 01-02-24

Sponsored by: Horton

First Reading: _____ Second Reading: _____

COUNCIL BILL 2024-011 SPECIAL ORDINANCE _____

AN ORDINANCE

AUTHORIZING the City Manager, or designee, on behalf of the City of Springfield, to enter into a Contract for Sale of Real Estate with Springfield QOZ Self-Storage LLC d/b/a Devon Self-Storage, for 0.43 acres of vacant land in the 300 block of West Chestnut Street; and authorizing the issuance of a quitclaim deed for the same. (Staff recommends approval.)

WHEREAS, the Missouri Highways and Transportation Commission ("MHTC") acquired fee the land north of the 300 block of West Chestnut Street in fee simple to construct Chestnut Expressway, and in 1986 transferred the land to City of Springfield ("City"); and

WHEREAS, the City vacated the 300 block of West Chestnut Street in 2000; and

WHEREAS, the City granted Gannett Media, d/b/a the Springfield News-Leader, a license to construct and maintain a parking lot on the land in the same year; and

WHEREAS, Gannett Media has since sold the building at 651 North Boonville to Springfield QOZ Self-Storage LLC d/b/a Devon Self-Storage ("Devon Self-Storage"), and is no longer using or maintaining the parking lot; and

WHEREAS, the parking lot is not useful or desirable for public parking, but is useful and desirable for the use by Devon Self-Storage; and

WHEREAS, City staff have entered into a forty-eight month lease with Devon Self-Storage, attached as "Exhibit 2," for storage space needed while City Hall undergoes renovations, with no cost to the City provided the property in question is transferred to Devon Self-Storage by March 31, 2024; and

WHEREAS, City staff has determined that there is sufficient public benefit provided by the transfer of this property to justify the City selling the surplus property in exchange for a lease of storage space needed while City Hall undergoes renovations; and

WHEREAS, the Planning and Zoning Commission recommended approval of the disposal of the property at its December 14, 2023, meeting; and

WHEREAS, disposition of real property calls for City Council approval.

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

Section 1 – The City Manager, or his designee, is hereby authorized to enter into a Contract for Sale of Real Estate ("Contract") with Springfield QOZ Self-Storage LLC d/b/a Devon Self-Storage, said Contract to be in substantially similar form as the document attached hereto and incorporated herein by reference as "Exhibit 1."

Section 2 – Upon closing of the sale of the property pursuant to the Contract, the Mayor is hereby authorized to execute such documents as are necessary to convey title to the real property by quitclaim deed, reserving city easements, if any.

Section 3 – This Ordinance shall be in full force and effect from and after passage.

Passed at meeting: _____

_____
Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: _____, Assistant City Attorney

Approved for Council Action: _____, City Manager

Exhibit 1

ROUTING ORDER	(1) ORIGINATING DEPARTMENT	(2) BUYER	(3) FINANCE DEPARTMENT
	(4) LAW DEPARTMENT	(5) CITY MANAGER'S OFC.	(6) CITY CLERK'S OFFICE
EFFECTIVE DATE	CLOSING DATE	CONTRACT NUMBER:	

CITY / SELLER	BUYER	
CITY OF SPRINGFIELD 840 BOONVILLE, PO BOX 8368 SPRINGFIELD, MO 65802 PHONE (417) 864-2057 FAX (417) 864-1907 ATTN: DAN SMITH, DIRECTOR OF PUBLIC WORKS DEPT: PUBLIC WORKS	Name(s): Springfield QOZ Self-Storage, L.L.C., a Delaware limited liability company	
	Address: 2901 Butterfield Road Oak Brook, Illinois 60523	
	Phone: (630) 218-4934	Email: binder@inlandprivatecapital.com
	Attention: Joe Binder	
	SSN/Federal Tax ID Number: 85-2247940	

CONTRACT FOR SALE OF REAL ESTATE

1. **PARTIES**. This Contract is made by and between the parties identified above, and effective as of the date and time of final acceptance, hereinafter referred to as Effective Date.

2. **PROPERTY.** Buyer has offered to buy and the City is willing to sell, on the terms and conditions set forth herein, a portion of the real estate located between Chestnut Expressway and 610 N Boonville Ave., Springfield, Missouri, more particularly described on ***Exhibit A*** and illustrated on ***Exhibit B*** (the "Property").

3. **PURCHASE.** The Buyer agrees to buy and the Seller agrees to sell the Property upon the terms and conditions as follows:

a. Price. The price shall be in-kind services. Buyer agrees to lease to the City of Springfield three thousand square feet (3000 sq. ft.) of climate-controlled storage space at the building located at 651 N Boonville Ave., Springfield, MO 65806 for a term of forty-eight (48) months in accordance with ***Exhibit C***, attached hereto and incorporated herein by reference.

b. Contingencies. This agreement is subject to the following contingencies, and Buyer may elect to declare this agreement null and void prior to Closing without obligation or liability to Seller if:

(1) A survey or inspection of the Property by Buyer discloses encroachment violations of subdivision or other restrictions, boundary line disputes, or right or claims of third parties in possession, on any portion of the premises, which are unacceptable to the Buyer.

(2) Sale of this property is not approved by the Planning and Zoning commission of the City, and the City Council, if determined by the City Attorney that additional legislative authority is required for the disposition of the property.

(3) The title insurance commitment referred to in paragraph 8 of this agreement shall fail to show merchantable title in Seller, or shall contain exceptions unacceptable to Buyer.

(4) Other Contingencies: Buyer is not satisfied, in its sole and absolute discretion, with the results of any inspections or investigations completed in conducting its due diligence of the Property.

(5) Any other contingencies not contained in this paragraph 4, or in the printed terms of this contract, must be specified on an applicable addendum and the date for satisfying such contingencies, if any, shall be the closing date unless otherwise agreed in writing.

4. **ENVIRONMENTAL.** THE PROPERTY IS SOLD BY SELLER "AS IS", WITHOUT WARRANTIES, EXPRESS OR IMPLIED, AS TO ANY ENVIRONMENTAL CONDITION, THE STRUCTURAL CONDITION OF ANY IMPROVEMENTS, FIXTURES, OR EQUIPMENT OR THE FITNESS OF PURPOSE FOR ANY USES INTENDED BY BUYER. The Buyer may cause a Phase 1 Environmental Assessment under ASTM 2000 Standards to be made of the Property. If the Phase 1 Environmental Assessment indicates that there may be a Hazardous Substance on the Property or recommends that a Phase II Environmental Assessment should be conducted on the Property. Seller agrees to allow entry upon the Property by the Buyer's environmental consultant at Buyer's expense to conduct a Phase II Environmental Assessment by taking of soil and groundwater samples to determine the presence of any hazardous substances subject to Seller agreeing to execute an access agreement. Buyer will not be obligated to proceed with purchasing the property in the event the Phase II Environmental Assessment results show the presence of hazardous substances on the property, unless Buyer and Seller subsequently enter into a written amendment of this agreement relating to the removal and payment of the cost of removal of such substances. All Environmental Assessments shall be made in accordance with ASTM 2000 standards. Buyer shall be responsible to Seller for any injury of damage caused by such inspections, including Buyer, or its agents, entry on the Property for purpose of environmental inspection, Buyer agreeing to promptly repair and restore the Property as reasonably possible to its original condition prior to such inspection.

5. **DEFINITIONS OF HAZARDOUS SUBSTANCE.** As used herein, "Hazardous Substance" shall mean any substance; (1) the presence of which requires investigation or remediation under any federal, state, or local statute, regulation, ordinance, order, action, policy, or common law; (2) which is or becomes hereafter defined as a "hazardous waste", "hazardous substance", "hazardous material", "pollutant", or "contaminant" (whether harmful or not) under any federal, state, or local statue, regulation, rule, or ordinance including, without limitation, the Comprehensive Environmental Response, compensation and Liability Act (42 U.S.C. §§ 6901 et seq.), and/or the Resource Conservation and Recovery Act (42 U.S.C. §§ 6901 et seq.); (3) which is toxic, explosive, corrosive, flammable, infectious, radioactive, carcinogenic, mutagenic, or otherwise hazardous and is, or becomes, regulated by any governmental authority, agency, department, or instrumentality of the United States, the State of Missouri, or any political subdivision thereof; (4) without limitation, which consists of or contains petroleum, natural gas, and/or their components and distillates; (5) and/or any naturally occurring but harmful substance such as methane or radon. For the purpose of this definition, asbestos is no included as it is treated separately hereunder.

6. **SELLER'S REPRESENTATIONS.** Seller represents to Buyer:
   1. That Seller has no knowledge of any underground tanks, toxic or hazardous substances, or dump sites on the property, either at present or in the past;

   2. That the property is not subject to any real estate listing agreement, or other agreement providing for any real estate commission;

   3. That there have been no unpaid improvements or any other work performed in connection with the Property that would give rise to the filing of any mechanics' liens against the property;

   4. That the Seller has full authority to enter into this agreement and that the Property is not subject to any options, contracts of sale, leases or other rights in favor of any third parties;

   5. That there are no legal proceedings pending which involve the Property; and

   6. That, during the term of this Contract, Seller shall authorize Buyer to conduct Property investigations and evaluations, in such scope as Buyer deems necessary (in its sole and absolute discretion) to determine the economic feasibility of the acquisition of the Property.

   7. That these representations will continue to be true at the closing, unless Seller has given City notice to the contrary in writing prior thereto.

7. **ADDITIONAL TERMS AND CONDITIONS.**

Within twelve (12) months from Closing, Buyer shall remove, at Buyer's sole expense, the existing public driveway approach or public vehicle access onto North Boonville and allow access solely for fire and safety vehicles in compliance with the Springfield City Code pertaining to fire and safety. Additionally, Buyer agrees to suitably seed and plant with grass and other plants in accordance with Springfield City Code Section 36-492 – Landscape the areas as generally detailed in the attached ***Exhibit D*** ("Post Close Covenant"). Seller shall have no obligations whatsoever with respect to the maintenance or repair of any pavement, driveways, or parking spaces on the Property after Closing and Buyer shall be free to improve, develop, secure and alter the Property in its sole discretion subject only to the obligations provided herein this Post Close Covenant and applicable federal, state, and local law.

The following Addenda, if applicable, together with ***Exhibits*** _____as referenced in this Contract, are attached and incorporated herein at the time of acceptance:

_____
_____
_____.

8. **CLOSING AND POSSESSION.**

a. The Closing is the recording of the Seller's quitclaim deed (unless another type of deed is mutually agreed to in writing by the parties) for the purchase price paid by the Buyer after all contingencies have been met and all documents have been signed; and shall take place on or before the 31st day of March , 2024, (the Closing Date), unless otherwise agreed to in writing.

b. The Buyer shall take possession of the Property at the time of closing.

9. **CLOSING PROCEDURES.** Necessary title information shall be ordered by the Buyer within ten (10) days of the Effective Date at the sole cost and expense of the Buyer. The Buyer shall obtain a commitment to insure title in the amount of the purchase price, from the following closing company, which is authorized to insure titles in the State of Missouri: Chicago Title Insurance Company located at 10 South LaSalle, Suite 3100, Chicago, Illinois 60603, Attn: Tom Meier.

