



City of Springfield

Agenda

City Council - Revised

Ken McClure, Mayor

Zone Councilmembers

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

General Councilmembers

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

August 5, 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. July 22, 2024, City Council Meeting.

3. FINALIZATION AND APPROVAL OF CONSENT AGENDAS.

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

4. CEREMONIAL MATTERS.

5. CITY MANAGER REPORT 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 2024-145 (McClure)

A special ordinance calling an election on Tuesday, November 5, 2024, in the City of Springfield, Missouri, to submit to the qualified voters the question of whether to enact a city sales tax at the rate of three-quarters of one percent (3/4-cent), one-quarter for the purpose of funding public safety initiatives, to include funding the remaining obligation of the Springfield Police Officers' and Firefighters' Pension and increasing police officer and firefighter pay, with said one-quarter to not sunset, and two-quarters for the purpose of funding projects consistent with the City's comprehensive plan, to include capital improvements, community and neighborhood initiatives, and park projects, with said two-quarters to sunset after a period of ten years; and declaring an emergency pursuant to City Charter Section 2.12.

6.2. Council Bill 2024-147 (Lee)

A general ordinance amending Chapter 118 of the Springfield City Code, 'Vehicles for Hire,' Sections 118-31, 118-49, and 118-52, for the purpose of aligning City Code with current technology and state statute with regard to the use of electronic taximeters within the City of Springfield.

6.3. Council Bill 2024-148 (Hosmer)

A special ordinance authorizing the City Manager, or designee, to accept a grant renewal in the amount of \$100,000 from the Missouri Children's Trust Fund for use by the Springfield-Greene County Health Department to continue operating the Family Connects Program; enter into necessary agreements to carry out the grant; and amend the Fiscal Year 2024-2025 budget in the amount of \$100,000 to appropriate the grant funds.

6.4. Council Bill 2024-149 (Hosmer)

A general ordinance amending the Springfield City Code Chapter 2 "Administration" Article III "Officers and Employees" to add a new Section 2-95 "Appointed officer and employee code of ethics."

7. RESOLUTIONS.

Citizens May Speak. May Be Voted On.

7.1. Council Bill 2024-151 (Hardinger)

A resolution authorizing the City Manager, or designee, to apply for a Youth Homelessness Demonstration Program Grant from the United States Department of Housing and Urban Development, in a minimum amount of \$600,000, to develop and implement a coordinated community plan to end youth homelessness.

7.2. Council Bill 2024-152 (Horton)

A resolution approving the use of funds from the 1/4-Cent Capital Improvements Sales Tax Minor Neighborhood Improvement Program in the amount of \$93,705 to partially fund sidewalk improvements on High Street from Kansas Expressway to Newton Avenue (Zone 1) to meet requirements in accordance with the City's Americans with Disabilities Act transition plan.

7.3. Council Bill 2024-153 (Lee)

A resolution authorizing the City Manager, or designee, to apply for federal grant funds in the amount of \$400,000 from the United States Department of Agriculture, Office of Urban Agriculture and Innovative Production Pilot Program to fund expansion of the Dish-to-Dirt Program for food waste reduction.

7.4. Council Bill 2024-154 (Simpson)

A resolution granting a Short-Term Rental Type 2 permit for the property generally located at 603 East McGee, for the purpose of allowing the establishment of a Short-Term Rental Type 2 pursuant to Section 36-473 of the Land Development Code.

7.5. Council Bill 2024-155 (Jenson)

A resolution granting a Short-Term Rental Type 2 permit for the property generally located at 1131 West Whiteside Street, for the purpose of allowing the establishment of a Short-Term Rental Type 2 pursuant to Section 36-473 of the Land Development Code.

7.6. Council Bill 2024-156 (McGull)

A resolution granting a Short-Term Rental Type 2 permit for the property generally located at 2649 East Loren Street, for the purpose of allowing the establishment of a Short-Term Rental Type 2 pursuant to Section 36-473 of the Land Development Code.

7.7. Council Bill 2024-157 (Horton)

A resolution amending the Major Thoroughfare Plan in the City's Forward SGF Comprehensive Plan, Chapter 9, Transportation & Mobility, by removing a future primary arterial and adding a future collector.

7.8. Council Bill 2024-169 (Jenson, Hardinger, and McGull)

A resolution expressing support for the residents of Jenny Lind Hall, encouraging the U.S. Department of Housing and Urban Development (HUD) to investigate Millennia Management for compliance with federal law, and, in the event that HUD discovers violations, urging it to exercise all enforcement options necessary to remediate such violations.

8. EMERGENCY BILLS.

9. PUBLIC IMPROVEMENTS.

10. GRANTS.

11. AMENDED BILLS.

12. COUNCIL BILLS FOR PUBLIC HEARING.

Citizens May Speak. Not Anticipated To Be Voted On.

12.1. Council Bill 2024-158 (McGull)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 5 acres of property generally located at 3110 East Cherry Street from GR, General Retail, with Conditional Overlay District 158, to GR, General Retail, with Conditional Overlay District No. 255; and adopting an updated Official Zoning Map. (By: B&T Commercial Properties LLC; 3110 East Cherry Street; Z-19-2024 w/ COD 255.)

12.2. Council Bill 2024-159 (Simpson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.73 acres of property generally located at 2456 East Sunshine Street from Planned Development 136, to GR, General Retail District; establishing Conditional Overlay District No. 254; and adopting an updated Official Zoning Map. (By: Thomas Edward

Gregorski; 2456 East Sunshine Street; Z-18-2024 w/ Conditional Overlay District No. 254.)

12.3. Council Bill 2024-160 (Jenson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 5.4 acres of property generally located at 817 West El Camino Alto Drive from R-LD, Low-Density Multi-Family Residential District, with Conditional Overlay District 214, to O-1, Office District; establishing Conditional Overlay District No. 253; and adopting an updated Official Zoning Map. (By: Ridge HZ55, LLC; 817 West El Camino Alto Drive; Z-17-2024 with Conditional Overlay District No. 253.)

12.4. Council Bill 2024-161 (Jenson)

A general ordinance amending the Official Map of the City of Springfield, Missouri, adopted pursuant to General Ordinance 1478, by changing the street name of the 1700-2000 block of South McCurry Street to South McCurry Avenue.

13. FIRST READING BILLS. Requiring One Reading.

Citizens May Speak. May Be Voted On.

13.1. Council Bill 2024-162 (Horton)

A special ordinance authorizing the City Manager, or designee, to enter into a Financial Assistance Agreement with the Missouri Department of Natural Resources for the purpose of accepting American Rescue Plan Act grant funds to support construction of stormwater infrastructure on Nichols Street from Dickerson Avenue to Hutchinson Avenue in the amount of \$205,432; amending the Fiscal Year 2024-2025 budget; and declaring that this Ordinance qualifies for approval in one reading pursuant to Section 2.16(25) of the City Charter.

13.2. Council Bill 2024-163 (Horton)

A special ordinance authorizing the City Manager, or designee, to enter into a Financial Assistance Agreement with the Missouri Department of Natural Resources for the purpose of accepting American Rescue Plan Act grant funds in the amount of \$187,492 to support construction of stormwater infrastructure on Clifton Avenue from Kearney Street to High Street; amending the Fiscal Year 2024-2025 budget; and declaring that this Ordinance qualifies for approval in one reading pursuant to Section 2.16(25) of the City Charter.

13.3. Council Bill 2024-164 (McGull, Jenson, Simpson, Horton)

A special ordinance approving the plans and specifications for the 2024 Federal Resurfacing Project STBG-5900(851); accepting the bid of \$3,840,106.50 from Blevins Asphalt Construction Company, Inc. for construction of the project; authorizing the City Manager, or designee, to enter into a contract with such bidder; and declaring that this Ordinance qualifies for approval in one reading pursuant to Section 2.16(25) of the City Charter.

14. FIRST READING BILLS. Requiring Two Readings. Citizens May Speak. Not Anticipated To Be Voted On.

14.1. Council Bill 2024-165 (Horton, McGull)

A special ordinance amending the Fiscal Year 2024-2025 budget of the Department of Public Works in the amount of \$1,350,000 to appropriate 1/4-cent Capital Improvement Sales Tax fund balance reserves for sidewalk improvements and rehabilitation of existing sidewalks.

14.2. Council Bill 2024-166 (Simpson)

A special ordinance authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, Missouri, as shown on the renewal of the Cluster Preliminary Subdivision Plat of Reed Avenue Cottages, generally located at 4423 South Reed Avenue, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance.

14.3. Council Bill 2024-167 (Hosmer)

A special ordinance amending the Fiscal Year 2024-2025 budget of the Springfield-Greene County Park Board by increasing revenues in the amount of \$175,000.00.

15. PETITIONS, REMONSTRANCES AND COMMUNICATIONS.

15.1. Nathan Madden wishes to address City Council.

15.2. Katie Schmidt wishes to address City Council.

16. NEW BUSINESS.

16.1. 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.

16.2. Refer to the Community Involvement Committee discussion and potential recommendation of creation and funding of a program to remove trash from City property by working jointly with non-profit organizations who provide jobs to the underprivileged.

16.3. Refer to the Finance and Administration Committee discussion and review of the Public Works bidding process.

17. UNFINISHED BUSINESS.

18. MISCELLANEOUS.

19. CONSENT AGENDA – FIRST READING BILLS.

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

20.1. Council Bill 2024-168 (Hosmer)

A resolution confirming the appointment of Clayton Baker, Kristofer Booth, and Nicole Brown to the Downtown Springfield Community Improvement District Board of Directors.

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

21.1. Confirm the following reappointments to the Springfield-Greene County Public Library Board: Aaron Jones and David Yancey with terms to expire July 1, 2027.

22. END OF CONSENT AGENDA.

23. ADJOURN.



City of Springfield

Minutes

City Council

Ken McClure, Mayor

Zone Councilmembers

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

General Councilmembers

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

July 22, 2024

6:30 PM

Regional Police-Fire
Training Center
2620 West Battlefield Road
Room 101, 102, and 103

1. ROLL CALL.

Mayor McClure acknowledged Jack Hamlin, the community's last known D-Day survivor, who passed away the previous Saturday at the age of 102. Mayor McClure noted Mr. Hamlin was a true hero. Mr. Hamlin graduated from Drury University and played minor league baseball for the New York Yankees. He served in World War II. Mayor McClure further noted Mr. Hamlin served in the Missouri General Assembly and he was presented with a Key to the City on June 6, 2024.

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

2. APPROVAL OF MINUTES.

2.1. Approval of Minutes. July 8, 2024, City Council Meeting and July 9, 2024, Special City Council Meeting.

Mayor Pro Tem Simpson moved to approve the minutes of the July 8, 2024, City Council Meeting and the July 9, 2024, Special City Council Meeting as presented. Councilmember Carroll seconded the motion and it 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.

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.

The consent agenda was approved as presented 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.

4.1. Council Bill 2024-141 (McClure)

A resolution recognizing Teresa Allen for 27 years of dedicated service to the City of Springfield upon the occasion of her retirement.

Mayor Pro Tem Simpson read the resolution in it's entirety.

Collin Quigley, Deputy City Attorney, provided a brief overview of the proposed. Mr. Quigley noted for 27 years Teresa Allen left an indelible mark on the community and had played a critical role in shaping the City's future through her role as Budget Coordinator. Mr. Quigley expressed heartfelt appreciation to Ms. Allen for her dedication and hard work.

David Holtmann, Director of Finance, recognized Teresa Allen for her 27 years of service. He acknowledged Ms. Allen as persistent, determined, friendly, driven, passionate, with high standards and not accepting of failure. Mr. Holtmann noted her dedication to customer service and congratulated Ms. Allen on her well deserved retirement.

Mayor McClure thanked Ms. Allen for her superb work and noted City Council was pleased to honor Ms. Allen.

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

Resolution 10765. Council Bill 2024-141 (McClure) 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.

Teresa Allen, Budget Coordinator, thanked City Council. Ms. Allen noted the City had been like family and the work had been a joy. She added she was retiring to move closer to family.

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

Collin Quigley, Deputy City Manager, provided an update. He noted the City of Springfield was administering a Community Development Needs Survey through August 31 to assess community needs in the areas of affordable housing, economic development, public services, public and private improvements, and infrastructure and public facilities. Mr. Quigley added the results of the survey would be used to create the City's 2025-2029 Consolidated Plan and help the City determine program funding in each of the five areas.

Mr. Quigley noted the United States Department of Housing and Urban Development was expected to fund approximately \$1.5 million in Community Development Block Grant (CDBG) and approximately \$1 million in HOME Investment Partnerships Program (HOME) funds each of the next five years. These funds primarily benefited low to moderate-income households.

Mr. Quigley noted the City of Springfield, in partnership with the Woodland Heights Neighborhood Association, celebrated the completion of intersection and pedestrian safety improvements in the neighborhood last week. He added the project involves improvements at the intersections of Grant Avenue and Chase Street and Lyon Avenue and Chase Street as identified by the neighborhood as a need through the City's Neighborhood Works program. The project was intended to enhance pedestrian safety and accessibility in Woodland Heights, providing a safer environment for residents and visitors. The program was funded by the City's Neighborhood Works Program, which allocated ¼-cent Capital Improvement Sales Tax funds for small-scale capital improvements within officially registered neighborhoods.

Mr. Quigley noted the Springfield Fire Department hosted a ribbon cutting ceremony for the rebuilt Fire Station 7 at 2129 E. Sunshine. Fire Station 7 was located on the boundary of the Brentwood and Oak Grove neighborhoods. He added the old station, built in 1958, had long exceeded its usefulness. The funding for the new station was provided by the voter-approved Level Property Tax.

Mr. Quigley noted the 78th Springfield Police Academy Graduation would be held at 7:00 p.m. on July 26 at the East Sunshine Church of Christ located at 3721 E. Sunshine. He added twelve recruits would be graduating.

Councilmember Jenson asked for an update on code enforcement efforts at Jenny Lind Hall. Brad Musick, Interim Director of Building Development Services, responded. Mr. Musick noted 711 South Jefferson was under an abatement notice and the next inspection would occur on July 27. He added the notice was issued on June 10 and the elevators were still not working to date. Councilmember Jenson noted buildings could be cited for lack of substantial progress under Section 26-62 and that could be explored. He further noted it was possible that utility services could be disconnected at the location as early as July 27.

Councilmember Hosmer asked for an update on weeds at the locations of Cherry Street and Glenstone Avenue. He also asked if the City could do anything to assist elderly low income residents at Rosewood Estates at 710 East Sunshine. Mr. Quigley responded programs for residents at Rosewood Estates would be reviewed. Councilmember

Hosmer asked to look into legislation that would require notice to be given if a property ages out of low income requirements.

6. SECOND READING AND FINAL PASSAGE.

Citizens Have Spoken. May Be Voted On.

6.1. Council Bill 2024-128 (Jenson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.70 acres of property generally located at 1400 West Walnut Street from R-SF, Single-Family Residential District to O-1, Office District; and adopting an updated Official Zoning Map. (By: First General Baptist Church of Springfield; 1400 W. Walnut St.; Z-14-2024).

Ordinance 6861. Council Bill 2024-128 (Jenson) 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 2024-129 (Simpson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately .70 acres of property generally located at 1102, 1106, 1114, and 1120 East Cherokee Street from R-SF, Single-Family Residential District to R-MD, Medium-Density Multifamily Residential District with Conditional Overlay District No. 247; and adopting an updated Official Zoning Map. (By: One Hundred Two Glenstone Inc.; 1102, 1106, 1114, & 1120 East Cherokee Street; Z-2-2024 w/ Conditional Overlay District No. 247).

Councilmember Lee recused himself from Council Bill 2024-129 and left the dais.

Mayor McClure noted his personal and professional respect for the Planning and Zoning Commission, however disagreed with their recommendation. Mayor McClure expressed his support for the proposed.

Ordinance 6862. Council Bill 2024-129 (Simpson) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hardinger, Councilmember Carroll, and Mayor McClure. Nays: Councilmember Hosmer. Absent: Councilmember Lee. Abstain: None.

Councilmember Lee returned to the dais.

6.3. Council Bill 2024-131 (Hosmer)

A special ordinance authorizing the City of Springfield to dispose of approximately 4.93 acres of property generally located at the 200 block of East Farm Road 192.

Ordinance 28022. Council Bill 2024-131 (Hosmer) 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 2024-132 (Jenson)

A special ordinance 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 Campbell Acres Phase II, generally located at 3505 and 3525 South Campbell Avenue and 3446 South Main Avenue, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance; and approving the Planning and Zoning Commission's grant of two subdivision variances.

Councilmember Lee recused himself from Council Bill 2024-132 and left the dais.

Ordinance 28023. Council Bill 2024-132 (Jenson) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, and Mayor McClure. Nays: None. Absent: Councilmember Lee. Abstain: None.

Councilmember Lee returned to the dais.

6.5. Council Bill 2024-133 (Hardinger)

A special ordinance amending the Fiscal Year 2024-2025 budget for the Department of Environmental Services in the amount of \$3,500,000 to appropriate retained earnings from the Clean Water Fund for the design phase of the Environmental Services Operations Facility capital improvement project.

Ordinance 28024. Council Bill 2024-133 (Hardinger) 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 2024-134 (Hosmer)

A special ordinance amending the Fiscal Year 2023-2024 operating budget of the City of Springfield in the General Fund by increasing both revenue and expenses in the amount of \$189,564, for the purpose of adjusting for certain reimbursements and associated offsetting expenses, adjusting the salary budget for retirement payouts, and adjusting interdepartmental budgets.

Ordinance 28025. Council Bill 2024-134 (Hosmer) 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 2024-135 (Carroll)

A special ordinance amending the Fiscal Year 2023-2024 operating budget of the City of Springfield by increasing both revenue and expenses in the amount of \$436,659, in various Special Revenue Funds, for the purpose of accounting for certain reimbursements and associated offsetting expense items.

Ordinance 28026. Council Bill 2024-135 (Carroll) 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.

6.8. Council Bill 2024-136 (Carroll)

A special ordinance amending the Park Board's Fiscal Year 2023-2024 operating budget by increasing revenues by \$700,000 and appropriating Parks Fund Balance of \$633,892, for a total of \$1,333,892, to offset unanticipated expenditures of \$1,333,892, and increasing both revenues and associated expenses within the Golf Enterprise Fund by \$500,000, for an overall budget adjustment of \$1,833,892.

Ordinance 28027. Council Bill 2024-136 (Carroll) 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.

6.9. Council Bill 2024-137 (Hosmer)

A special ordinance amending the Fiscal Year 2024-2025 budget in the amount of \$750,000 to appropriate the fund balance from the Art Museum Special Project Fund to support the design and construction of the Springfield Art Museum Renovation and Expansion Project at the Springfield Art Museum.

Ordinance 28028. Council Bill 2024-137 (Hosmer) 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.

6.10. Council Bill 2024-138 (Simpson, Carroll, McGull, Hardinger)

A general ordinance amending Special Ordinances 27640, 27641, 27642, 27643, and 27730 to revise funding appropriated for retention payments and a city-wide housing study; amending the budget for Fiscal Year 2024-2025 to appropriate funds from the City's Coronavirus State and Local Fiscal Recovery Funds, established by the American Rescue Plan Act of 2021, for certain projects in the amount of \$611,819.00; and authorizing the City Manager, or designee, to enter into agreements for said projects.

Mayor Pro Tem Simpson thanked staff on behalf of the American Rescue Plan Act (ARPA) Committee for their ability to secure a federal grant for funding. He added that allowed reallocation of funds to go toward a variety of community needs including the HUD five year consolidated plan for housing, Fire Department decontamination stations, an aerial awareness drone, and additional neighborhood cleanups.

Councilmember Jenson asked if there was a follow-up to the question of how much had been paid to Forvis for compliance services. Mr. Quigley responded the initial contract was for \$320,000 and the City had paid \$293,558 to date.

Ordinance 6863. Council Bill 2024-138 (Simpson, Carroll, McGull, Hardinger) 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.

6.11. Council Bill 2024-139 (Carroll)

A special ordinance authorizing the City Manager, or designee, to accept American Rescue Plan Act funds in the amount of \$100,000 from Greene County for use by the Springfield-Greene County Health Department in implementing and operating the Family Connects Program; and amending the Fiscal Year 2024-2025 budget in the amount of \$100,000 to appropriate the funds.

Ordinance 28029. Council Bill 2024-139 (Carroll) 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.

6.12. Council Bill 2024-140 (Lee)

A special ordinance amending the Fiscal Year 2024-2025 budget regarding the Human Resources Department in order to adjust the authorized full time equivalent positions of Human Resources Assistant from 1.5 positions to 2 positions.

Ordinance 28030. Council Bill 2024-140 (Lee) 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.

7. RESOLUTIONS.

Citizens May Speak. May Be Voted On.

7.1. Council Bill 2024-142 (Simpson)

A resolution granting a Short-Term Rental Type 2 permit for the property generally located at 413 East Seminole, 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 for a short-term rental type 2 at 413 East Seminole. He further noted the property was on a short block face, a neighborhood meeting was held, and the applicant received 60 percent of the needed signatures. Mr. Hosmer added there were two letters of opposition received.

Mayor Pro Tem Simpson asked if the proposed would have been administratively approved if not for the block face requirement. Mr. Hosmer responded affirmatively. Mayor Pro Tem Simpson asked how many legal and illegal short-term rentals were currently operating in the City. Mr. Hosmer responded there were 312 licensed short-term rentals as of February 9, 2023, with 582 applications processed.

Councilmember Hosmer asked if the ordinance was modeled after Kansas City, and noted Kansas City changed their ordinance because there were too many short-term rentals. Mr. Hosmer responded affirmatively. Councilmember Hosmer further noted the City had more short-term rentals per capita than Kansas City. He expressed his belief there were too many short-term rentals in the City.

Councilmember Horton noted there was an existing short-term rental on the same block. She questioned how many short-term rentals were too many. Councilmember Horton noted bringing all short-term rentals into compliance would potentially increase the stock of short-term rentals needed. Councilmember Horton expressed her opposition to the proposed and noted she would

like to hear from the owner.