The commitment shall show merchantable title in Seller in accordance with the Title Examination Standards of the Missouri Bar, subject to encumbrances as provided herein, standard residential subdivision restrictions, covenants, declarations, setback lines, easements and zoning laws of record as of the Effective Date, and the lien of current year's taxes. The Buyer may, at Buyer's expense, obtain a survey (and shall obtain a survey if required by title company). The City shall pay the premium for the title policy. The Buyer may, at Buyer's expense, have the title commitment examined, and if applicable, the Buyer shall provide to Seller in writing any valid objections to title and survey prior to the Closing Date, and Seller shall make reasonable effort to correct the valid objections within thirty (30) days of receipt of request to cure, unless otherwise agreed to in writing; and if not corrected, the Buyer may waive the objections and close, or elect to terminate the Contract. At closing, Seller shall deliver the quitclaim deed, along with all other documents and funds reasonably necessary to complete the Closing, and the Buyer shall deliver cash or certified funds sufficient to satisfy the Buyer's payment obligations (to the extent applicable) and all other documents necessary to complete the Closing. If a closing fee is charged, the cost will be paid by the Buyer, unless otherwise provided. Recording fees shall be paid by the party for whom the fee is attributable. The Seller will warrant at Closing there are no unpaid bills for improvements within 12 months prior to Closing and that Seller has no knowledge of proposed improvements to be paid for by special assessment or fee.

10. **TAXES.** Seller shall be responsible for all taxes prior to 2023. Any real estate taxes for 2023 shall be prorated to Closing Date and Seller shall be responsible for payment of his prorata share of all property taxes accrued as of the date of closing. If the current year's taxes cannot be determined, proration will be based on the preceding year's taxes with adjustments for known changes in assessed valuation or tax levies.

11. **VERIFICATION OF CONDITION.** The Buyer shall have the right to make a final inspection of the Property prior to closing, as a contingency of the sale to confirm that:

a. The Seller has complied with Seller's obligations; and
b. Any contingency or defect of title has been resolved.

12. **REMEDIES UPON DEFAULT.**

a. The Seller or the Buyer shall be in default under this Contract if either fails to comply with any material provision within the time limits required by the contract. If either party defaults, the party claiming a default shall notify the other party in writing of the nature of the default and may, as set forth in said notice, either terminate this Contract or extend the time for performance by providing the defaulting party a deadline for curing the default.

b. The Seller and Buyer mutually agree to release and waive any and all claims against the other party in the event of the failure of either party to close the sale of the Property, but will in good faith endeavor to negotiate for the resolution of any dispute which may have arisen between them in such event.

13. **CONFLICTS OF INTEREST.** No salaried officer or employee of the City of Springfield, Missouri, and no member of any Board or the City Council of the City shall have a financial interest, direct or indirect, in this contract. A violation of this provision renders the contract void. Any federal regulations, and applicable provisions in RSMo. Section 105.450 et seq. shall not be violated.

14. **PROVISIONS NOT MERGED WITH DEED.** No provision of this Contract is intended to or shall be merged by reason of any deed transferring title to the Property from the City to the Buyer, or any successor in interest, and any such deed shall not be deemed to affect or impair the warranties, obligations and covenants of this Contract, which shall survive the closing.

15. **NOTICE.** All notices required or permitted hereinunder and required to be in writing may be given by electronic mail or by first class mail addressed to Buyer and Seller by one of three different means: email if both parties have an electronic address; U.S. Postal Service Mails; or by hand delivering a copy of the same to the receiving party; or may give notice by any combination of the above methods.

a. The date of notice shall be:

(1) The date upon which notice is hand delivered to the receiving party;

(2) The date of delivery of notice by electronic transmission which shall be deemed to be the date transmission occurs, except where the transmission is not completed by 5:00 p.m. on a regular business day at the terminal of the receiving party, in which case the date of delivery shall be deemed to fall on the next regular business day for the receiving party;

(3) The third day following mailing of the notice, whichever first occurs.

b. It shall be sufficient if notices to the Seller are addressed **to City Attorney, City of Springfield, 840 Boonville Ave., P.O. Box 8368, Springfield, Missouri 65801,** or by email to Kyle Tolbert at kyle.tolbert@springfieldmo.gov.

c. It shall be sufficient if notices sent to the Buyer are addressed to:

The Inland Real Estate Group, L.L.C.
2901 Butterfield Road
Oak Brook, Illinois 60523
Attention: Brett D. Smith, Esq.
Telephone: (630) 218-2885
Email: brett.smith@inlandgroup.com

With a copy to

Devon Self Storage Holdings (US) LLC
2000 Powell Street, Suite 1240
Emeryville, CA 94608
Attention: Kim Siclari, Esq.
Telephone: (510) 450-9207
Email: ksiclari@devonselfstorage.com

16. **HEADINGS.** The headings or captions of this Contract are for convenience and reference only, and in no way define, limit, or describe the scope or intent of the Contract or any provision hereof.

17. **SEVERABILITY.** In the event that any one or more of the phrases, sentences, clauses, paragraphs or sections contained in this Contract shall be declared invalid by the final and unappealed order, decree or judgment of any court, the City may, at its sole option, set this Contract aside.

18. **VENUE AND 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 adjudicated, venue shall be proper only in the Circuit Court of Greene County, Missouri.

19. **TIME.** Time is of the essence in the performance of the obligations of the parties under this agreement.

20. **ENTIRE CONTRACT.** This Contract contains the entire Contract 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 have set their hands and seals on the day and year herein stated.

[*SIGNATURE PAGE FOLLOWS*]

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.

_____

Director of Finance or Acting Director

APPROVED AS TO FORM

_____

City Attorney or designee

BUYER:

Springfield QOZ Self-Storage, L.L.C.,
a Delaware limited liability company

By: Self-Storage QOZ Limited Partnership,
a Delaware limited partnership, its sole member

By: Self-Storage QOZ GP, L.L.C.,
a Delaware limited liability company, its general partner

By: Inland Private Capital Corporation,
a Delaware corporation, its sole member

By: DocuSigned by: Joseph E. Binder B15710E8CC154B0...

Joseph E. Binder
Executive Vice President

By signing this contract, Buyer certifies that he/she is not presently employed by the City of Springfield or City Utilities of Springfield.

CITY OF SPRINGFIELD, MISSOURI

By:_____

City Manager or designee

EXHIBIT A

PROPERTY BEING DESCRIBED AS FOLLOWS:

A PART OF THE GRANTOR'S LAND AS RECORDED IN A QUIT-CLAIM DEED IN BOOK 1931 AT PAGE 354, AND A PART OF CHESTNUT STREET VACATION RECORDED IN BOOK 2769 AT PAGE 1063, IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 29 NORTH, RANGE 22 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, IS DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 13; THENCE NORTH 02 DEGREES 16 MINUTES 07 SECONDS EAST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1308.30 FEET; THENCE SOUTH 89 DEGREES 07 MINUTES 35 SECONDS EAST, A DISTANCE OF 16.87 FEET TO THE SOUTHWEST CORNER OF SAID CHESTNUT STREET VACATION, ON THE EAST RIGHT-OF-WAY LINE OF CAMPBELL AVENUE; THENCE NORTH 02 DEGREES 51 MINUTES 00 SECONDS EAST, ALONG SAID EAST RIGHT-OF-WAY LINE OF CAMPBELL AVENUE, A DISTANCE OF 17.52 FEET, TO THE SOUTH LINE OF THE NORTH ONE-HALF OF SAID CHESTNUT STREET VACATION, FOR A POINT OF BEGINNING; THENCE CONTINUING NORTH 02 DEGREES 51 MINUTES 00 SECONDS EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 47.70 FEET; THENCE SOUTH 88 DEGREES 53 MINUTES 39 SECONDS EAST, A DISTANCE OF 393.12 FEET, TO THE WEST RIGHT-OF-WAY LINE OF BOONVILLE AVENUE; THENCE SOUTH 01 DEGREES 51 MINUTES 54 SECONDS EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 46.86 FEET, TO SAID SOUTH LINE OF THE NORTH ONE-HALF OF SAID CHESTNUT STREET VACATION; THENCE NORTH 89 DEGREES 01 MINUTES 17 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 397.00 FEET TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON MISSOURI STATE PLANE COORDINATE SYSTEM 1983, CENTRAL ZONE.

CONTAINING 18,662 SQUARE FEET, MORE OR LESS.

EXHIBIT B

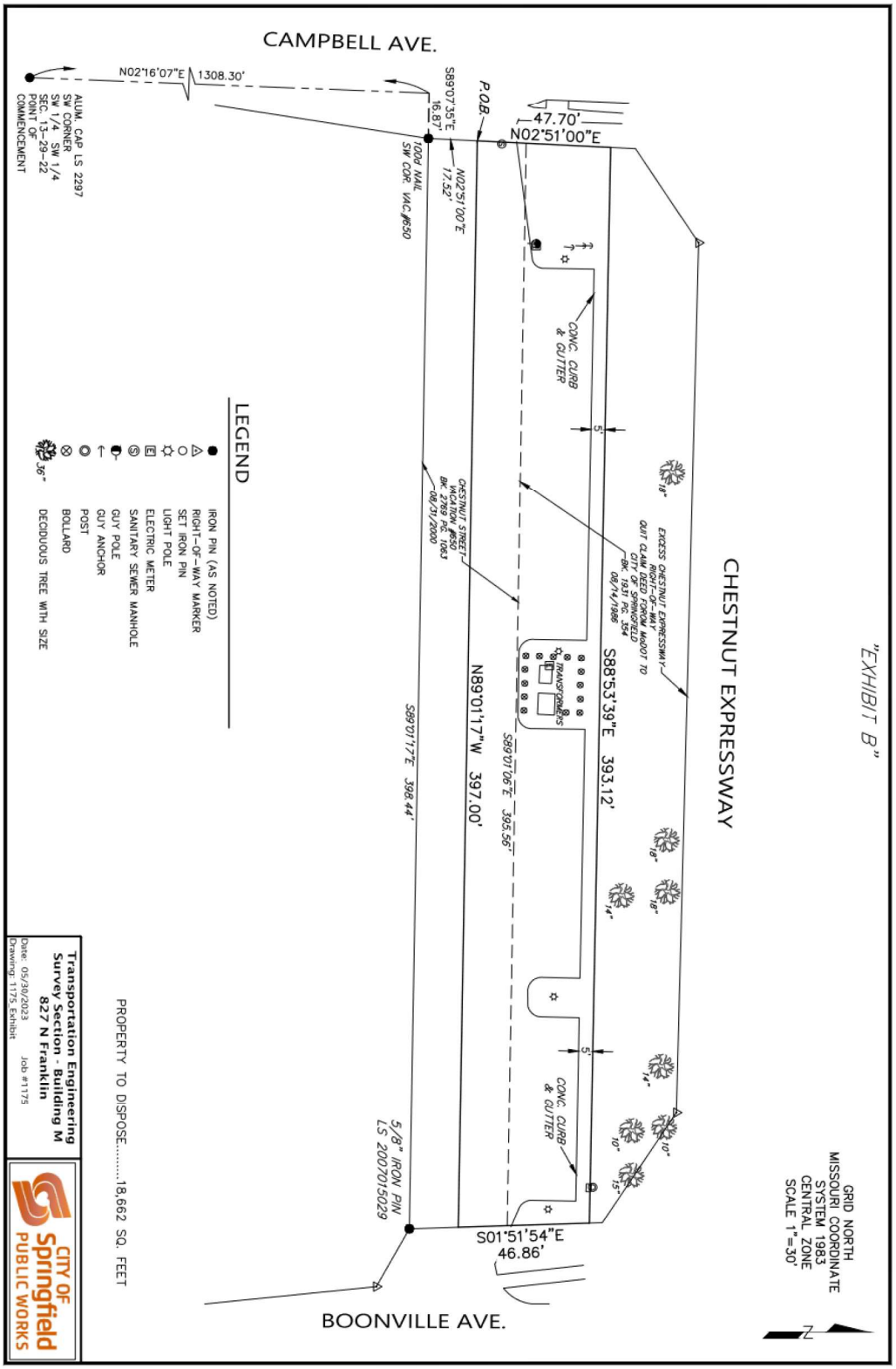

"EXHIBIT B"
CHESTNUT EXPRESSWAY
CAMPBELL AVE.
BOONVILLE AVE.
GRID NORTH
MISSOURI COORDINATE
SYSTEM 1983
CENTRAL ZONE
SCALE 1"=30'
N
EXCESS CHESTNUT EXPRESSWAY
QUIT CLAIM DEED FROM MoDOT TO
CITY OF SPRINGFIELD
BK. 1931 PG. 354
08/14/1986
S88°53'39"E 393.12'
N89°01'17"W 397.00'
S89°01'06"E 395.56'
S89°01'17"E 398.44'
47.70'
N02°51'00"E
S01°51'54"E
46.86'
5/8" IRON PIN
LS 2007015029
CONC. CURB
& GUTTER
TRANSFORMERS
CHESTNUT STREET
VACATION #850
BK. 2759 PG. 1063
08/31/2000
P.O.B.
100d NAIL
SW COR. VAC.#850
N02°51'00"E
17.52'
S89°07'35"E
16.87'
N02°16'07"E 1308.30'
ALUM. CAP LS 2297
SW CORNER
SW 1/4
SEC. 13-29-22
POINT OF
COMMENCEMENT
LEGEND
IRON PIN (AS NOTED)
RIGHT-OF-WAY MARKER
SET IRON PIN
LIGHT POLE
ELECTRIC METER
SANITARY SEWER MANHOLE
GUY POLE
GUY ANCHOR
POST
BOLLARD
DECIDUOUS TREE WITH SIZE
PROPERTY TO DISPOSE.....18,662 SQ. FEET
Transportation Engineering
Survey Section - Building M
827 N Franklin
Date: 05/30/2023
Drawing: 1175_Exhibit
Job #1175
CITY OF
Springfield
PUBLIC WORKS

EXHIBIT C

[Insert Lease Agreement]

EXHIBIT D

Post Close Covenants

These restrictions and covenants are hereby declared to be covenants running with the land and shall be fully binding upon all persons acquiring property in said subdivision whether by descent, devise, purchase or otherwise, and any person by the acceptance of title to any lot of this subdivision shall thereby agree and covenant to abide by and fully perform the foregoing restrictions and covenants.

Enforcement. In the event of a breach or threatened breach, the right to enforce these restrictions and covenants shall inure to any party adversely affected by such breach or the City of Springfield.

Access onto Boonville. There shall be no vehicle access from or onto North Boonville Avenue, except for fire and safety vehicles in compliance with the applicable fire and safety provisions of Springfield City Code. Any area where paving is removed shall be suitably seeded and planted with grass and other plants in accordance with Springfield City Code Section 36-492 – Landscape.

Landscaping. All landscaping shall comply with Springfield City Code Section 36-492 – Landscape.

Screening. Any and all trash and recycling receptacles and mechanical units shall be screened in accordance with Springfield City Code Section 36-493 – Screening.

Fencing. All fences or walls shall be located in line with the fences of adjacent properties, shall provide safe site distance where driveway curb cuts intersect public rights-of-way, and shall be installed around the perimeter of the Property in accordance with Exhibit D-3.

Fences shall have a maximum opacity of fifty percent (50%). Any and all fences shall be made of only the following materials: aluminum, vinyl/PVC, wrought iron, or any other material that may be approved by the City of Springfield Administrative Review Committee (ARC) upon application to the ARC by the Grantee or its successors or assigns. Notwithstanding the above, no fence shall be made of, in whole or in part, chain link, razor wire, barbed wire, concertina wire, or other similar materials.

No fence shall exceed eight (8) feet in overall height. Walls or solid fences may not exceed forty-two (42) inches in height; railings, fencing, or decorative elements with at most fifty percent (50%) opacity are permitted above the wall or solid fence so long as the overall height does not exceed seven (7) feet.

New Construction or Extensions to Existing Buildings.
There shall be no construction of new improvements or extensions to existing buildings, except for any landscaping, screening, or fencing in compliance with the above restrictions, or for any new improvements or extensions constructed in that portion generally described as the previously vacated area of Chestnut Street, and more specifically described as:

SEE EXHIBIT D-2, ATTACHED TO AND BY THIS REFERENCE INCORPORATED HEREIN AS IF FULLY SET FORTH.

Governing Law. This Declaration shall be construed and enforced in accordance with the laws of the State of Missouri.

EXHIBIT D-2

A PART OF THE GRANTOR'S LAND, BEING A PART OF CHESTNUT STREET VACATION RECORDED IN BOOK 2769 AT PAGE 1063, IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 29 NORTH, RANGE 22 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, IS DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 13; THENCE NORTH 02 DEGREES 16 MINUTES 07 SECONDS EAST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1308.30 FEET; THENCE SOUTH 89 DEGREES 07 MINUTES 35 SECONDS EAST, A DISTANCE OF 16.87 FEET TO THE SOUTHWEST CORNER OF SAID CHESTNUT STREET VACATION, ON THE EAST RIGHT-OF-WAY LINE OF CAMPBELL AVENUE; THENCE NORTH 02 DEGREES 51 MINUTES 00 SECONDS EAST, ALONG SAID EAST RIGHT-OF-WAY LINE OF CAMPBELL AVENUE, A DISTANCE OF 17.52 FEET, TO THE SOUTH LINE OF THE NORTH ONE-HALF OF SAID CHESTNUT STREET VACATION, FOR A POINT OF BEGINNING; THENCE CONTINUING NORTH 02 DEGREES 51 MINUTES 00 SECONDS EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 17.50 FEET; THENCE SOUTH 89 DEGREES 01 MINUTES 06 SECONDS EAST, A DISTANCE OF 395.56 FEET, TO THE WEST RIGHT-OF-WAY LINE OF BOONVILLE AVENUE; THENCE SOUTH 01 DEGREES 51 MINUTES 54 SECONDS EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 17.49 FEET, TO SAID SOUTH LINE OF THE NORTH ONE-HALF OF SAID CHESTNUT STREET VACATION; THENCE NORTH 89 DEGREES 01 MINUTES 17 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 397.00 FEET TO THE POINT OF BEGINNING.
BEARINGS ARE BASED ON MISSOURI STATE PLANE COORDINATE SYSTEM 1983, CENTRAL ZONE.

CONTAINING 6,926 SQUARE FEET, MORE OR LESS.

Exhibit 2

ROUTING ORDER	(1) LICENSEE	(2) LESSOR	(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			

LESSEE	LESSOR
City of Springfield **840 Boonville, P.O. BOX 8368** **Springfield, MO 65802** **Phone: 417-864-1966** **Attn: Dan Smith, Director of Public Works**	**Devon Self Storage Holdings, LLC** **Address: 2000 Powell Street, Suite 1240** **Address: Emeryville, CA 94608** **Phone: (510) 450-9207** **Attn: Kim Siclari** **Email: Ksiclari@devonselfstorage.com**

LEASE AGREEMENT

THIS AGREEMENT, made and entered into this ___ day of November, 2023, by and between the **City of Springfield**, a constitutional charter city of the State of Missouri, hereinafter referred to as the "Lessee," and **Devon Self-Storage Holdings, LLC**, as managing agent for Springfield QOZ Self-Storage, L.L.C., a Delaware limited liability company, hereinafter referred to as the "Lessor."

WITNESSETH:

WHEREAS, Lessee has agreed to transfer certain real property adjacent to 651 N. Boonville Street, Springfield, MO to Lessor, and in consideration for said transfer, Lessor has agreed to provide storage space to Lessee;

For and in consideration of the mutual promises and covenants as hereinafter set forth, Lessor hereby demises and leases to Lessee the following described premises on the following terms and conditions:

1. **Premises**. The premises hereby leased are located within the facility at 651 N. Boonville Street, Springfield, MO 65806, and consist of approximately 3,000 square feet of storage space ("the Premises"), and more particularly described in the Self -Storage Rental Agreement attached hereto as ***Exhibit A*** and incorporated herein by reference.

2. **Term**. This agreement shall run and be in full force and effect for a period of forty-eight (48) months, commencing on _____, 2023 and ending on _____, 2027.

Rental Fee. In exchange for exclusive use of the Premises hereunder for the term of this Agreement, Lessee agrees to transfer to Lessor a certain area of real property adjacent to 651 N. Boonville Street, with such transfer to be completed in accordance with a separate real estate contract attached hereto as ***Exhibit B*** and incorporated herein by reference. A rental fee of **Four Thousand Five Hundred Dollars and no/100 ($4500.00)** per month shall accrue on a pro rata basis from the execution of this lease until transfer of the real property in accordance with ***Exhibit B***. Upon transfer of the real property adjacent to 651 N. Boonville Street from Lessee to Lessor, any accrued rental fees shall no longer be payable, and no further rental fees shall accrue or be payable for the Term of this Agreement. In the event the real property adjacent to 651 N. Boonville Street is not transferred from Lessee to Lessor by March 31, 2024, for any reason, Lessee shall pay all accrued Rental Fees, within 30 days of receiving written demand from Lessor for payment of accrued and unpaid Rental Fees Following payment of all accrued and unpaid Rental Fees, Lessee shall pay to Lessor the Rental Fee on or before first day of every month in accordance with the payment terms as provided for ***Exhibit A***.

3. **Non-appropriation.** Lessor understands and agrees that the obligation to make rental payments under this Lease is subject to an annual appropriation by a government agency and shall not be construed to be a debt in contravention of any application of

constitutional or statutory limitation or requirement concerning the creation of indebtedness, nor shall anything contained herein constitute a pledge of general tax revenues, funds, or other monies of a government agency. In the event funds are not appropriated by the City Council of Springfield, Missouri for any term of the lease, any extension thereto, or any portion of any term of the lease which falls in a fiscal period other than a fiscal period for which funds have been appropriated, the lease shall terminate without notice at the end of the fiscal period for which funds are appropriated.

4. **Additional Terms.** In the event of a conflict between a provision in this Agreement and a provision in ***Exhibit A*** to this Agreement, the provisions in this Agreement shall prevail.

5. **Insurance.** Lessor shall maintain fire and extended coverage insurance on the Premises in such amounts as Lessor shall deem appropriate and comprehensive general liability insurance with respect to the Premises such general liability insurance to afford minimum protection of not less than $1,000,000 combined single limit coverage of bodily injury, property damage, or combination thereof.