Councilmember Lee asked if the proposed was one of the short-term rentals operating illegally that was sent a letter. Mr. Hosmer noted that information could be provided.

An opportunity was given for citizens to express their views.

Alyssa Ince spoke in support of the proposed. Ms. Ince noted she had received a letter for 2148 South Jefferson. She added the property was not operating illegally as the stay was for more than 30 days. Ms. Ince further noted 2156 South Jefferson. She added she had built relationships with guests and lives two blocks west of the property.

Councilmember Horton noted Ms. Ince had provided direct contact information to adjacent property owners. Ms. Ince noted guests and neighbors have her information for any issues. She added she rented to families and was pet friendly. Ms. Ince further noted she never had a disturbance and had repeat travelers. Councilmember Horton expressed her support for the proposed.

Councilmember Carroll expressed her support for the proposed.

Councilmember McGull thanked Ms. Ince for investing in the community. He asked what the screening process was. Ms. Ince responded individuals request to book and they were vetted through Airbnb. Ms. Ince noted the requirements of Airbnb had to be met. Ms. Ince noted she rejected any requests that were flagged through Airbnb. Ms. Ince noted she paid the 5% monthly tax, as well as property tax and fees.

Councilmember Hosmer asked how many short-term rentals Ms. Ince had. Ms. Ince noted one short-term rental and one rental that was considered a mid-term rental. Councilmember Hosmer asked if the short-term rental was operating illegally. Ms Ince noted there was previously a four-month tenant in the property. Ms. Ince further noted she operated a short-term rental at 2156 South Jefferson. She added when the notice was received, she immediately registered the property.

Mayor Pro Tem Simpson noted he has voted for some and against others in the past. He added a process was created for these cases. Mayor Pro Tem Simspson expressed his support for the proposed.

Councilmember Hardinger asked staff if there was a way to work with short-term rental programs such as Airbnb to assist with owners knowing the process. Mr. Quigley responded there was information on the City website. Mr. Holtmann responded there had been limited success when reaching out to short-term rental platforms.

Councilmember McGull asked if the 5 percent tax was collected by the City and how that was collected. Mr. Holtmann responded the amounts were collected monthly for the previous month. He noted speaking with other municipalities who stated collections through the short-term rental programs could result in an additional month wait. Mr. Holtmann noted they hoped to develop a way to pay online.

Councilmember Hosmer expressed his belief if there was a way to modify the ordinance to ensure a correct collection of the tax. He added licensing was only a part, and follow-up would be needed to ensure the correct taxes were collected. Mr. Holtmann noted the key would be to get the short-term rentals licensed and follow-up would occur through audit.

Councilmember Hosmer expressed his belief the ordinance could be modified to allow the platforms to collect and remit the taxes.

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

Resolution 10766. Council Bill 2024-142 (Simpson) 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.

7.2. Council Bill 2024-143 (McGull)

A resolution adopting the Springfield-Branson National Airport Master Plan Update as an element of the Springfield Comprehensive Plan.

Brian Weiler, Director of Aviation, provided a brief overview of the proposed. Mr. Weiler noted the Federal Aviation Administration (FAA) required airports to have a Master Plan. He further noted the airport had been in a period of rapid growth. Mr. Weiler added the Master Plan was a twenty year development plan. He added it was not a wish list of unjustified needs or a design document. Mr. Weiler noted the process included a stakeholder engagement committee. He added there were needs for aircraft parking areas, terminal updates, accommodation for pets, customer amenities, updated accommodations for Uber and Lyft, and de-icing updates. Mr. Weiler noted there was focus on confirming the location of a commercial terminal core. Mr. Weiler noted there was focus on a financing plan to ensure good stewardship of funds. He added a runway extension and future parallel runway were shown that may have been beyond the 20-year planning. Mr. Weiler further noted the current general aviation area was nearing capacity and the master plan called for opening a new area. He added the plan included a third cargo area and capacity expansion. Mr. Weiler noted there was a strong plan for growth. Mr. Weiler noted adoption of the plan would allow the FAA to approve it.

Councilmember McGull noted it was a pleasure to work on the Master Plan Committee. He expressed his belief the airport was the welcome mat to the City. Councilmember McGull thanked staff and noted he was looking forward to the expansion to the parking garage. He expressed his support for the proposed. Councilmember McGull asked if there would be any additions to the direct flights. Mr. Weiler responded there were currently thirteen direct destinations. He added the airlines check if the community was doing well when adding flights. Councilmember McGull asked if the airport were changing the flooring. Mr. Weiler responded the floors were nearing the end of their useful life. He noted there was \$4 million budgeted.

Councilmember Jenson expressed his belief the improvements show a great job done. He asked if the issuance of general obligation bonds or airport revenue bonds would be costs already programmed into the CIP or if they would be new costs. Mr. Weiler responded the airport had been able to match all federal grants with airport generated revenue, but had utilized bonding of the City in the past. He added with the expansion this may be a needed approach. Mr. Weiler noted \$5 million in grant funds was recently obtained to replace five of the ten jet bridges at the terminal.

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

Resolution 10767. Council Bill 2024-143 (McGull) 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.

8. EMERGENCY BILLS.

9. PUBLIC IMPROVEMENTS.

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

10.1. Council Bill 2024-144 (Lee)

A special ordinance authorizing the City Manager, or designee, to enter into a Carbon Reduction Program Agreement with the Missouri Highways and Transportation Commission in the amount of \$355,200 for the purpose of accepting federal grant funds to be used to design an extension of the Fasnigh Greenway multi-use trail near Bennett Street and to do those things necessary to obtain such funding and carry out the identified activities; approving a budget adjustment amending the Fiscal Year 2024-2025 budget of the Department of Public Works to appropriate said funds; and declaring that this Ordinance qualifies for approval in one reading under City Charter Section 2.16(25).

Tom Dancey, Principal Engineer, provided a brief overview of the proposed. Mr. Dancey noted the proposed was a program agreement for federal funds with the Carbon Reduction Program to be used for the design of pedestrian and bike paths on Bennett Street from Glenstone Avenue to Enterprise Avenue. He added the proposed included a sidewalk pedestrian crosswalk and roadway narrowing. He added after design there would be better positioning for additional funding for the construction. The distance was a 3/4-mile stretch identified as a gap in the Fasnigh Trail System, as identified in a safety assessment last year. Mr. Dancey noted \$88,800 would come from the 1/8-cent Transportation Sales Tax Walkability Program, and the remaining from federal funds.

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

Ordinance 28031. Council Bill 2024-144 (Lee) 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.

11. AMENDED BILLS.

12. COUNCIL BILLS FOR PUBLIC HEARING.

13. FIRST READING BILLS.

Citizens May Speak. Not Anticipated To Be Voted On. Except Item 13.2. May Be Voted On.

13.1. Council Bill 2024-145 (McClure)

A special ordinance calling an election on Tuesday, November 5, 2024, in the City of Springfield, Missouri, to submit to the qualified voters the question of whether to enact a city sales tax at the rate of three-quarters of one percent (3/4-cent), one-quarter for the purpose of funding public safety initiatives, to include funding the remaining obligation of the Springfield Police Officers' and Firefighters' Pension and increasing police officer and firefighter pay, with said one-quarter to not sunset, and two-quarters for the purpose of funding projects consistent with the City's comprehensive plan, to include capital improvements, community and neighborhood initiatives, and park projects, with said two-quarters to sunset after a period of ten years; and declaring an emergency pursuant to City Charter Section 2.12.

Jordan Paul, City Attorney, provided a brief overview of the proposed. Mr. Paul noted there was currently a 3/4-cent sales tax that would expire on March 31, 2025. He added in anticipation of expiration the Citizens Commission on Community Investment was created to recommend if the tax should be adopted and how the tax would be used. Mr. Paul further noted the tax would not overlap with the existing tax. He added the first 1/4-cent would be proposed to be dedicated to public safety with the purpose of fully funding the Police and Fire Pension, and to increase competitive pay for police and firefighters. Mr. Paul noted that portion of the tax would not sunset. Mr. Paul further noted the remainder of the tax would have a ten-year sunset and was recommended to address capital improvements, community and neighborhood initiatives, and park projects.

An opportunity was given for citizens to express their views.

Anita Cotter, City Clerk, noted there were fourteen speakers signed up, and in accordance with City Council policy, each speaker would be allotted three minutes.

Tony Kelley, Administrative Director for Police and Fire Retirement, spoke in support for the proposed. He noted the success of the fund and added the fund would still need to be maintained. Mr. Kelley thanked City Council for their continued support. He added the Board had worked to maintain the fund and protect the assets.

Mayor Pro Tem Simpson thanked Mr. Kelley for speaking. He asked where the actuarial level of funding was at prior to the tax. Mr. Kelley noted the lowest point was an approximately high 30 percent funded ratio. The current was a low 90 percent funded ratio. Mr. Kelley noted liabilities would not grow as fast as active participants were retiring. Mr. Kelley noted they were striving to achieve 100 percent plus.

Alice Barber, a leader with Springfield Tenants Unite and member of the Citizens Commission on Community Investment (CCCI), addressed City Council. Ms. Barber asked City Council to amend the proposed to explicitly add housing to the ballot language. Ms. Barber noted Springfield was 60 percent renters with one-in-three citizens at or below the poverty line. Ms. Barber expressed her belief one of the City's needs was safe and affordable housing. Ms. Barber asked for a specific and direct commitment that some funds would be applied to housing issues.

Aaron Schekorra, Executive Director of the Glo Center, addressed City Council. Mr. Schekorra spoke in support of the proposed and in favor of language specific to housing. He expressed his belief many citizens had cited trouble affording rent, housing insecurity, or a lack of safe and affordable housing.

Daniel Behlmann addressed City Council. Mr. Behlmann advocated for funds to be specifically prioritized for safe and affordable housing. He expressed his belief the health of a community could be based on its poorest residents. Mr. Behlmann noted mandatory inspections would ensure housing was safe.

Michelle Garand, Vice President of Affordable Housing and Homeless Prevention for Community Partnership of the Ozarks, spoke in support of the proposed. Ms. Garand expressed her belief housing should be a priority included in the ballot language. She added the past four years have shown sharp increases in housing costs while the number of quality housing units for low-income families had decreased. Ms. Garand encouraged City Council to include specific language that included the establishment of an affordable housing trust fund, expansion of safe and affordable housing, and a rental inspection program.

Phil Boepple, a leader with Springfield Tenants Unite, addressed City Council. Mr. Boepple expressed his belief new regulations regarding housing and inspections would improve safety. He advocated for an amendment to include housing and rental inspections in the ballot language.

David Derossett, a leader with the Springfield Ozarks chapter of Missouri Jobs With Justice, spoke in support of amending the proposed to add housing to the ballot language. Mr. Derossett expressed his belief the City's two most pressing issues were high rates of poverty and lack of safe and affordable housing.

Councilmember Hosmer asked Mr. Derossett to speak about the connection between poverty and bad housing. Mr. Derossett responded it was clear a lack of affordable housing would impact a family's household income. He noted the standard was that a family pay no more than one-third of their income for housing and in the area, there were families that were paying significantly more than a third for housing. He added many of these families were working. He further noted the housing costs leave families with very little funds for other basic needs. Mr. Derossett added poor housing often had higher utilities due to lack of insulation and maintenance. Councilmember Hosmer noted utility cost in the City were higher than the national average due to the poor condition of housing stock.