6. **Maintenance.** Intentionally Omitted. Please refer to ***Exhibit A***.

7. **Sublease.** The Lessee shall not sublease any part of the space demised.

8. **Damage of the Leased Premises.** In the event the leased Premises are totally destroyed or rendered unusable by fire or other casualty, or that the remainder is not reasonably usable for Lessee's purposes, this lease shall terminate and the unearned portion of the rent theretofore paid shall be returned to Lessee unless the leased premises are repaired by Lessor and made fit and usable within 45 days from the occurrence of said damage, in which event no rent shall accrue or be payable hereunder from the date of occurrence of such damage to the date of completion of such repair.

9. **Termination.** Either party may terminate this lease without cause upon giving ninety (90) days prior written notice to the other party. If, through any cause, either party shall fail to fulfill in timely and proper manner its obligations under this lease, and has been given notice of the failure and a period of not less than seven (7) days to correct same, the offended party shall have the right to terminate this lease by giving an additional five (5) days' written notice to the other party. In the event the real property adjacent to 651 N. Boonville Street is not transferred from Lessee to Lessor by the closing date identified in ***Exhibit B***, for any reason, this Lease shall terminate immediately unless otherwise agreed to in writing by the parties. Lessee's obligation to pay any Rental Fee contemplated herein shall survive termination of this agreement. Upon termination, Lessee shall surrender the premises in as good condition as when received, except damage by fire or other casualty, and ordinary wear and tear.

10. **Surrender of Premises.** At the expiration of the Agreement, the Lessee shall immediately surrender the Premises in the same condition as at the start of the Agreement, reasonable use and wear thereof and damages by the elements excepted.

11. **Indemnification and Liability.** The parties mutually agree to the following:
    a. Lessee assumes all risk of loss, damage or injury to the personal property stored in the Premises.

    b. In no event shall the Lessee be liable to the Lessor for special, indirect, or consequential damages, except those caused by the Lessee's gross negligence or willful or wanton misconduct, arising out of or in any way connected with a breach of this contract.

12. **Conflicts of Interest.** No salaried officer or employee of the City and no member of the 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. Lessor 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 Lessor further covenants that in the performance of this contract no person having such interest shall be employed or compensated by Lessor.

13. **Compliance with Laws.** Lessor agrees to comply with all applicable federal, state and local laws and rules and regulations applicable to the provision of services and products hereunder.

14. **Notice.** All notices required or permitted hereinunder and required to be in writing may be given by first class mail addressed to Lessee at 840 Boonville, Springfield, Missouri 65802, and Lessor at the address indicated above. The date of delivery of any

notice shall be the date falling on the second full day after the day of its mailing.

15. **Venue.** This agreement and every question arising hereunder shall be construed or determined according to the law of the State of Missouri. Should any part of this agreement be adjudicated, venue shall be proper only in the Circuit Court of Greene County, Missouri.

16. **Jurisdiction**. This agreement and every question arising hereunder shall be construed or determined according to the laws of the State of Missouri. Should any part of this Contract be litigated, venue shall be proper only in the Circuit Court of Greene County, Missouri.

17. **Entire Agreement.** This agreement 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.

18. **Conflict with Exhibits**. In the event the terms and provisions of this Agreement conflict with the terms and provisions of any Exhibit to this Agreement, the terms and provisions of this Agreement will govern.

IN WITNESS WHEREOF the parties hereto have set their hands and seals on the day and year herein stated.

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.

_____

Director of Finance or Acting Director

APPROVED AS TO FORM

_____

City Attorney or designee

LESSOR:

By: Devon Self Storage Holdings (US) LLC

Name: Kimberly Siclari, Esq.

Title: Senior Vice President & General Counsel

Date: DocuSigned by: Kimberly Siclari E70616A2E020405... 11/1/2023

CITY OF SPRINGFIELD, MISSOURI

By:_____

City Manager or designee

DocuSign Envelope ID: 8E9C4BE2-5A79-4B5A-8034-B58BCE93D09A

Exhibit A

[Devon Self-Storage Rental Agreement]

DocuSign Envelope ID: 8E9C4BE2-5A79-4B5A-8034-B58BCE93D09A

Exhibit B

[Real Estate Contract]

Exhibit 3

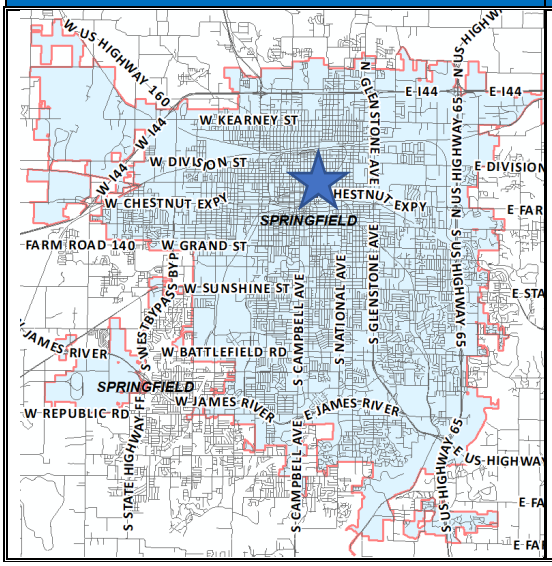
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Request to Dispose 530
Location:	300 block of West Chestnut Street
Total Acres:	0.43 acres
Applicant:	City of Springfield
Existing Land Use:	Parking Lot
Planning and Zoning Commission:	December 14, 2023
City Council:	January 22, 2024
Staff:	Hanna Knopf, Associate Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	Move to approve as submitted in 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:

The City of Springfield is proposing to dispose of the property generally located at the 300 block of West Chestnut Street. Springfield QOZ Self-Storage LLC, doing business as Devon Self-Storage, owns the parcel south of this property and will purchase the property if approved.

LOCATION MAP	CHANGE OF USE SITE
	

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.

SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	Center City	General Manufacturing	Center City	General Manufacturing
LAND USE	Right-of-way	Self-Storage Facility	Office	Office
PLACETYPES	Institutional & Employment	Downtown	Downtown	Downtown

LAND DISPOSAL POLICY:

Planning and Zoning Commission adopted the following policy statement for land disposals by public bodies:

1. **Where is the property located?**
   The northern half of the now-vacated Chestnut Street between Boonville and Campbell, and an area used as a parking lot by Gannett Missouri Publishing (Springfield News-Leader) when it occupied the building at 651 N Boonville Ave. This parking lot was constructed on City-owned property by Gannett pursuant to a license agreement authorized by Special Ordinance 23957.

2. **Legal description.**
   See last section of staff report.

3. **Why doesn't the City of Springfield need the property anymore?**
   The City has no use for the parking spaces on City property and does not wish to maintain the parking spaces. The entrances to this area, the now-vacated Chestnut Street, is too close to Chestnut Expressway, and is less suitable for parking by the public.

4. **When was the current building erected?**
   The parking lot was erected in 2000 or 2001.

5. **Why was property acquired? What did the city originally intend to do with the property?**
   This area was deeded to the City by the Missouri Highway and Transportation Commission in 1986. It consisted of excess land acquired by the state (fee

simple by warranty deed, not just right-of-way) in the 1950s for the construction of Chestnut Expressway.

6. **Who will purchase property?**
   Springfield QOZ Self-Storage LLC, doing business as *Devon Self-Storage, the new owners of the News-Leader building, will be purchasing the property.*

DEPARTMENT COMMENTS:

1. CITY UTILITIES:
   CU has electric/gas/water in the area to be disposed of/vacated. Replacement easements will be needed. The exact dimensions of the easements needed are to be determined.

2. DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:
   There is public sewer located in the proposed disposal. The sewer main east of manhole number N19SW073 does not serve any other properties. 605 N Boonville is served from the public main south of Tampa. Since the sewer main in Chestnut St. east of manhole N19SW073 is not used by anyone else, Environmental Services is willing to relinquish the sewer in Chestnut St. east of manhole number N19SW073 to private maintenance. Need to insert language in the agreement that specifies that this section of sewer main will no longer be maintained by Env. Services.

   Need to reserve a sanitary sewer easement from manhole 73 to the north, a minimum of 7.5' wide. Refer to the markup on the Disposal Diagram for reference.

3. DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:
   No comment.

STAFF ANALYSIS AND RECOMMENDATION:

1. The subject property is within the city limits of the City of Springfield.

2. The proposed disposal will not adversely affect City of Springfield's operations.

3. The disposed property will be purchased by the adjacent property owner, Springfield QOZ Self-Storage LLC, doing business as Devon Self-Storage.

4. Replacement easements are to be dedicated for utilities within Chestnut Street at closing following City Council approval.

5. A replacement sewer easement will either be dedicated at closing, or the line will become privately maintained by the property owner.

DEVELOPMENT REVIEW STAFF REPORT

STAFF RECOMMENDATION:

1. Staff recommends approval based on the finding of facts above.

PLANNING AND ZONING OPTIONS:

1. Recommend that the request to dispose is determined to be generally consistent with the master plan (Comprehensive Plan Forward SGF).
2. Recommend that the request to dispose is determined to be not consistent with the master plan (Comprehensive Plan Forward SGF).

DEVELOPMENT REVIEW STAFF REPORT

LEGAL DESCRIPTION:

A PART OF THE GRANTOR'S LAND AS RECORDED IN A QUIT-CLAIM DEED IN BOOK 1931 AT PAGE 354, AND A PART OF CHESTNUT STREET VACATION RECORDED IN BOOK 2769 AT PAGE 1063, IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 29 NORTH, RANGE 22 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, IS DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 13; THENCE NORTH 02 DEGREES 16 MINUTES 07 SECONDS EAST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1308.30 FEET; THENCE SOUTH 89 DEGREES 07 MINUTES 35 SECONDS EAST, A DISTANCE OF 16.87 FEET TO THE SOUTHWEST CORNER OF SAID CHESTNUT STREET VACATION, ON THE EAST RIGHT-OF-WAY LINE OF CAMPBELL AVENUE; THENCE NORTH 02 DEGREES 51 MINUTES 00 SECONDS EAST, ALONG SAID EAST RIGHT-OF-WAY LINE OF CAMPBELL AVENUE, A DISTANCE OF 17.52 FEET, TO THE SOUTH LINE OF THE NORTH ONE-HALF OF SAID CHESTNUT STREET VACATION, FOR A POINT OF BEGINNING; THENCE CONTINUING NORTH 02 DEGREES 51 MINUTES 00 SECONDS EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 47.70 FEET; THENCE SOUTH 88 DEGREES 53 MINUTES 39 SECONDS EAST, A DISTANCE OF 393.12 FEET, TO THE WEST RIGHT-OF-WAY LINE OF BOONVILLE AVENUE; THENCE SOUTH 01 DEGREES 51 MINUTES 54 SECONDS EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 46.86 FEET, TO SAID SOUTH LINE OF THE NORTH ONE-HALF OF SAID CHESTNUT STREET VACATION; THENCE NORTH 89 DEGREES 01 MINUTES 17 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 397.00 FEET TO THE POINT OF BEGINNING. BEARINGS ARE BASED ON MISSOURI STATE PLANE COORDINATE SYSTEM 1983, CENTRAL ZONE.