Ed Hoag, a leader with Springfield Tenants Unite, asked City Council to add housing language to the tax. He noted he had been unable to move to better housing due to high rental rates and poor condition of rental units.

Nancy Williams spoke in favor of the tax and asked that specific language to emphasize affordable housing be added. She added projects consistent with the City's Comprehensive Plan should be included. Ms. Williams shared examples from her work that showed a need for affordable housing.

Jami Johnson, a resident of Rosewood Estates, addressed City Council. Ms. Johnson asked City Council to add housing to the proposed language. She expressed her belief the City had a lack of affordable and livable housing. Ms. Johnson noted difficulty in finding accessible and affordable housing.

Isabelle Jimenez Walker, Commissioner for the Housing Authority Board, expressed her support for the proposed and her appreciation for the Citizens Commission on Community Investment. Ms. Walker requested that housing be added to the ballot language, and additional financial support be given for code enforcement and a rental inspection program.

Andrea Palamar, a representative of Springfield Tenants Unite, addressed City Council. Ms. Palamar quoted Psalm 10.

Katie Anderson, Executive Director for the Springfield Housing Authority, addressed City Council. Ms. Anderson noted they currently assist approximately 2,100 families in Springfield with physical properties and subsidy vouchers. She further noted there were 3,500 families on the waiting list for housing. Ms. Anderson added there were supportive of the pension portion of the tax and asked City Council to add a condition of housing to the explanation. She noted they would like to specifically see affordable housing added.

Councilmember Hosmer asked how often their properties were inspected. Ms. Anderson responded they were inspected routinely by private property management staff and once per year by the United States Department of Housing and Urban Development (HUD). She added the HUD inspections may be longer than a year if they score high enough, then it was every other year.

Councilmember Horton asked if the housing was in the City. Ms. Anderson responded affirmatively. Councilmember Horton noted the rate of landlords that accept Section 8 housing was low and asked why that would be. Ms. Anderson responded the program was voluntary and conditions of the housing assistance payments contract had to be followed. She added there was relatively good participation in the City. Ms. Anderson noted they were planning a Landlord Fair for later in the year.

Councilmember McGull expressed his belief there was not much utilization of the Section 8 program. He asked if the federal government had determined the amount of funding the City received for Section 8 housing. Ms. Anderson responded there were allotted \$6.8 million which assisted 1,250 families. She added the funding was dependent on usage, and they do utilize all of their funds each year. She noted more housing was needed.

Becky Volz, Chair of the Neighborhood Advisory Council, expressed her support for the language, including community and neighborhoods. She expressed her belief improving livability in neighborhoods was crucial to the future of the City. Ms. Volz further noted this included clean and safe housing, streets, and public places. She noted an interest in using funds to support the Neighborhood Works Grant Program. She added a desire to see support for nonprofits and small contractors who address nuisance and blighted properties.

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

Councilmember Jenson thanked the members of the CCCI for the time they dedicated to the effort. He expressed his belief City Council received a great set of recommendations, including a ballot language proposal. Councilmember Jenson noted the ordinance had been modified to clarify the term public safety. He further noted the emphasis that quality housing was a critical issue and housing, and code enforcement were eligible under the ballot language. Councilmember Jenson added he would like to add an amendment to provide clarity and clearly define housing and code enforcement. He noted the amendment would provide definitional clarity only.

Councilmember Jenson moved to amend Council Bill 2024-145 by adding a new subsection to section five which would read as follows: For the purposes of this tax, the term community and neighborhood initiative shall be construed to include, but not be limited to housing and code enforcement. Councilmember Horton seconded the motion, and it was discussed.

Councilmember Horton noted the poverty rate was one of the highest in Missouri. She expressed her belief housing should be, and was, a priority for City Council. Councilmember Horton expressed her belief properties need to be inspected to ensure they were safe and habitable.

Councilmember Hosmer noted he had been on City Council for twelve years and they had been talking about housing for that time. He expressed his belief the community is ready and wants safe neighborhoods and safe, affordable housing. Councilmember Hosmer noted the way to improve neighborhoods was through affordable housing and homeownership. He expressed his hope that everyone on City Council would support the amendment.

Mayor Pro Tem Simpson thanked the speakers. He noted Councilmember McGull and himself had the privilege of serving on CCCI and seeing the thoughtful deliberation of the Commission that went into the proposed. Mayor Pro Tem Simpson expressed his belief the structure the group came around was the first part of a permanent solution to finish the success story of a fully funded Police and Fire Pension Plan. Secondly, he noted, the proposed would provide the opportunity for competitive salaries for those who currently serve in the Police Department and Fire Department. He added the second structure of the proposed would allow for recommendations to be made around the Comprehensive Plan and this portion would sunset. Mayor Pro Tem Simpson further noted ForwardSGF had the most citizen engagement of anything City Council had worked on and reflects the priorities that had been heard regarding housing. He added the recent housing study was a strategic approach to determine what types of housing were needed and at what price point. Mayor Pro Tem Simpson noted ForwardSGF mentioned several goals that were also mentioned in regard to the proposed and it was referenced in unanimous consensus to reference ForwardSGF as the guiding point for projects and investment going forward. Mayor Pro Tem Simpson expressed his belief that to attempt to address these priorities in a bill could produce a lesser substitute of what exists. Mayor Pro Tem Simpson expressed his opposition to an amendment.

Councilmember Jenson expressed his appreciation for ForwardSGF. He expressed his belief there were several needs, and it was the responsibility of City Council to provide clarity where necessary. Councilmember Jenson expressed his belief the proposed amendment would provide such clarity.

Councilmember Lee expressed his support for Mayor Pro Tem Simpson's comments. He expressed his opposition to the proposed amendment.

Councilmember Hosmer noted the amendment would not change the ballot language but provided a directory for how funds could be directed in the future. He added CCCI made recommendations and City Council would make the final decision. Councilmember Hosmer further noted it was the job of City Council to make the best decisions for citizens.

Mayor Pro Tem Simpson noted housing was covered in ForwardSGF. He expressed his respect for the thousands of citizens who contributed to the Comprehensive Plan. Mayor Pro Tem Simpson expressed his belief their contributions were valuable and should not be disregarded.

Councilmember Horton noted two amendments were made to the CCCI recommendations to add clarity.

Councilmember Jenson noted the Comprehensive Plan data showed housing as one of the two largest priorities to citizens. He expressed his belief the proposed amendment would be in alignment with the Comprehensive Plan and the housing study.

Councilmember Carroll expressed her belief the addition of code enforcement would be too specific.

Councilmember Jenson expressed his belief Councilmember Carroll could amend the proposed amendment.

Mayor Pro Tem Simpson expressed his belief the ForwardSGF document should be referenced for future guidance. He added there was an entire chapter on housing in ForwardSGF that provides clarity.

After discussion, the motion to amend Council Bill 2024-145 failed by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember Hosmer, and Councilmember Hardinger. Nays: Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Absent: None. Abstain: None.

13.2. Council Bill 2024-146 (Carroll)

A special ordinance authorizing the City Manager, or designee, to enter into a Municipal and Cost Apportionment Agreement with the Missouri Highways and Transportation Commission in the not to exceed amount of \$939,000 to share costs associated with new sidewalks on East Sunshine Street; amending the Fiscal Year 2024-2025 budget for the Department of Public Works in the amount of \$939,000 to appropriate federal Transportation Alternative Program funds, Surface Transportation Block Grant – Urban funds and 1/4-cent Capital Improvement Sales Tax fund balance reserves for this project; and declaring that this Ordinance qualifies for approval in one reading under City Charter Section 2.16(25).

Tom Dancey, Principal Engineer, provided a brief overview of the proposed. Mr. Dancey noted the proposed would rebuild sidewalk on the north side of Sunshine Street between Glenstone Avenue and Meadowview. He added the project was an agreement with the Missouri Highways and Transportation Commission. Mr. Dancey further noted the proposed would be a 50/50 share with the Missouri Department of Transportation (MoDOT). He added the cost estimate would be \$782,500 for the City's portion, with \$626,000 of that from the Federal Transportation Alternative Program, and the 20% match to federal dollars from the 1/4-cent Capital Improvement Sales Tax Funds. Mr. Dancey further noted they would budget Surface Transportation Block Grant Funding (STBG) of up to \$125,200 in case of variances. He added the anticipated project award would be April 2025.

Councilmember McGull asked if the proposed sidewalk was on the north side of Sunshine. Mr. Dancey responded affirmatively. Councilmember McGull noted seeing individuals utilizing sidewalks.

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

Ordinance 28032. Council Bill 2024-146 (Carroll) 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: None. Absent: Councilmember Hosmer. Abstain: None.

13.3. Council Bill 2024-147 (Lee)

A general ordinance amending Chapter 118 of the Springfield City Code, 'Vehicles for Hire,' Sections 118-31, 118-49, and 118-52, for the purpose of aligning City Code with current technology and state statute with regard to the use of electronic taximeters within the City of Springfield.

Jordan Paul, City Attorney, provided a brief overview of the proposed. Mr. Paul noted a few months previous, a citizen approached City Council about amending City Code to allow expansion of forms of taxi meters allowed for use within the City. The Code currently only provides for traditional mechanical taxi meters. He added there were portions of State Statute that allow for electronic versions. Mr. Paul further noted the proposed would expand City Code to allow for both versions.

Mayor McClure noted Mr. Amelio brought the issue to the attention of City Council. Councilmember Lee thanked Mr. Paul for looking into the issue so quickly. He added the issue was a real one for taxi drivers.

An opportunity was given for citizens to express their views.

Kyle Butrick, owner of Yellow Cab Company, spoke in support of the proposed. Mr. Butrick noted the mechanical meters could pose issues and new tablets were higher tech. He noted the electronic meters would not allow adjustment and would be tamper-free. Mr. Butrick noted there were several issues with how cabs are regulated versus how others are regulated. He further noted they would like to update the ordinance to level the playing field. He further noted last year the company took over 900,000 calls.

Mayor McClure noted he would be interested reviewing other issues to level the field. Mr. Quigley noted Sections 11c and 11d may need to be reviewed.

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

13.4. Council Bill 2024-148 (Hosmer)

A special ordinance authorizing the City Manager, or designee, to accept a grant renewal in the amount of \$100,000 from the Missouri Children's Trust Fund for use by the Springfield-Greene County Health Department to continue operating the Family Connects Program; enter into necessary agreements to carry out the grant; and amend the Fiscal Year 2024-2025 budget in the amount of \$100,000 to appropriate the grant funds.

Rinda Davis, Assistant Director of Health, provided a brief overview of the proposed. Ms. Davis noted the proposed would accept a grant renewal in the amount of \$100,000 from the Missouri Children's Trust Fund, to be used for the Family Connects program. Ms. Davis further noted the program offers no-cost home visits to parents of newborns in Greene County. She added a trained nurse would provide families with assessments and support education that linked families to community resources if needed.

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

13.5. Council Bill 2024-149 (Hosmer)

A general ordinance amending the Springfield City Code Chapter 2 “Administration” Article III “Officers and Employees” to add a new Section 2-95 “Appointed officer and employee code of ethics.”

Jordan Paul, City Attorney, provided a brief overview of the proposed. Mr. Paul noted the proposed would amend section 1916 to adopt a code of ethics for employees. He further noted there was currently a code of ethics for City Council and Boards and Commissions. He added the draft was previously reviewed, and no feedback was received.

Councilmember Jenson asked if there would be training for those who the code of ethics applied to. Mr. Paul responded officials applied to the City Manager and City Clerk. He added training would be applied if not already in place.

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

14. PETITIONS, REMONSTRANCES AND COMMUNICATIONS.

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 reappointments to the Springfield-Greene County Public Library Board: Aaron Jones and David Yancey with terms to expire July 1, 2027.
Recommended.

16. UNFINISHED BUSINESS.

17. MISCELLANEOUS.

18. CONSENT AGENDA – FIRST READING BILLS.

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

19.1. Council Bill 2024-150 (Carroll)

A resolution approving the Mayor’s appointment of five (5) members to the Tax Increment Financing Advisory Commission and acknowledging the appointments made by other taxing districts.

Resolution 10768. Council Bill 2024-150 (Carroll) 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. CONSENT AGENDA – SECOND READING BILLS. See Item #3.

20.1. Confirm the following appointments to the Building Trades Examination & Certification Board: Allen Brashears and Edward Baxter with terms to expire December 1, 2025. **Confirmed.**

20.2. Confirm the following appointments to the Building Trades Examination & Certification Board: Jeff Crouch, Bryant Garrison, and John Boddie with terms to expire December 1, 2026. **Confirmed.**

20.3. Confirm the following reappointment to the Building Trades Examination & Certification Board: Yankton Sothern with term to expire December 1, 2027. **Confirmed.**

20.4. Confirm the following reappointments to the Building Trades Examination & Certification Board: Lonney Smith and Chris Straw with terms to expire December 1, 2025. **Confirmed.**

21. END OF CONSENT AGENDA.

22. ADJOURN.

Mayor Pro Tem Simpson moved to adjourn. Councilmember Lee 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.



EXPLANATION TO COUNCIL BILL 2024-145 (MCCLURE)

FILED: 07/26/2024

ORIGINATING DEPARTMENT: Law

TITLE: A special ordinance calling an election on Tuesday, November 5, 2024, in the City of Springfield, Missouri, to submit to the qualified voters the question of whether to enact a city sales tax at the rate of three-quarters of one percent (3/4-cent), one-quarter for the purpose of funding public safety initiatives, to include funding the remaining obligation of the Springfield Police Officers' and Firefighters' Pension and increasing police officer and firefighter pay, with said one-quarter to not sunset, and two-quarters for the purpose of funding projects consistent with the City's comprehensive plan, to include capital improvements, community and neighborhood initiatives, and park projects, with said two-quarters to sunset after a period of ten years; and declaring an emergency pursuant to City Charter Section 2.12.

PURPOSE: Calling an election on Tuesday November 5, 2024, in the City of Springfield, Missouri, to submit to the qualified voters the question of whether to enact a city sales tax at the rate of three-quarters of one percent (3/4-cent), one-quarter for the purpose of funding public safety initiatives, to include funding the remaining obligation of the Springfield Police Officers' and Firefighters' Pension and increasing police officer and firefighter pay, with said one-quarter to not sunset, and two-quarters for the purpose of funding projects consistent with the City's comprehensive plan, to include capital improvements, community and neighborhood initiatives, and park projects, with said two-quarters to sunset after a period of ten years; and declaring an emergency.

BACKGROUND INFORMATION: At the election held on November 5, 2019, the qualified voters approved the continuation of a 3/4-cent sales tax for the sole purpose of funding the Springfield Police Officers' and Fire Fighters' pension system. By its terms, said tax will expire upon the earlier of five (5) years from the date of the commencement of collection of said tax, or said pension reaching a fully-funded (100%) status as determined by an independent actuarial study conducted for the pension board of trustees.

The pension, having not reached a full-funded (100%) status as determined by an independent actuarial study conducted for the pension board of trustees, will expire upon five (5) years from the date of the commencement of collection of said tax, which is March 31, 2025. City Council adopted Resolution 10752 on April 8, 2024, establishing the Citizens' Commission on Community Investment ("CCCI") and charging the same with evaluating and prioritizing the highest and best uses for local sales tax capacity upon expiration of said tax. City Council adopted Resolution 10762 on or about July 8, 2024, accepting the CCCI report to City Council.



Section 94.510, RSMo. authorizes the City to submit to the qualified voters the question of whether to enact a sales tax for the benefit of the City at a rate not to exceed one percent (1%). City Council, as recommended by the CCCI, desires to submit to the qualified voters the question of whether to enact a city sales tax at the rate of three-quarters of one percent (3/4-cent) as described herein.

If approved by the qualified voters, there will be no increase in the current sales tax level because collection of said tax would not commence until April 1, 2025. If not approved by the qualified voters, the City will experience an annual decrease in revenue of approximately \$45 million, which will necessitate budget cuts in order to continue funding the Springfield Police Officers' and Fire Fighters' pension system and leaves the City without a revenue source with which to fund competitive pay increases for police officer and firefighter pay.

Submitted By: Jordan Paul, City Attorney

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

Attachments: 1. 75c Ballot_Ord

One-rdg. X
P. Hrngs.
Pgs. 6
Filed: 07-16-24

Sponsored by: McClure

First Reading:

Second Reading:

COUNCIL BILL 2024 -145

SPECIAL ORDINANCE

AN ORDINANCE

1 CALLING an election on Tuesday, November 5, 2024, in the City of Springfield,
2 Missouri, to submit to the qualified voters the question of whether to enact
3 a city sales tax at the rate of three-quarters of one percent (3/4-cent), one-
4 quarter for the purpose of funding public safety initiatives, to include
5 funding the remaining obligation of the Springfield Police Officers' and
6 Firefighters' Pension and increasing police officer and firefighter pay, with
7 said one-quarter to not sunset, and two-quarters for the purpose of
8 funding projects consistent with the City's comprehensive plan, to include
9 capital improvements, community and neighborhood initiatives, and park
10 projects, with said two-quarters to sunset after a period of ten years; and
11 declaring an emergency pursuant to City Charter Section 2.12.
12
13

14 WHEREAS, at the election held on November 5, 2019, the qualified voters
15 approved the continuation of a 3/4-cent sales tax for the sole purpose of funding the
16 Springfield Police Officers' and Fire Fighters' pension system; and
17

18 WHEREAS, by its terms, said tax will expire upon the earlier of five (5) years
19 from the date of the commencement of collection of said tax, or said pension reaching a
20 fully-funded (100%) status as determined by an independent actuarial study conducted
21 for the pension board of trustees; and
22

23 WHEREAS, the pension, having not reached a full-funded (100%) status as
24 determined by an independent actuarial study conducted for the pension board of
25 trustees, will expire upon five (5) years from the date of the commencement of collection
26 of said tax, which is March 31, 2025; and
27

28 WHEREAS, City Council adopted Resolution 10752 on April 8, 2024,
29 establishing the Citizens' Commission on Community Investment ("CCCCI") and charging
30 the same with evaluating and prioritizing the highest and best uses for local sales tax
31 capacity upon expiration of said tax; and
32

33 WHEREAS, City Council adopted Resolution 10762 on or about July 8, 2024,

34 accepting the CCCI report to City Council; and

35
36 WHEREAS, Section 94.510, RSMo. authorizes the City to submit to the qualified
37 voters the question of whether to enact a sales tax for the benefit of the City at a rate
38 not to exceed one percent (1%); and

39
40 WHEREAS, City Council, as recommended by the CCCI, desires to submit to the
41 qualified voters the question of whether to enact a city sales tax at the rate of three-
42 quarters of one percent (3/4-cent) as described herein; and

43
44 WHEREAS, if approved by the qualified voters, there will be no increase in the
45 current sales tax level because collection of said tax would not commence until April 1,
46 2025; and

47
48 WHEREAS, if not approved by the qualified voters, the City will experience an
49 annual decrease in revenue of approximately \$45 million, which will necessitate budget
50 cuts in order to continue funding the Springfield Police Officers' and Fire Fighters'
51 pension system and leaves the City without a revenue source with which to fund
52 competitive pay increases for police officer and firefighter pay.

53
54 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
55 SPRINGFIELD, MISSOURI, as follows, that:

56
57 Section 1 – An election is hereby called and ordered to be held in the City of
58 Springfield, Missouri, on November 5, 2024, for the purpose of submitting to the
59 qualified voters of the City the question of whether to enact a city sales tax at the rate of
60 three-quarters of one percent (3/4-cent), one-quarter for the purpose of funding public
61 safety initiatives, to include funding the remaining obligation of the Springfield Police
62 Officers' and Firefighters' Pension and increasing police officer and firefighter pay, with
63 said one-quarter to not sunset, and two-quarters for the purpose of funding projects
64 consistent with the City's comprehensive plan, to include capital improvements,
65 community and neighborhood initiatives, and park projects, with said two-quarters to
66 sunset after a period of ten years.

67
68 Section 2 – The ballot to submit the issue referenced in Section 1 shall be in
69 substantially the same form as the following:

70
71
72
73 OFFICIAL BALLOT
74 CITY ELECTION
75 CITY OF SPRINGFIELD, MISSOURI
76

77 Shall the City of Springfield, Missouri, enact a city sales tax at the rate of three-quarters
78 of one percent (3/4-cent), one-quarter for the purpose of funding public safety initiatives,
79 to include funding the remaining obligation of the Springfield Police Officers' and

80 Firefighters' Pension and increasing police officer and firefighter pay, with said one-
81 quarter to not sunset, and two-quarters for the purpose of funding projects consistent with
82 the City's comprehensive plan, to include capital improvements, community and
83 neighborhood initiatives, and park projects, with said two-quarters to sunset after a period
84 of ten years?

85
86 (Note: there will be no increase in the current sales tax level if the 3/4-cent sales tax is
87 approved.)

88
89 - → Yes - → No

90
91 INSTRUCTIONS TO VOTERS:

92
93 To vote FOR the question, complete the arrow opposite YES.

94
95 To vote AGAINST the question, complete the arrow opposite NO.
96

97
98 Section 3 – The Greene County Clerk is hereby authorized to conduct an election
99 in a manner consistent with the provisions of Chapter 115, RSMo.

100
101 Section 4 – The City Clerk is hereby authorized and directed to notify the Greene
102 County Clerk of the adoption of this Ordinance as soon as practicable, but no later than
103 5:00 p.m. on the tenth Tuesday prior to November 5, 2024, and to include in said
104 notification all of the terms and provisions required by Chapter 115, RSMo. or any other
105 law. The City Clerk is authorized to do all things necessary and convenient to ensure
106 that the question is properly submitted to the qualified voters on November 5, 2024.