CONTAINING 18,662 SQUARE FEET, MORE OR LESS.

EXPLANATION TO COUNCIL BILL 2024-012 (HARDINGER)

FILED: 12/19/2023

ORIGINATING DEPARTMENT: Economic Vitality

TITLE: A resolution confirming the appointment of Teresa Emerson to the Commercial Street Community Improvement District Board of Directors. (Staff recommends approval.)

PURPOSE: To appoint Teresa Emerson to the Commercial Street Community Improvement District Board of Directors. (Staff recommends approval.)

BACKGROUND INFORMATION: As required by the petition establishing the Commercial Street Community Improvement District ("CID"), the Mayor shall appoint Directors to the CID Board of Directors with the consent of the City Council. The CID Board of Directors requests the following individual be appointed to the Board:

Seat	Name	Qualification	Term	Notes
5	Teresa Emerson	Business and Property Owner	07/13/2025	New appointment to serve remainder of unexpired term

REMARKS: Staff recommends approval.

Submitted By: Amanda Ohlensehlen, Director of Economic Vitality

Authorized for inclusion on the agenda pursuant to City Code section 2-33:
Maurice S. Jones, Deputy City Manager 12/28/2023

Attachments: 1. Commercial Street CID Board Appointment _ Ord

One-rdg. X
P. Hrngs. _____
Pgs. 3
Filed 01-02-24

Sponsored by Hardinger

COUNCIL BILL 2024-012 RESOLUTION _____

A RESOLUTION

CONFIRMING the appointment of Teresa Emerson to the Commercial Street Community Improvement District Board of Directors. (Staff recommends approval.)

WHEREAS, on June 15, 2009, City Council passed Special Ordinance 25611, approving a petition to re-establish the Commercial Street Community Improvement District ("CID") and thereby establishing the same; and

WHEREAS, said petition established the qualifications of and process for appointment of members to the Commercial Street CID Board of Directors through appointment by the Mayor with confirmation by City Council; and

WHEREAS, there is currently a need to appoint a member to the Commercial Street CID Board of Directors to serve the remainder of an unexpired term through July 13, 2025; and

WHEREAS, the Commercial Street CID Board of Directors submitted a slate to the City Clerk recommending the appointment Teresa Emerson to the Commercial Street CID Board of Directors.

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

Section 1 – The Mayor hereby appoints, and City Council hereby confirms, the appointment of Teresa Emerson to the Commercial Street Community Improvement District Board of Directors, with her term to expire on July 13, 2025.

Section 2 – This Resolution shall be effective immediately upon adoption.

Passed at meeting: _____

_____
Mayor

Attest: _____, City Clerk

Filed as Resolution _____

Approved as to form: Mary B. Bozarth, Assistant City Attorney

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

EXPLANATION TO COUNCIL BILL 2023-304 (MCGULL)

FILED: 12/29/2023

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A special ordinance authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, as shown on the Preliminary Plat of Patel Subdivision, generally located at 4808 East Parallel Lane, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance. (Staff recommends that City Council accept the public streets and easements.)

PURPOSE: Authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of Patel Subdivision, generally located at 4808 East Parallel Lane upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance. (Staff recommends that City Council accept the public streets and easements.)

BACKGROUND INFORMATION:
A. An original Preliminary Plat of Patel Subdivision dated October 10th, 2023, is on file in the Department of Planning and Development. A reduced version of which is included for general reference in Exhibit B, Attachment 3.

B The Planning and Zoning Commission held a public hearing on November 9th, 2023, and approved the Preliminary Plat by a vote of 8 to 0, subject to the following conditions:

1. All improvements shall be constructed in accordance with the “Design Standards for Public Improvements” of the Public Works Department and the maintenance and operation of such improvements shall be the responsibility of the developers unless approved by the Director of Public Works. All required sanitary sewer, street, sidewalk, and drainage plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works.

2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.

3. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.

4. It is determined that the public interest requires assurance concerning adequate maintenance of common space areas and improvements. The restrictive covenants, rules and bylaws creating the common ownership must therefore provide that if the owners of the Property Owners Association shall fail to maintain the common areas or improvements in reasonable order and condition in accordance with the approved plans, the City may, after notice and hearing, maintain the same and assess the costs against the units or lots, per the Common Open Space and Common Improvement Regulations section of the Zoning Ordinance.

5. The developer shall be responsible for the relocation costs of any existing utility services and shall be responsible for clearing all utility easements of trees, brush, and overhanging tree limbs.

6. All other requirements which are necessary for this subdivision to be in compliance with the Subdivision Regulations.

All required improvements shall be the sole responsibility of the sub-divider. As prescribed by Section 36-233 of the Subdivision Regulations, the improvements shall be made or guaranteed by means of bond, escrow agreement, letter of credit, or other appropriate security agreement. Release of the final plat for recording shall be withheld until the sub-divider has complied with this section.

Section 36-226 of the Subdivision Regulations requires that a final plat be submitted within two years of City Council's acceptance of the public streets and easements.

Attached for Council information is a sketch showing the location of the plat area, an exhibit showing the proposed plat, and a copy of the Planning and Development Department staff report to the Planning and Zoning Commission.

The Comprehensive Plan's Land Use & Development chapter groups this area into 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. (p. 52, Chapter 5: Land Use & Development)

The lots of the proposed subdivision have frontage on an interstate outer road and the subdivision is located within 0.5 miles of the Mulroy Road/Beaver Road exit on I-44. The zoning of this property (Industrial Commercial with Conditional Overlay District 229)

accommodates the types of uses supported by interstate traffic such as warehousing, eating and drinking establishments, and freight facilities. “Warehousing and distribution facilities” are among the primary uses of this placetype and “Office, hospitality, retail sales and service” are supporting land uses. The subdivision of the property will allow for diversity in ownership and the potential for different types of uses along the interstate corridor.

REMARKS: Staff recommends approval.

Submitted By: Andrew Menke, Senior Planner

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

Attachments:
1. Patel Subdivision 4808 E Parallel Lane_ord
2. ROP_exhA
3. Staff Report_exhB

One-rdg. _____
P. Hrngs. _____
Pgs. 19
Filed: 12-05-23

Sponsored by: McGull

First Reading: _____ Second Reading: _____

COUNCIL BILL 2023-304 SPECIAL ORDINANCE _____

AN ORDINANCE

AUTHORIZING the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, as shown on the Preliminary Plat of Patel Subdivision, generally located at 4808 East Parallel Lane, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance. (Staff recommends that City Council accept the public streets and easements.)

WHEREAS, an original Preliminary Plat of Patel Subdivision, dated October 10, 2023, is on file with the City's Department of Planning and Development; and

WHEREAS, the Planning and Zoning Commission of the City of Springfield, Missouri, held a public hearing and conditionally approved the Preliminary Plat of Patel Subdivision, which is generally located at 4808 East Parallel Lane, on November 9, 2023, a copy of the Record of Proceedings from said public hearing being attached hereto and incorporated herein by this reference as "Exhibit A."

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

Section 1 – City Council hereby authorizes the Director of Planning and Development, on behalf of the City of Springfield, to accept the land, easements, and improvements dedicated to the City, as shown on the Preliminary Plat of Patel Subdivision, which is generally located at 4808 East Parallel Lane, as approved by the Planning and Zoning Commission. The original plat of Patel Subdivision is on file in the Department of Planning and Development ("Approved Preliminary Plat"), a reduced version of which is attached hereto for general reference as "Exhibit B – Attachment 3." All of "Exhibit B," including attachments, is incorporated herein by this reference.

Section 2 – The Director of Planning and Development shall be authorized to accept the land, easements, and improvements dedicated to the City, as shown on said

plat, upon the applicant filing and recording a final plat in accordance with this Ordinance and the Subdivision Regulations of the City, which final plat shall substantially conform to the Approved Preliminary Plat, including those conditions described in “Exhibit B – Attachment 2,” and upon the Director of Public Works certifying to the Director of Planning and Development and the City Clerk that the public improvements have been made in accordance with City standards and specifications. Said public improvements shall not be accepted until the occurrence of all conditions referenced herein and in “Exhibit B – Attachment 2.”

Section 3 – The final plat shall not be recorded until: (1) the public improvements relating to the Approved Preliminary Plat have been constructed according to the specifications of the City of Springfield, Missouri, and are approved by the Director of Public Works, and all engineering fees, permit fees, licenses, and other fees occasioned by or in connection with the construction of said improvements have been paid to the City; or (2) in lieu of the construction of the improvements, that the Applicant has filed with the City Manager, according to the terms of the Subdivision Regulations of the City, the prescribed financial assurances in a form acceptable to the City to ensure the construction of the improvements and the payment to the City of all engineering fees, permit fees, licenses, and other fees occasioned by, or which will be occasioned by, the construction of the improvements.

Section 4 – Upon compliance with all the requirements of this Ordinance, including the conditions described in “Exhibit B – Attachment 2,” the City Clerk is hereby authorized to endorse City Council’s approval upon the final plat pursuant to Section 445.030, RSMo., and such endorsement shall constitute the acceptance of the Public Improvements contained therein.

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

Passed at meeting: _____

_____
Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: _____, Assistant City Attorney

Approved for Council action: _____, City Manager

EXHIBIT A

RECORD OF PROCEEDINGS
PRELIMINARY PLAT – PATEL SUBDIVISION

Preliminary Plat of Patel Subdivision
4808 East Parallel Lane
Applicant: Tina Patel

Mr. Menke stated that this is a request to approve a preliminary plat for a 6-lot subdivision.

Mr. Caleb Freeland, 1501 N. Meadowmere Street, applicant's representative and looking to subdivide into six industrial commercial lots.

Natalie Broekhoven closed the public hearing.

Planning and Zoning Commission Board Member Knuckles moved to approve Preliminary Plat of Patel Subdivision and Commissioner Ridge seconded the motion, and it was passed with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Scott, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Britton Jobe. Abstain: None.