107
108 Section 5 – If approved by the qualified voters, the following terms shall govern
109 the use of any revenue collected pursuant to this tax:

- 110
111 A. For the purposes of this tax, the term “public safety” means the police and fire
112 departments.
113
114 B. A citizens' advisory board shall be charged with reviewing and monitoring the
115 use of any revenue collected pursuant to this tax. Additionally, concerning the
116 use of any revenue dedicated to funding projects consistent with the City's
117 comprehensive plan, said board shall be charged with recommending
118 projects to City Council.
119
120 C. In appropriating the revenue dedicated to funding projects consistent with the
121 City's comprehensive plan, the following criteria should be considered:
122
123 i. Whether the project can be completed with no ongoing debt obligation.
124 ii. Whether the project is eligible for matching funds.
125 iii. Whether the project directly generates new sales tax or other revenue for

City services and infrastructure.

- iv. Whether the project creates jobs or increases economic growth.
- v. Whether the project is a catalyst that retains existing or attracts new City residents or businesses.
- vi. Whether the project improves livability for City residents or workers.
- vii. Whether the project is transformational and invests in the next generation.
- viii. Whether the project is a continuation of an existing or previous project.

Section 6 – City Council finds and declares, in accordance with City Charter Section 2.12, that this Ordinance qualifies as an emergency because it relates to the calling of an election and may be approved by the City Council on the same day as its introduction.

Section 7 – Severability Clause. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. City Council hereby declares that it would have adopted the Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

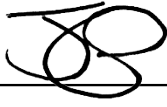
Section 8 – This Ordinance shall become effective immediately upon its passage.

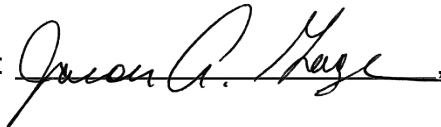
Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form:  _____, City Attorney

Approved for Council action:  _____, City Manager



EXPLANATION TO COUNCIL BILL 2024-147 (LEE)

FILED: 07/26/2024

ORIGINATING DEPARTMENT: Finance

TITLE: A general ordinance amending Chapter 118 of the Springfield City Code, 'Vehicles for Hire,' Sections 118-31, 118-49, and 118-52, for the purpose of aligning City Code with current technology and state statute with regard to the use of electronic taximeters within the City of Springfield.

PURPOSE: To amend Springfield City Code Sections 118-31, 118-49, and 118-52 for the purpose of aligning City Code with current technology and state statute with regard to the use of electronic taximeters within the City of Springfield.

BACKGROUND INFORMATION: Since at least 2002, the State of Missouri has permitted the use of both mechanical and electronic taximeters per RSMo. 67.1800(18). If approved, this text amendment would align Springfield City Code with both state statute and current technology, and would allow for greater flexibility within the taxicab industry in Springfield.

Current Springfield City Code permits only the use of mechanical taximeters for fare calculation, which rely on electrical pulses from a device attached to the vehicle's transmission system; these mechanisms can be susceptible to variation based on environmental changes, such as the size of a vehicle's tires or wet road conditions. Further, such mechanisms cannot easily be installed on all types of vehicles, or easily transferred between vehicles, and there is no significant safeguard against manual adjustments of the rate.

However, with advancements in technology has come the advent of the electronic taximeter. Such taximeters use GPS technology, rendering them more reliable and less vulnerable to variation; they are also easily transferred between vehicles, as they are not connected to the vehicle's transmission. In addition, the electronic taximeter system allows for easier and more detailed recordkeeping via an electronic log, and only the owner is able to adjust rates. If approved, this text amendment will permit the use of electronic taximeters, in addition to mechanical ones, in the City of Springfield.

Feedback received from individuals within the industry in Springfield has been supportive of changing the Code to reflect advancements in technology and to allow for the full range of taximeter mechanisms permitted by the State of Missouri, and City Staff are also supportive of this proposed amendment.

Submitted By: Quincy Covert, Licensing Supervisor



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

Attachments: 1. Taximeter Text Amendment_Ord

One-rdg. _____
P. Hrngs. _____
Pgs. 9
Filed: 07-16-24

Sponsored by: Lee

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-147

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING Chapter 118 of the Springfield City Code, 'Vehicles for Hire,'
2 Sections 118-31, 118-49, and 118-52, for the purpose of aligning
3 City Code with current technology and state statute with regard to
4 the use of electronic taximeters within the City of Springfield.
5 _____
6

7 WHEREAS, the State of Missouri has permitted the use of both mechanical and
8 electronic taximeters under RSMo. 67.1800(18); and
9

10 WHEREAS, current Springfield City Code permits only the use of mechanical
11 taximeters for fare calculation; and
12

13 WHEREAS, City Council desires that the Springfield City Code align with current
14 technology and state statute; and
15

16 WHEREAS, proper notice was given of a public hearing before City Council, and
17 said hearing was held in accordance with the law.
18

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

22 Section 1 – Chapter 118 of the Springfield City Code, 'Vehicles for Hire,' Article
23 II, 'Taxicabs, Courtesy Cars and Airport Limousines,' Division 1, 'Generally,' Section
24 118-31, 'Definitions,' is hereby amended to read as follows:
25

26 (Note: Language to be added is underlined, and language being removed is ~~stricken~~.)
27

28 **Section 118-31. Definitions.**
29

30 The following words, terms and phrases, when used in this article, shall have the
31 meanings ascribed to them in this section, except where the context clearly indicates a
32 different meaning:

33 *Airport limousine* means a public vehicle operating with a legal agreement with a
34 mass transit facility and using the mass transit facility as its departure or destination
35 point, and which is not licensed by the U.S. Department of Transportation or applicable
36 state agency if such license would exempt the vehicle from local regulation.

37 *Airport limousine fixed route.* An airport limousine shall be deemed to operate over
38 a designated fixed route where the destination and/or commencement of each trip is
39 from the same location.

40 *Color scheme* means the designation of the dome light color and any paint and/or
41 lettering to be placed on the doors of the taxicab or airport limousine, and the insignia or
42 logo of the taxicab or airport limousine company, and may consist of a description of the
43 paint of the entire taxicab or airport limousine.

44 *Courtesy car* means any vehicle operated to or from a motel or hotel which is
45 designed to carry patrons of the motel and hotel to or from fixed locations in the city, or
46 any vehicle used by an establishment arranging sightseeing or other similar tours for the
47 purpose of transporting patrons of such establishment without charge.

48 *Cruising* means the continuous or repeated operation of any taxicab along any
49 street or alley for the purpose of obtaining or picking up passengers.

50 *Director* means the director of finance, or his or her designee.

51 *Driver* means the person who is driving or who is in actual physical control of a
52 taxicab, transportation network vehicle, courtesy car, or airport limousine, whether as
53 owner or agent, servant or employee of an owner, or other designation.

54 *Driver's permit* means authorization by the city to a particular individual to operate
55 taxicabs, or airport limousines within the city upon meeting the criteria set forth in this
56 article.

57 *Immoral purpose* includes any of those acts prohibited by RSMo 567.010 et seq.,
58 as amended.

59 *Interest in taxicab, transportation network vehicle, or airport limousine company.* A
60 person shall be deemed to have an interest in a taxicab or airport limousine company
61 when he is a sole proprietor, partner or limited partner of the firm or business holding a
62 taxicab or airport limousine license under this article or which is required to obtain a
63 license under this article; has in his control, either through direct ownership or through
64 the ownership of a spouse or minor child, ten percent or more of the outstanding stock
65 of such taxicab or airport limousine company; or has a security interest in over 50
66 percent of the tangible assets of the firm or business.

67 *Licensee* means the holder of the taxicab or airport limousine company license.

68 *Owner and operator* mean any person who derives, or has the right to derive,
69 income directly or indirectly from the operation of one or more taxicabs, transportation
70 network vehicles, courtesy cars, or airport limousines.

71 *Permittee* means the holder of a transportation network company permit.

72 *Rate zone* means the area of the city to which a certain trip rate of an airport
73 limousine applies.

74 *Specialty passenger service* means the use of specialty passenger vehicles for the
75 transportation of passengers at special events or activities or for the transportation of
76 passengers in areas established by the city manager or his designee as special activity
77 areas.

78 *Specialty passenger vehicles* means buses, motorized trolleys or similar motor
79 vehicles equipped to transport five or more passengers in three or more rows of seats
80 and the design of which exhibits unique or unusual characteristics that add to the
81 ambiance of a special event or special activity area in which specialty passenger
82 service is being allowed.

83 *Taxicab* means all motor vehicles operated as public carriers of passengers for hire
84 over other than fixed routes, but shall not include transportation network vehicles.

85 *Taxicab company* means a person who owns controls or operates at least one
86 taxicab which transports passengers for hire.

87 *Taxicab owner* and *owner* mean any person who has any interest in the title of a
88 taxicab which is recognized under state law.

89 *Taximeter* means a ~~mechanical~~ meter instrument or device by which the charge for
90 hire of a taxicab, at a predetermined rate, is mechanically or electronically calculated
91 and registered, either for distance traveled in increments of one-tenth of a mile or for
92 waiting time in uniform intervals, or both, and upon which such charge shall be indicated
93 by means of figures which are electrically lighted each time the taximeter's flag is thrown
94 from the non-earning to the earning position.

95 *Transportation network company driver* means an individual who operates a motor
96 vehicle that is:

- 97 (1) Owned, leased, or otherwise authorized for use by the individual;
98 (2) Not a taxicab, courtesy car, or airport limousine; and
99 (3) Used to provide transportation network company services.

100 *Transportation network company* means an entity for which a permit has been
101 issued pursuant to this chapter and operating in the city that uses a digital network or
102 online-enabled application service to connect passengers to transportation network
103 company services including prearranged rides provided by transportation network
104 company drivers. A transportation network company is not deemed to own, control,
105 operate or manage the vehicles used by transportation network company drivers, and is
106 not a taxicab association.

107 *Transportation network company services* means transportation of a passenger
108 between points chosen by the passenger and prearranged with a transportation network
109 company driver through the use of a transportation network company digital network or
110 online-enabled application. Transportation network company services shall begin when
111 a transportation network company driver accepts a request for transportation received
112 through the transportation network company's digital network or online-enabled
113 application service, continue while the transportation network company driver transports
114 the passenger in the transportation network vehicle, and end when the passenger exits

the transportation network vehicle. Transportation network company service is not a taxicab or street hail service.

Transportation network vehicle means any vehicle used to provide a transportation network service including any time when a driver is logged onto the transportation network company's Internet-enabled application or digital platform showing that the driver is available to pick up passengers, when a passenger is in the vehicle, when the provider's dispatch records show that the vehicle is dispatched, or when the driver has accepted a dispatch and is en route to provide transportation network services to a passenger.

Transporting passengers for hire. A person transports passengers for hire if he provides transportation for passengers and derives therefrom, directly or indirectly, any financial benefit.

Vehicle permit means authorization by the city to the owner of the taxicab, or airport limousine to operate a particular vehicle as a taxicab, or airport limousine within the corporate limits of the city.

Waiting time means the time when a taxicab is not in motion, from the time of acceptance of a passenger to the time of discharge, but not including any time the taxicab is not in motion due to mechanical breakdown, traffic conditions or any cause other than the request, act or fault of a passenger.