Bob Hosmer, AICP
Planning Manager

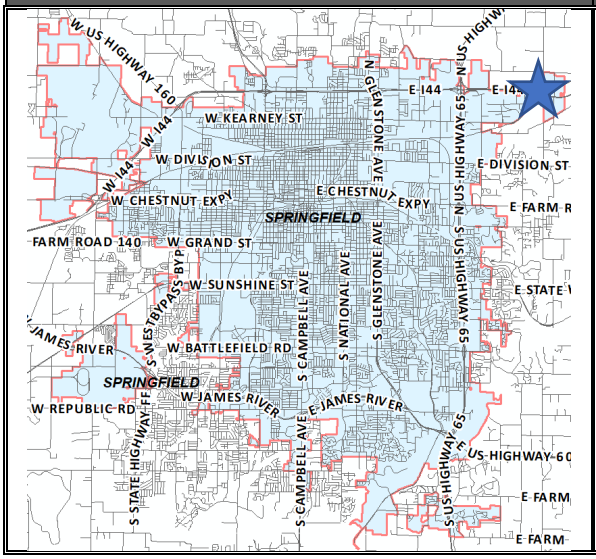
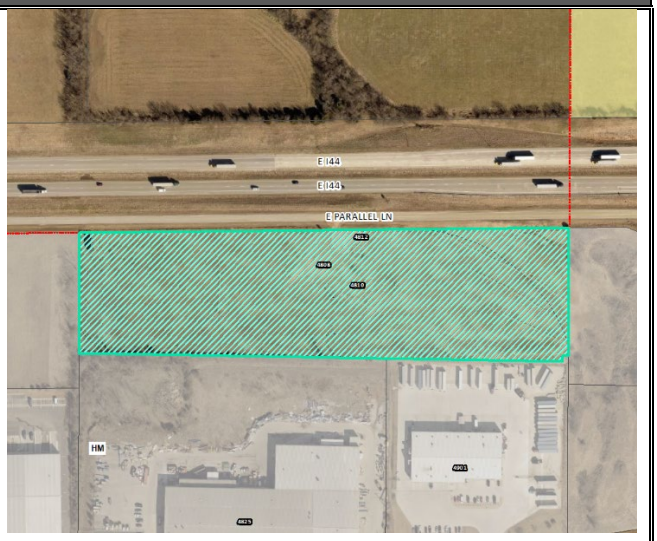
EXHIBIT B

DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION	
Case Number:	Preliminary Plat of Patel Subdivision
Location:	4808 East Parallel Lane
Total Acres:	10.7 acres
Applicant:	Tina Patel
Existing Land Use:	Undeveloped
Neighborhood Meeting:	N/A
Planning and Zoning Commission:	November 9, 2023
City Council:	December 11, 2023
Public Notification:	Posted property
Staff:	Andrew Menke, Senior Planner, (417) 864-1613
Staff recommendation:	Staff recommends approval
Proposed motion:	Move to approve the preliminary plat of Patel Subdivision subject to the conditions listed in Attachment 2 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 subdivide approximately 10.7 acres of property generally located at 4808 East Parallel Lane into six (6) industrial lots to facilitate the development of the site.

LOCATION MAP	ZONING MAP
	

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 annexed into the city on August 21, 2023. On this date the property was rezoned from County M-1, Light Manufacturing to Industrial Commercial with Conditional Overlay District 229.

PLANNING AND ZONING COMMISSION AUTHORITY:

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

(3) Preliminary plat.

(a) After participating in the pre-subdivision review with city staff, the subdivider may prepare a preliminary plat, together with supplementary material as prescribed in section 36-263.

(b) Copies of the preliminary plat and supplementary materials specified, together with a fee for administrative handling and processing in the amount prescribed by ordinance, shall be submitted to the director of planning and development with written application for approval. Upon determination that the application is complete, the director shall place the application on the agenda of the commission at a regular meeting not later than the second such meeting following the date of the filing of the application.

(c) The commission shall hold a public hearing on the preliminary plat. Notice of the public hearing shall be made in accordance with city ordinance and the rules of the commission.

(d) The commission shall review the preliminary plat and supporting material, recommendations from agencies or officials, and testimony and exhibits submitted at the public hearing. The commission shall approve, conditionally approve or disapprove the preliminary plat and if approved, the commission shall express its approval and state the conditions of such approval, if any, or if disapproved, shall express its disapproval and its reasons, therefore. In any case, a notation of the action taken, and the reasons, therefore, shall be entered in the records of the commission.

(e) If approved by the commission or approved with conditions acceptable to the applicant, then the director of planning and development shall forward the preliminary plat to the city council for its approval. Council shall determine if the land or easement proposed to be dedicated by the applicant for public use or if the public improvements shall be accepted by the city. If the city council determines that the location of the land to be dedicated for public use or the location of public improvements is appropriate and complies with applicable ordinances then the city council shall authorize the acceptance of the dedication of the land or easements upon the applicant filing and recording a final plat which substantially conforms to the preliminary plat and shall authorize the acceptance of the public improvements upon the director of public works certifying to the director of planning and development and the city clerk that the public improvements have been made in accordance with city standards and specifications.

(f) If approved with modifications which are not acceptable to the applicant or if disapproved, the director of planning and development shall attach to the plat a statement of reasons for such action and return it to the subdivider.

(g) Actions by the commission regarding the preliminary plat are final unless such action is appealed by the subdivider to the city council within 90 days of the action by the commission.

(h) Effective period of preliminary approval.

1. The approval of a preliminary plat shall be effective for a period of two years. The application for final plat approval must be submitted to the department of planning and development within the two-year period. Any plat not submitted within the two-year limit shall be null and void except as provided in subparagraph 2. below.
2. The planning and zoning commission may at its discretion and upon application by the subdivider extend the effective period of preliminary approval by two years, one time. All other submittals shall be considered a new preliminary plat and subject to applicable reviews.

DEVELOPMENT REVIEW STAFF REPORT

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR INDUSTRIAL COMMERCIAL
Minimum lot dimension requirements	36 feet of frontage along a public street
Maximum structure height	None, except that all structures shall remain below a 30-degree bulk plane as measured from the boundary of any R-SF or R-TH district.
Front yard setback	15 feet along local streets 25 feet along Collector streets or higher
Side and rear yard setback	None, except as required by section 36-453, supplemental open space and yard regulations, and the buffer yard requirements in subsection 36-434(8)
Street Classification	E Parallel Lane – Local
Sidewalks	Along the property frontage of E Parallel Lane there are no existing sidewalks. Sidewalks are required along E Parallel Lane.
Open Space Requirements	Not less than 15 percent of the total lot area.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

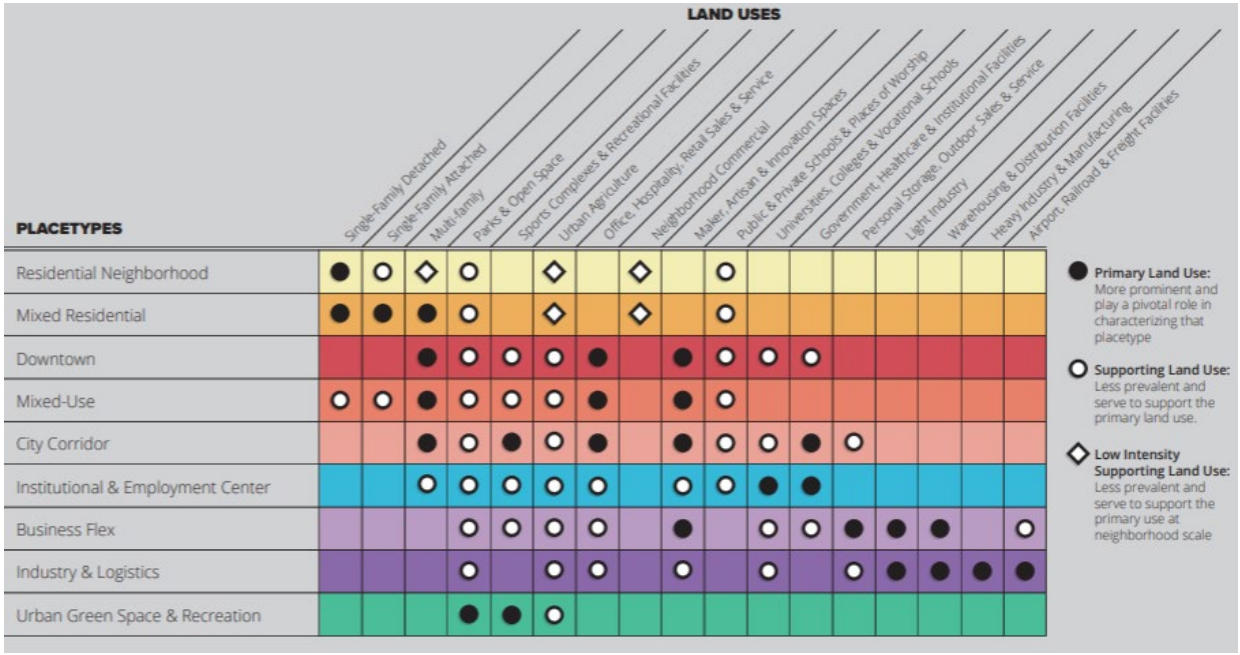
PLACETYPE: INDUSTRY & LOGISTICS

The *Comprehensive Plan's Land Use & Development* chapter groups this area into 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. (p. 52, *Chapter 5: Land Use & Development*)

The lots of the proposed subdivision have frontage on an interstate outer road and the subdivision is located within 0.5 miles of the Mulroy Road/Beaver Road exit on I-44. The zoning of this property (Industrial Commercial with Conditional Overlay District 229) accommodates the types of uses supported by interstate traffic such as warehousing, eating and drinking establishments, and freight facilities. "Warehousing and distribution facilities" are among the primary uses of this placetype and "Office, hospitality, retail sales and service" are supporting land uses. The subdivision of the property will allow for diversity in ownership and the potential for different types of uses along the interstate corridor.

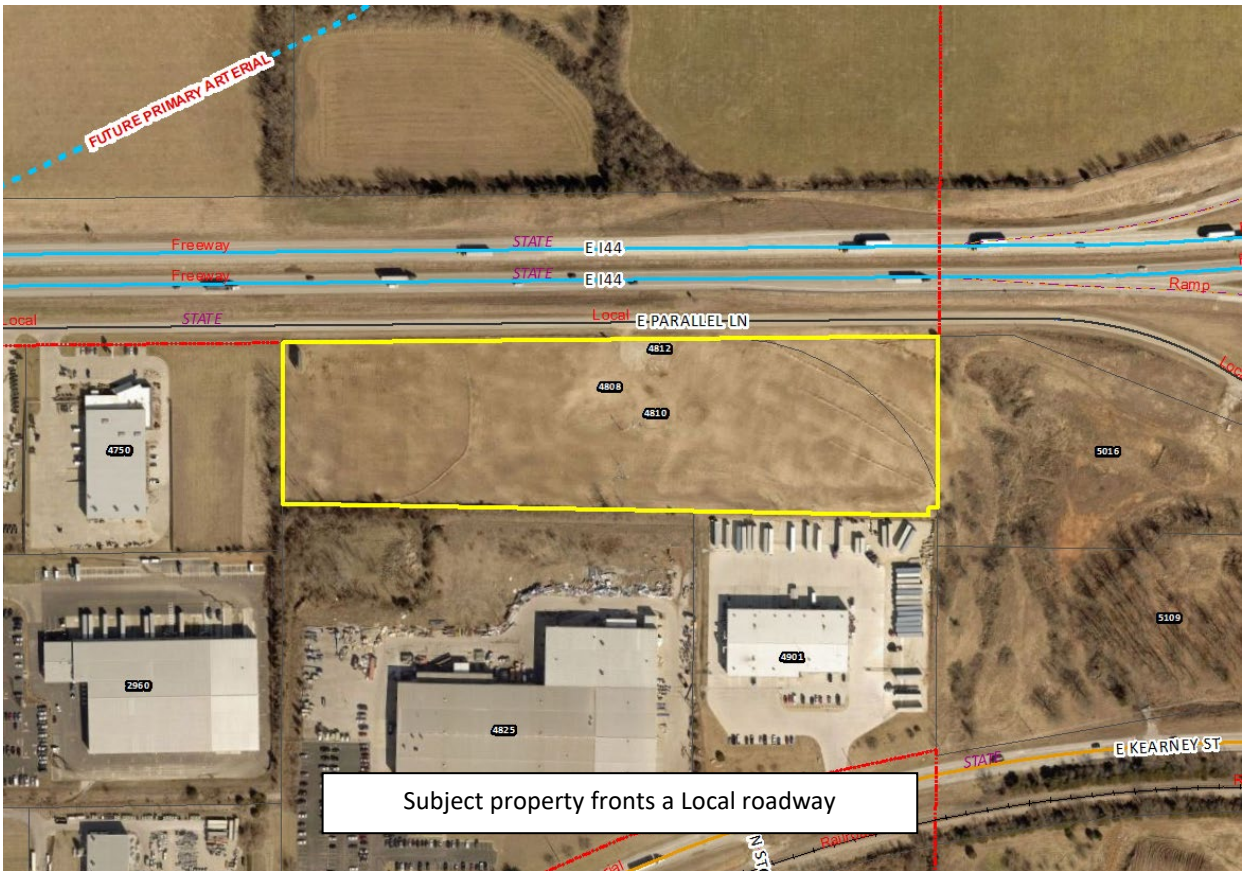
DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:



DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	County R-1	HM	HM	HM
LAND USE	Undeveloped	Industrial	Undeveloped	Wholesale sales
PLACETYPES	Mixed Residential	Industry & Logistics	City Corridor	Industry & Logistics

DEVELOPMENT REVIEW STAFF REPORT

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is proposing to subdivide approximately 10.7 acres into a six (6) lot subdivision named “Patel Subdivision”.

2. All lots meet the minimum dimension requirements of the City’s subdivision regulations and for the Industrial Commercial District.

3. If Planning and Zoning Commission approves the preliminary plat, then the plat will be forwarded to City Council for acceptance of public streets and easements. An approved preliminary plat is active for two (2) years.

4. The proposed preliminary plat was reviewed by City departments and comments are contained in ***Attachment 1.*** Conditions of Approval are provided in ***Attachment 2.*** The Preliminary Plat drawing can be found in ***Attachment 3.***

STAFF RECOMMENDATION:

1. The proposed subdivision is consistent with the *Land Use and Development Element of the Comprehensive Plan* and all proposed lots meet the subdivision regulations and the Industrial Commercial District.

2. Staff recommends approval as submitted in the staff report.

PLANNING AND ZONING COMMISSION OPTIONS:

The commission shall review the preliminary plat and supporting material, recommendations from agencies or officials, and testimony and exhibits submitted at the public hearing.

1. The commission shall approve the preliminary plat.

2. The commission shall conditionally approve the preliminary plat.

3. The commission shall disapprove the preliminary plat.

PUBLIC NOTIFICATION AND COMMENTS:

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

No comments were received by citizens for this case at the time of publication.

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT COMMENTS:

ATTACHMENT 1

1. CITY UTILITIES:

   1) 3-Phase Electric, Gas, and Water are not currently available to the property and will need to be extended from offsite to provide services to all lots, per CU's extension policy.
   2) Utility easements along the Parallel Ln frontage and interior property lines will likely be needed to accommodate the extensions. Easements can be added on the final plat.
   3) CU can begin the design of the utility extensions when we receive the construction plans/cad file.

2. DEPARTMENT OF PUBLIC WORKS CONSTRUCTION INSPECTION DIVISION:

   See ES-Clean Water Services Comments.

3. DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

   MoDOT has approved the sewer alignment within their R/W. Additional reviews will be done when public improvement plans are submitted.

4. FIRE DEPARTMENT:

   Development shall comply with the 2018 IFC.

5. DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

   Site Description and Drainage Pattern

   4808 E Parallel Lane is a 10-acre lot that is 0% existing impervious area. Own Inc, has prepared a Engineering Report for the Preliminary Plat that covers future Stormwater Design. No existing detention or water quality Stormwater Control Measures are present. The property is in the **South Dry Sac** 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 requirements for the proposed Preliminary Plat at this time. The submitted application does not have a site plan, but the Engineering Report stated detention and water quality will be provided through two separate basins at time of development. Please note that development of the property will be subject to the following conditions at the time of development:

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

   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. Two future onsite detention basins will drain both East and West. West drains through an existing box culvert under E Parallel Ln and East drains along the roadside drainage channel.

2. The future channel to convey off-site water through the westside culvert can provide the easement at final platting.

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

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 Channels and Stream Buffers

N/A

Sinkholes and 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.

6. MISSOURI DEPARTMENT OF TRNASPORTATION (MoDOT):

At the Public Improvement Plan phase, MoDOT is open to sidewalk along ROW, provided that it ends at a logical termini, in this situation, likely the easternmost access to the property. MoDOT has no concerns with the spacing of the access easements. In developing plans for the easternmost access, the 3' box culvert indicated may need to be lengthened which will be the responsibility of the developer with MoDOT having final approval of the plans.

MoDOT Utilities reviewed and approves of the sanitary sewer which extends into MoDOT ROW in front of Lots 3 and 4.

7. DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

Access

All access to the development shall be per current MoDOT standards and/or current City of Springfield standards.

Trails, Bus Stops, And Additional Information

There are no Greenway Trails near the property. There are no bus stops near the property.

Improvements

A traffic study will be required at the time of development. All requirements of the traffic study are required to be submitted on Public Improvement Plans (PIP). The approved PIP shall be constructed, or funds escrowed prior to approval of the final plat.

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	E. Parallel Lane	Local	State	25	25	NA	No	Yes	No

DEVELOPMENT REVIEW STAFF REPORT

CONDITIONS FOR APPROVAL:

ATTACHMENT 2

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

1. All improvements shall be constructed in accordance with the “Design Standards for Public Improvements” of the Public Works Department and the maintenance and operation of such improvements shall be the responsibility of the developers unless approved by the Director of Public Works. All required sanitary sewer, street, sidewalk, and drainage plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works.

2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.

3. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.

4. It is determined that the public interest requires assurance concerning adequate maintenance of common space areas and improvements. The restrictive covenants, rules and bylaws creating the common ownership must therefore provide that if the owners of the Property Owners Association shall fail to maintain the common areas or improvements in reasonable order and condition in accordance with the approved plans, the City may, after notice and hearing, maintain the same and assess the costs against the units or lots, per the Common Open Space and Common Improvement Regulations section of the Zoning Ordinance.

5. The developer shall be responsible for the relocation costs of any existing utility services and shall be responsible for clearing all utility easements of trees, brush, and overhanging tree limbs.

6. All other requirements which are necessary for this subdivision to be in compliance with the Subdivision Regulations.

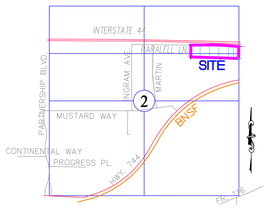
If the request is recommended for denial by the Commission and the applicant requests City Council consideration, all the above conditions, plus any amendments made by the Planning and Zoning Commission, shall be included in the Council Bill.

RECORDER'S SPACE

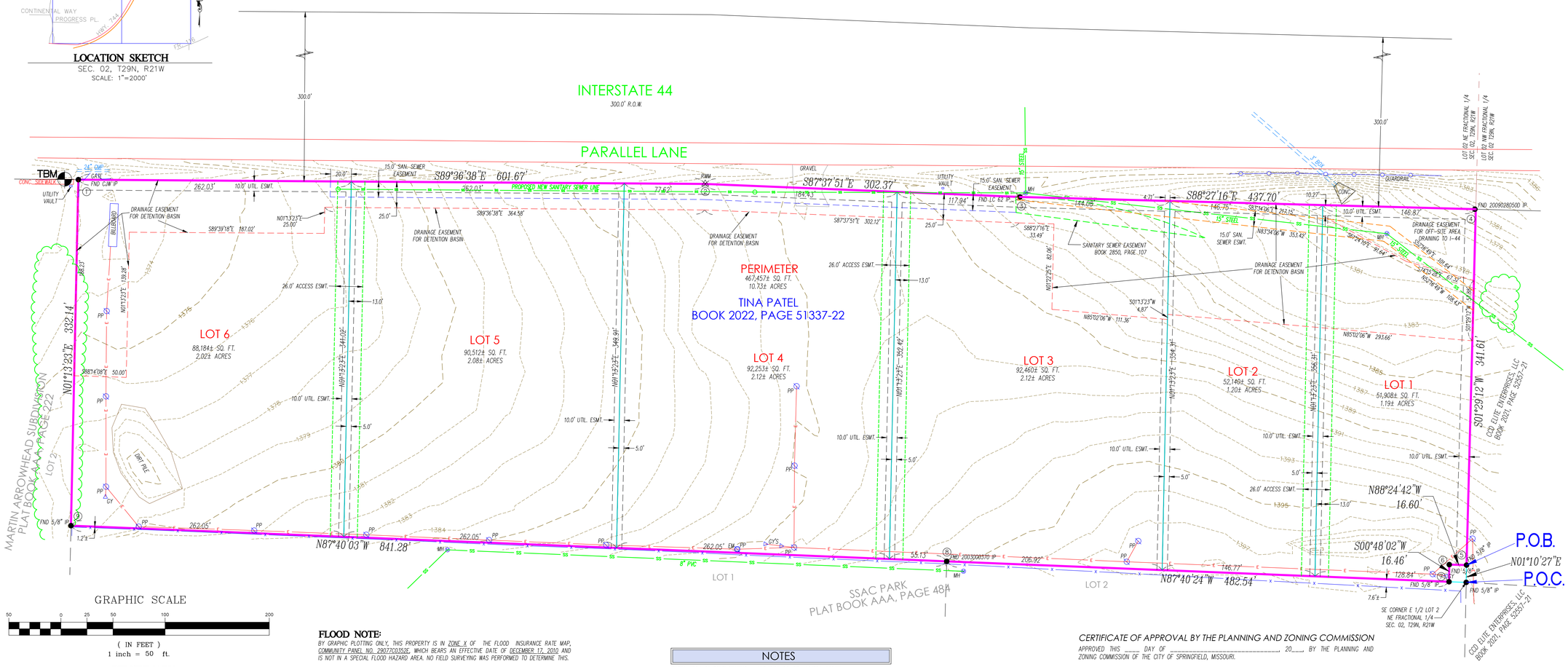
PRELIMINARY PLAT OF

PATEL SUBDIVISION

BEING A PART OF THE NORTHEAST FRACTIONAL QUARTER OF SECTION 2, TOWNSHIP 29 NORTH, RANGE 21 WEST
CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.



LOCATION SKETCH
SEC. 02, T29N, R21W
SCALE: 1"=2000'



BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE. DATE OF ADJUSTMENT 2000.

PREPARED BY
KENT R. PETERSON, PLS
OWN, INC.
3213 S. WEST BYPASS
SPRINGFIELD, MO. 65807

OWNER AND DEVELOPER
TINA PATEL
3915 E. RIDGEVIEW ST.
SPRINGFIELD, MO. 65809

GRAPHIC SCALE

50 0 25 50 100 200

(IN FEET)
1 inch = 50 ft.

BENCHMARK

TBM IS A SQUARE CUT IN A SIDEWALK AT THE WEST OF THE NORTHWEST CORNER OF SUBJECT PROPERTY WITH AN ELEVATION OF 1372.18. VERTICAL DATUM = NAVD 1988.