Section 2 – Chapter 118 of the Springfield City Code, 'Vehicles for Hire,' Article II, 'Taxicabs, Courtesy Cars and Airport Limousines,' Division 1, 'Generally,' Section 118-49, 'Vehicle Equipment and Inspections,' is hereby amended to read as follows:

(Note: Language to be added is underlined, and language being removed is ~~stricken~~.)

Section 118-49. Vehicle Equipment and Inspections.

(a) *Required equipment.* Every taxicab and airport limousine shall have and maintain the following equipment:

(1) All appliances required by this Code and other ordinances of the city and the laws of the state for motor vehicles.

(2) Two doors affording direct entrance and exit to and from both the front and rear seats; provided, however, minivans may have one side door, which may be on the nondriver's side, as a means of direct entrance and exit from rear seats.

(3) An adequate light in the passenger compartment, controlled by a switch control in the passenger compartment.

(4) A speedometer in good working order.

(5) Cards containing the following:

a. A card located in the passenger compartment, not less than four inches by six inches in size, which shall have plainly printed thereon the name of the

- 156 taxicab or airport limousine company, its business address and telephone
157 number, and the current schedule of fares on file with the director as provided
158 in division 3 of this article to be charged for the conveyance of passengers.
- 159 b. A separate card provided by the director to be located in the passenger
160 compartment, not less than four inches by six inches in size, which shall have
161 plainly printed thereon the address and telephone number where the
162 customer may register complaints and comments about the taxicab or airport
163 limousine service, and a list of the rights of customers granted by this article.
- 164 (6) The vehicle permit issued by the director.
- 165 (7) A permanent device for affixing the daily log sheet.
- 166 (8) A side-view mirror attached to both the left and right sides of the vehicle.
- 167 (9) A card located in the passenger compartment on which there shall be the
168 statement that it is unlawful to refuse service to any member of the general
169 public when presently unoccupied except for the reason that such person is
170 intoxicated, is using profanity, is abusive, desires to use the service to commit
171 unlawful acts, presents an unreasonable risk of harm or injury to the driver, or
172 cannot pay. However, this provision shall not apply to courtesy cars.
- 173 (10) A display of the number assigned to the taxicab or airport limousine by the
174 taxicab or airport limousine owner or taxicab or airport limousine company
175 under whose license or permit the vehicle is operated which has each number
176 no less than one inch in height and readily discernible by any person sitting in
177 a seat intended for use by a passenger.
- 178 (11) For taxicabs, a taximeter as follows: A taxicab shall be equipped with a
179 taximeter of a size and design approved by the director and which conforms to
180 the following requirements:
- 181 a. Each taximeter must be driven direct from the taxicab transmission, ~~or~~
182 connected with the speedometer driving shaft to the taximeter head itself, or,
183 if electronic, equipped with a GPS application capable of measuring time and
184 distance in accordance with accuracy standards provided by the National
185 Institute of Standards and Technology (NIST).
- 186 b. Each taximeter must register upon visual counters the following miles:
- 187 1. Total miles.
- 188 2. Miles paid.
- 189 3. Number of units.
- 190 4. Number of trips.
- 191 5. Number of extras.
- 192 c. Each taximeter must be furnished with a tamperproof switch and system of
193 electrical distribution so that when the taximeter flag is in the vacant or
194 nonearning position the "vacant" sign on top of the taxicab will be lighted, and
195 when the meter flag is thrown to an earning position the fare indicator of the
196 taximeter will be lighted.
- 197 d. There shall be an electrical light or sign located on the top of each taxicab, of
198 a size and design approved by the director and which is connected to the
199 taximeter in the means prescribed in this article, so that such light or sign will

- be electrically lighted when the taxicab is vacant.
- (b) *Annual inspection.* Taxicabs and airport limousines shall be inspected annually by the director for all items of equipment required by the provisions of this section or other provisions of this article.
- (c) *Additional inspections; reinspections; issuance of inspection sticker.* All taxicabs and airport limousines involved in a motor vehicle accident in which over \$500.00 damage was done to such vehicle shall be required to be reinspected. Also, the city shall have access to any maintenance records of all taxicabs and airport limousines upon request and may order a reinspection at any time after the expiration of 30 days from the date of a previous inspection, provided there is reason to believe that the vehicle's operation does not comply with the provisions of this article or that the vehicle is dangerous or unsafe or is not being properly maintained or used. If the vehicle cannot be approved upon a reinspection, the director shall first order such vehicle's operation to be discontinued for a period of 15 days in which the owner of the vehicle may request a second reinspection. If the owner of the vehicle does not request the second reinspection or if the vehicle cannot be approved upon the second reinspection, the director shall revoke the license or permit corresponding to such vehicle. An inspection sticker shall be issued for each vehicle which passes the required inspection and shall be affixed on the vehicle by the city in a visible location.
- (d) *Inspection sticker required.* It shall be unlawful to operate a taxicab or airport limousine on the city streets without a current valid inspection sticker affixed thereto. The inspection sticker shall be valid for a period not to exceed one year from the date it is issued and shall not be transferred to any other vehicle.

Section 3 - Chapter 118 of the Springfield City Code, 'Vehicles for Hire,' Article II, 'Taxicabs, Courtesy Cars and Airport Limousines,' Division 1, 'Generally,' Section 118-52, 'Daily Log of Trips,' is hereby amended to read as follows:

(Note: Language to be added is underlined, and language being removed is ~~stricken~~.)

Section 118-52. Daily Log of Trips.

Every taxicab or airport limousine licensee shall provide at the beginning of each driver's tour of duty either a physical or electronic log sheet which is numbered in sequence. The driver shall maintain such log sheet by departure time, departure location, destination location, destination time and fare charged. The licensee shall collect such log sheets at the end of every driver's tour of duty and maintain such records for inspection by the director for a period of one year.

Section 4 – Savings Clause. Nothing in this Ordinance shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired, or liability incurred, nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby, nor shall any right or remedy of any character be lost,

244 impaired, or affected by this Ordinance.

245
246 Section 5 – Severability Clause. If any section, subsection, sentence, clause, or
247 phrase of this Ordinance is for any reason held to be invalid, such decision shall not
248 affect the validity of the remaining portions of this Ordinance. City Council hereby
249 declares that it would have adopted the Ordinance and each section, subsection,
250 sentence, clause, or phrase thereof, irrespective of the fact that any one or more
251 sections, subsections, sentences, clauses, or phrases be declared invalid.

252
253 Section 4 – This Ordinance shall be in full force and effect from and after
254 passage.

255
256 Passed at meeting: _____

257
258 _____
259 Mayor

260
261 Attest: _____, City Clerk

262
263 Filed as Ordinance: _____

264
265 Approved as to form: Laura Vales, Assistant City Attorney

266
267 Approved for Council action: Jason A. Hays, City Manager
268
269



EXPLANATION TO COUNCIL BILL 2024-148 (HOSMER)

FILED: 07/26/2024

ORIGINATING DEPARTMENT: Health

TITLE: A special ordinance authorizing the City Manager, or designee, to accept a grant renewal in the amount of \$100,000 from the Missouri Children's Trust Fund for use by the Springfield-Greene County Health Department to continue operating the Family Connects Program; enter into necessary agreements to carry out the grant; and amend the Fiscal Year 2024-2025 budget in the amount of \$100,000 to appropriate the grant funds.

PURPOSE: Authorizing the City Manager, or designee, to accept a grant renewal in the amount of \$100,000 from the Missouri Children's Trust Fund for use by the Springfield-Greene County Health Department to continue operating the Family Connects Program that offers 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 2024-2025 budget in the amount of \$100,000 to appropriate the grant funds.

BACKGROUND INFORMATION: The Springfield-Greene County Health Department ("SGCHD") has the opportunity to accept \$100,000 in funding from the Missouri Children's Trust Fund ("CTF"), a Missouri non-profit corporation. The CTF funds will be used to support SGCHD's continued operation of Family Connects, a program that offers free newborn and postpartum health assessments for all families with newborns in Greene County. Through the Family Connects program, a trained nurse visits participants' homes to systematically assess family needs, provide supportive guidance, and link Greene County families to community resources, as needed and desired.

Previously, a CTF grant was accepted by Council on October 16, 2023 (Ordinance 27913) for funds in the amount of \$100,000.

This budget adjustment accepts the increase in funds and budgets the amount of \$100,000 in expenditures in the SGCHD Fiscal Year 2024-2025.

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:



- Attachments:**
1. Children's Trust Fund Grant_Ord
 2. Children's Trust Fund - Family Connects_BA

One-rdg. _____
P. Hrngs. _____
Pgs. 5
Filed: 07-16-24

Sponsored by: Hosmer

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-148

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AUTHORIZING the City Manager, or designee, to accept a grant renewal in the
2 amount of \$100,000 from the Missouri Children's Trust Fund for use
3 by the Springfield-Greene County Health Department to continue
4 operating the Family Connects Program; enter into necessary
5 agreements to carry out the grant; and amend the Fiscal Year 2024-
6 2025 budget in the amount of \$100,000 to appropriate the grant
7 funds.
8 _____
9

10 WHEREAS, the Springfield-Greene County Health Department ("SGCHD") has
11 the opportunity to accept \$100,000 in funding from the Missouri Children's Trust Fund
12 ("CTF"), a Missouri non-profit corporation; and
13

14 WHEREAS, this funding will be used to support the continued operation of
15 Family Connects, a program that offers free newborn and postpartum health
16 assessments for all families with newborns in Greene County, Missouri.
17

18 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
19 SPRINGFIELD, MISSOURI, as follows, that:
20

21 Section 1 – The City Manager, or designee, is hereby authorized to accept grant
22 funds in the amount of \$100,000 from the Missouri Children's Trust Fund for use by the
23 Springfield-Greene County Health Department to continue operating the Family
24 Connects Program and to execute those contracts necessary to carry out the intent of
25 this grant on forms approved by the City Attorney.
26

27 Section 2 – The Fiscal Year 2024-2025 budget of the Springfield-Greene County
28 Health Department is hereby amended in the accounts and in the amounts as shown on
29 Budget Adjustment No. 009, a copy of which is attached hereto and incorporated herein
30 by reference as "Exhibit A."
31

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

34
35 Section 4 – The City Manager, or designee, is directed to cause the appropriate
36 accounting entries to be made in the books and records of the City. In the event
37 additional funding is provided under this grant by the grantor, the Director of Finance is
38 hereby authorized to adjust this appropriation by an amount not to exceed 20 percent.
39

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

44 Passed at meeting: _____
45

46
47 _____
48 Mayor

49 Attest: _____, City Clerk
50

51 Filed as Ordinance: _____
52

53
54 Approved as to form: Mary B. Boyan, Assistant City Attorney
55

56
57 Approved for Council action: Jason A. Hays, City Manager

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit A

Budget Adjustment
009

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
27290	11	53590	416020	103246		\$ 100,000	Childrens Trust Fund grant extension for Family Connects Program
Net Revenue Adjustment						\$ 100,000	

Expenditures:

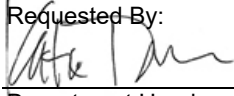
Fund	Dept	Org	Account	P&G	Location	Amount	Description
27290	11	53590	500110	103246		\$ 100,000	Childrens Trust Fund grant extension for Family Connects Program
Net Expenditure Adjustment						\$ 100,000	

Fund Balance Appropriation:

Fund	Title	Amount

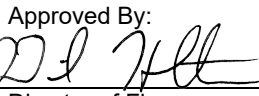
Explanation: To amend the FY2024-25 budget by appropriating funds from the Missouri Children's Trust Fund for the Family Connects program.