STATE PLANE COORDINATE TIE MISSOURI COORDINATE SYSTEM 1983	
CONTROL STATION:	
GR-38	NORTHING – 156115.190 (M) EASTING – 437665.439 (M)
	GRID FACTOR – 0.9999195

COORDINATES EXPRESSED IN METERS.

INTERIOR ANGLES

1	90°50'01"
2	178°01'13"
3	180°49'25"
4	90°03'31"
5	89°53'55"
6	270°47'16"
7	88°28'26"
8	179°59'39"
9	91°06'34"

SUM OF INTERIOR ANGLES
1260°00'00"

LEGEND OF SYMBOLS AND ABBREVIATIONS

- (4) INTERNAL ANGLE # (SEE TABLE)
- SS SANITARY SEWER LINE
- E OVERHEAD ELECTRIC
- G GAS LINE
- WS WATER SERVICE
- UT UNDERGROUND TELEPHONE
- UE UNDERGROUND ELECTRIC
- X FENCE LINE
- FH FIRE HYDRANT
- LP LIGHT POLE
- P.O.C. POINT OF COMMENCEMENT
- LINE LABELS
- MEASURED 100' M
- DEED 100' D
- RECORD 100' R
- WV WATER VALVE
- GV GAS VALVE
- WM WATER METER
- TR TELEPHONE RISER
- ER ELECTRIC RISER
- RD ROOF DRAIN
- TRANS TRANSFORMER PAD
- MH SANITARY MANHOLE
- RWM RIGHT-OF-WAY MARKER
- IP FOUND IRON PIN
- SET IP SET IRON PIN
- P.O.B. POINT OF BEGINNING
- GROUND LIGHT
- SET PM PERMANENT MONUMENT
- TREELINE

FLOOD NOTE:

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE X OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 29077C0352E, WHICH BEARS AN EFFECTIVE DATE OF DECEMBER 17, 2010 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS.

SURVEYORS NOTE:

WITH THIS SURVEY WE DO NOT GUARANTEE THAT OWNERSHIP IS TO THE SURVEY LINES DEPICTED HEREON. THIS SURVEY IS A GRAPHIC REPRESENTATION OF THE OPINION OF THE SURVEYOR AS TO THE LOCATION OF THE RECORD DESCRIPTION. NO OPINION AS TO THE VALIDITY OF TITLE IS GIVEN OR IMPLIED.

UTILITY NOTE:

THIS SURVEY REFLECTS ABOVE GROUND INDICATIONS OF UTILITIES AND INFORMATION AVAILABLE FROM UTILITY COMPANIES. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANTY THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

ZONING DATA

SUBJECT PROPERTY IS ZONED IC (INDUSTRIAL COMMERCIAL DISTRICT). W/COD #229.

MINIMUM YARD REQUIREMENTS (ADDITIONAL BUFFERYARD MAY BE REQUIRED BY SUBSECTION (8)).
1. FRONT YARD
   A. TWENTY-FIVE FEET ALONG A STREET CLASSIFIED AS A COLLECTOR OR HIGHER CLASSIFICATION STREET OR AS REQUIRED BY SECTION 36-453, SUPPLEMENTAL OPEN SPACE AND YARD REGULATIONS.
   B. FIFTEEN FEET ALONG A STREET CLASSIFIED AS A LOCAL STREET OR AS REQUIRED BY SECTION 36-453, SUPPLEMENTAL OPEN SPACE AND YARD REGULATIONS.
   C. THE FRONT YARD SETBACK MAY BE REDUCED BELOW THE MINIMUM REQUIRED ABOVE IF A CONDITIONAL USE PERMIT IS APPROVED IN ACCORDANCE WITH SECTION 36-363, CONDITIONAL USE PERMITS, OR AN APPROVED PRELIMINARY PLAT IN ACCORDANCE WITH THE CITY'S SUBDIVISION REGULATIONS.
2. SIDE YARDS: NONE, EXCEPT AS REQUIRED BY SECTION 36-453, SUPPLEMENTAL OPEN SPACE AND YARD REGULATIONS, AND THE BUFFERYARD REQUIREMENTS IN SUBSECTION (8).
3. REAR YARDS: NONE, EXCEPT AS REQUIRED BY THE BUFFERYARD REQUIREMENTS IN SUBSECTION (8)).

HOWEVER, IN NO EVENT MAY A STRUCTURE BE ERECTED CLOSER TO THE CENTERLINE OF AN EXISTING OR PLANNED STREET THAN AS PRESCRIBED BELOW, EXCEPT AS PERMITTED BY SUBSECTION 36-303(17)(B) AND SUBSECTION 36-303(17)(D).

STREET CLASSIFICATION	REQUIRED SETBACK FROM RIGHT-OF-WAY CENTER LINE
COMMERCIAL/ INDUSTRIAL LOCAL (PARALLEL LANE)	30 FEET PLUS REQUIRED YARD SETBACK

NOTES

TOTAL AREA OF DEVELOPMENT = 467,457± SQ. FT. (10.73± ACRES)
TOTAL NUMBER OF LOTS = 6
SMALLEST – LOT 1 = 51,908± SQ. FT. (1.19± ACRES)
LARGEST – LOT 3 = 92,460± SQ. FT. (2.12± ACRES)

METERS TO U.S. FEET CONVERSION 3.28083333 "GRID".

INSTALLATION OF IRON PINS ON ALL LOT CORNERS WILL BE COMPLETED UPON COMPLETION OF UTILITIES INSTALLATIONS.

PERIMETER DESCRIPTION

COMMENCING AT A FOUND 5/8" IRON PIN AT THE SOUTHEAST CORNER OF THE EAST HALF OF LOT 2 OF THE NORTHEAST FRACTIONAL QUARTER OF SECTION 2, TOWNSHIP 29 NORTH, RANGE 21 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN SPRINGFIELD, GREENE COUNTY, MISSOURI; THENCE NORTH 01°10'27" EAST ALONG THE EAST LINE OF SAID LOT 2, 16.59 FEET TO A FOUND 5/8" IRON PIN AND THE POINT OF BEGINNING; THENCE NORTH 88°24'42" WEST 16.60 FEET TO A FOUND 5/8" IRON PIN, THENCE SOUTH 00°48'02" WEST 16.46 FEET TO A FOUND 5/8" IRON PIN, ON THE SOUTH LINE OF SAID LOT 2; THENCE NORTH 87°40'24" WEST ALONG SAID SOUTH LINE, 482.54 FEET TO A FOUND IRON PIN; THENCE CONTINUING ALONG SAID SOUTH LINE, NORTH 87°40'03" WEST 841.28 FEET TO A FOUND 5/8" IRON PIN AT THE SOUTHWEST CORNER OF SAID EAST HALF OF LOT 2; THENCE NORTH 01°13'23" EAST ALONG THE WEST LINE OF SAID EAST HALF, 332.14 FEET TO A FOUND IRON PIN ON THE SOUTH RIGHT OF WAY OF PARALLEL LANE / INTERSTATE 44; THENCE SOUTH 89°36'38" EAST ALONG SAID SOUTH RIGHT OF WAY, 601.67 FEET TO A FOUND RIGHT OF WAY MARKER; THENCE CONTINUING ALONG SAID SOUTH RIGHT OF WAY, SOUTH 87°37'51" EAST 302.37 FEET TO A FOUND IRON PIN; THENCE CONTINUING ALONG SAID SOUTH RIGHT OF WAY, SOUTH 88°27'16" EAST 437.70 FEET TO A FOUND IRON PIN AT THE INTERSECTION OF SAID SOUTH RIGHT OF WAY WITH THE SAID EAST LINE OF LOT 2; THENCE SOUTH 01°29'12" WEST ALONG SAID EAST LINE, 341.61 FEET TO THE POINT OF BEGINNING.

CERTIFICATE OF APPROVAL BY THE PLANNING AND ZONING COMMISSION

APPROVED THIS _____ DAY OF _____, 20____ BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF SPRINGFIELD, MISSOURI.

_____
BRENDAN GRIESEMER, FAICP, INTERIM DIRECTOR

DEDICATION

SAID LAND HAS BEEN SUBDIVIDED AS SHOWN HEREON, ALL STREETS, EASEMENTS, AND ACCESS LIMITATIONS AS RELINQUISHED AND DEDICATED TO THE PUBLIC.

IN WITNESS WHEREOF_____, AND_____,
(HUSBAND AND WIFE/CORPORATE OFFICE/ETC.) SOLE OWNERS OF THE PROPERTY DESCRIBED HEREON, HAS CAUSED THIS PLAT TO BE SIGNED THIS_____ DAY OF _____, _____.

_____ _____
SIGNATURE – PRINT NAME UNDERNEATH LINE SIGNATURE – PRINT NAME UNDERNEATH LINE

CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED HEREON, WHICH PROPERTY IS WITHIN THE SUBDIVISION REGULATION JURISDICTION OF THE CITY OF SPRINGFIELD, AND THAT I FREELY ADOPT THIS PLAN OF SUBDIVISION.

_____ _____
DATE

ACKNOWLEDGEMENT

STATE OF MISSOURI
(SS)
COUNTY OF GREENE
ON THIS _____ DAY OF _____ IN THE YEAR _____, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED THE HE/SHE/THEY EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED. IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND SEAL.

_____
NOTARY PUBLIC

CERTIFICATE OF APPROVAL BY THE CITY COUNCIL

APPROVED THIS _____ DAY OF _____, 20____, BY THE CITY COUNCIL OF THE CITY OF SPRINGFIELD, MISSOURI BY SPECIAL ORDINANCE _____.

_____
ANITA J. COTTER, CITY CLERK

SURVEYOR'S CERTIFICATE

KNOWN ALL MEN BY THESE PRESENTS:

THAT I, KENT R. PETERSON, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL SURVEY OF THE LAND HEREIN DESCRIBED, PREPARED BY OWN, INC. DATED APRIL 2023, AND THAT THE MONUMENTS AND LOT CORNER PINS SHOWN HEREIN WERE PLACED UNDER THE SUPERVISION OF KENT R. PETERSON, PLS NO. 2659 IN ACCORDANCE WITH THE MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS. DRAWING LAST REVISED ON OCTOBER 10, 2023.

OWN, INC.
BY:

KENT R. PETERSON, PLS NO. 2659

STATE OF MISSOURI
KENT R. PETERSON
NUMBER LS-2659
PROFESSIONAL LAND SURVEYOR

10-10-2023
DATE PREPARED

COA #000062

OWN
Engineering beyond C
3213 S. West Bypass
Springfield, MO 65807
417.866.2741
weareown.com
FORMERLY ANDERSON ENGINEERING

FIELD: CB	DATE: 07-17-2023	111810
DRAWN: GAS&BAC	FIELD BK: N/A	SHEET 1 OF 1
CHECKED: KRP	JOB NO: 22SP10313	

Plotted on: Oct 10, 2023 - 9:26am G:\Shared drives\SP2 Survey\Projects\2022\22SP10313 Ash Patel Interstate 44 and Mulroy Rd\Platting\Preliminary\111810 - 22SP10313 10-05-2023.dwg Layout: Admin Plat