Requested By:



Department Head July 16, 2024
Date

Approved By:



Director of Finance July 16, 2024
Date

City Manager Date

Authorization:

Council Bill No. 2024-148
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____



EXPLANATION TO COUNCIL BILL 2024-149 (HOSMER)

FILED: 07/26/2024

ORIGINATING DEPARTMENT: Law

TITLE: A general ordinance amending the Springfield City Code Chapter 2 “Administration” Article III “Officers and Employees” to add a new Section 2-95 “Appointed officer and employee code of ethics.”

PURPOSE: Enacting a new Section 2-95 “Appointed officer and employee code of ethics.”

BACKGROUND INFORMATION: At the election held on April 2, 2024, the qualified voters approved changes to Section 19.16 of the City Charter, including the requirement that “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.”

A code of ethics applicable to all elected officials has been enacted and is maintained in Section 2-60 of the City Code and was recently reviewed by City Council at the council lunch held on June 11, 2024. A code of ethics applicable to all board members has been enacted and is maintained in Section 2-161 of the City Code and was recently reviewed by City Council at the City Council Lunch held on June 11, 2024.

City Council has not enacted or maintained a code of ethics applicable to all appointed officers and employees. This Council Bill will enact such a code of ethics and satisfy the new requirements of Section 19.16 of the City Charter.

Submitted By: Jordan Paul, City Attorney

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

Attachments: 1. Sec. 2-95 - Code of Ethics CB (002)

One-rdg. _____
P. Hrngs. _____
Pgs. 6
Filed: 16

Sponsored by: Hosmer

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024- 149

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield City Code Chapter 2 "Administration" Article III
2 "Officers and Employees" to add a new Section 2-95 "Appointed
3 officer and employee code of ethics."
4 _____
5

6 WHEREAS, at the election held on April 2, 2024, the qualified voters approved
7 changes to Section 19.16 of the City Charter, including the requirement that "City Council
8 shall enact, maintain, and review not less than every other year, a code of ethics
9 applicable to all elected officials, appointed officers, board members, and employees of
10 the City"; and
11

12 WHEREAS, a code of ethics applicable to all elected officials has been enacted
13 and is maintained in Section 2-60 of the City Code and was recently reviewed by City
14 Council at the City Council lunch held on June 11, 2024; and
15

16 WHEREAS, a code of ethics applicable to all board members has been enacted
17 and is maintained in Section 2-161 of the City Code and was recently reviewed by City
18 Council at the City Council lunch held on June 11, 2024; and
19

20 WHEREAS, City Council desires to enact and maintain a code of ethics applicable
21 to all appointed officers and employees.
22

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

26 Section 1 – That a new Section 2-95 "Appointed officer and employee code of
27 ethics." is enacted as follows:
28

29 "Section 2-95 Appointed officer and employee code of ethics.
30

31 *(a) Policy; objectives.*
32

33 (1) The public judges its government by the way employees conduct themselves.

(2) The people have a right to expect that every employee will conduct themselves in a manner that will tend to preserve public confidence in and respect for the government they represent.

(3) Such confidence and respect can best be promoted if every employee will uniformly:

a. Treat all citizens with courtesy, impartiality, fairness, and equality under the law; and

b. Avoid both actual and potential conflicts between their private self-interest and the public interest. This section shall not apply if the transaction involves the sale of city bonds, after public notice and competitive bidding, provided the bid accepted is the lowest qualified bid received.

(b) *Definitions.* The following definitions shall apply to this section:

Confidential information means all information whether transmitted orally or in writing which is of such a nature that it is not, at that time, a matter of public record or knowledge.

Councilmember means the Mayor and other members of the City Council.

Employee means a person appointed to a position in the City service for which the person is employed on a full-time or part-time basis, in a regular, contract, temporary, variable hour, seasonal, or intern position.

Financial interest means any interest which shall yield, directly or indirectly, a monetary or other material benefit (other than the duly authorized salary or compensation for his services to the city) to an official or employee.

Person means any firm, association, group, partnership, or corporation, or any combination thereof.

Personal interest means any interest arising from blood or marriage relationships or from close business or political association, whether or not any financial interest is involved.

Public body means any agency, board, body, commission, committee, department, or office of the city.

(c) *Fair and equal treatment.*

(1) *Impartiality.* No employee shall grant or make available to any person any consideration, treatment, advantage, or favor beyond that which it is the general practice to grant or make available to the public at large.

(2) *Use of public property.* No employee shall request, use, or permit the use of any publicly owned or publicly supported property, vehicle, equipment, labor, or service for the personal convenience or the private advantage of himself or any other person. This rule shall not be deemed to prohibit an employee from requesting, using, or permitting the use of such publicly owned or publicly supplied property, vehicle, equipment, material, labor, or service which it is the general practice to make available to the public at large or which is provided as a matter of stated public policy for the use of officials and employees in the conduct of official business.

(d) *Conflict of interest.* An employee shall not 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. Any violation of this provision renders the contract or sale void.

(e) *Disclosure of interest in legislation.* An employee has a financial or other private interest in any legislation they work on shall disclose on the records of the city council or other appropriate authority the nature and extent of such interest and may work on such legislation provided the employee is not prohibited from doing so by some other provision of law. An employee may disclose on a continuing basis with respect to potential conflicts of interest in legislation by filing with the city clerk a record of their financial or private interests.

(f) *Representing private interests before city agencies or courts.*

(1) No employee shall appear on behalf of any third party's private interests before any agency of the city. They shall not represent any third party's private interests in any action or proceeding against the interests of the city in any litigation to which the city is a party.

(2) No employee shall, for a period of one year after the termination of service with the city, appear before any board, commission, committee, or agency of the city in relation to any case, proceeding, or application on which they personally worked on as part of their employment.

(g) *Gifts and favors.* No employee shall accept any valuable gift, whether in the form of service, loan, thing, or promise, from any person who to their knowledge is interested directly or indirectly in any manner whatsoever in business dealings with the city, nor shall any such employee accept any gift, favor, or thing of value that may tend to influence them in the discharge of their duties, or grant in the discharge of their duties any improper favor, service, or thing of value. Purchase of a meal for an employee shall not be a valuable gift. The prohibition against gifts or favors shall not apply to an occasional nonpecuniary gift, insignificant in value, or an award publicly presented in recognition of public service, or any gift which would have been offered or given if they were not an

employee.

(h) *Confidential information.*

(1) Except as allowed by law, no employee shall, without prior formal authorization of the public body having jurisdiction, disclose any confidential information concerning any other official or employee, or any other person, or any property or governmental affairs of the city.

(2) No employee shall use or permit the use of any confidential information to advance the financial or personal interest of themselves or any other person.

(i) *Political activity.* An employee shall not use the prestige of their position on behalf of any political party or candidate for elected office and to this end shall refrain from using their official title in support of or in opposition to candidates for political office or a political party, nor shall an employee use their official title in support of or opposition to legislation or other matters pending before governmental bodies other than the city or when the City Council has officially taken a position with respect to such matter.

(j) *Compliance with applicable laws.* An employee shall comply with the laws of the city pertaining to their employment, including the Charter, this Code, the Merit System Rules and Regulations, and any other law that applies to the conduct of the employee in their official duties.

(k) *Sanctions.* If the City Manager shall make a determination that the conduct of an employee has violated this section, the employee shall be subject to disciplinary action up to and including termination.”

Section 2 – Severability Clause. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. City Council hereby declares that it would have adopted the Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

Section 3 – This Ordinance shall become effective immediately upon its passage.

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

169

170

171 Approved as to form:  _____, City Attorney

172

173

174 Approved for Council action:  _____, City Manager



EXPLANATION TO COUNCIL BILL 2024-151 (HARDINGER)

FILED: 07/16/2024

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A resolution authorizing the City Manager, or designee, to apply for a Youth Homelessness Demonstration Program Grant from the United States Department of Housing and Urban Development, in a minimum amount of \$600,000, to develop and implement a coordinated community plan to end youth homelessness.

PURPOSE: To adopt a resolution authorizing the City Manager, or designee, to apply for a Youth Homelessness Demonstration Program ("YHDP") Grant from the United States Department of Housing and Urban Development ("HUD"), in a minimum amount of \$600,000, to develop and implement a coordinated community plan to end youth homelessness.

BACKGROUND INFORMATION: The goal of the Youth Homelessness Demonstration Program ("YHDP") is to support selected communities in the development and implementation of a coordinated community approach to preventing and ending youth homelessness and sharing that experience with and mobilizing communities around the country toward the same end. The YHDP grant funding will assist communities in identifying strategies to attain the aforementioned goal. This Grant, if awarded, will be used to develop, and implement a coordinated community plan to end youth homelessness. The City will partner with the local Continuum of Care (DBA Ozarks Alliance to End Homelessness) in carrying out all of the grant activities. 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. If Springfield is selected for funding, the Department of Housing and Urban Development ("HUD") will provide grant funding to our community based upon the number of youth (age 12-24) who are in poverty in the geographic area (Greene, Christian, and Webster Counties), and fair market rent data for the geographic area. As part of this Grant, a national technical assistance provider will assist in the development of a coordinated community plan to end youth homelessness.

REMARKS: The City has submitted a YHDP grant application in all previous rounds of funding (2017, 2018, 2019, 2020, 2021, 2022, and 2023) but has not previously been selected by HUD for funding.

If awarded, this Grant funding would be eligible for renewal each fiscal year. Access to this Grant funding would assist the Ozarks Alliance to End Homelessness in meeting its goal of preventing and ending youth homelessness.



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 7/25/2024

Attachments: 1. Youth Homelessness Demonstration Program Grant

One-rdg. X
P. Hrngs.
Pgs. 4
Filed: 07-30-24

Sponsored by: Hardinger

COUNCIL BILL 2024-151 RESOLUTION

A RESOLUTION

1 AUTHORIZING the City Manager, or designee, to apply for a Youth Homelessness
2 Demonstration Program Grant from the United States Department of
3 Housing and Urban Development, in a minimum amount of \$600,000,
4 to develop and implement a coordinated community plan to end youth
5 homelessness.
6
7

8 WHEREAS, the City of Springfield seeks to apply for a minimum of \$600,000 in
9 grant funds from the United States Department of Housing and Urban Development
10 (“HUD”) Youth Homelessness Demonstration Program; and
11

12 WHEREAS, the goal of the Youth Homelessness Demonstration Program is to
13 support selected communities in the development and implementation of a coordinated
14 community approach to preventing and ending youth homelessness; and
15

16 WHEREAS, if awarded, these funds will be used to develop and implement a
17 coordinated community plan to end youth homelessness; and
18

19 WHEREAS, if selected, the City will partner with the local Continuum of Care,
20 d/b/a Ozarks Alliance to End Homelessness, to achieve this goal; and
21

22 WHEREAS, the City of Springfield will be the collaborative applicant and
23 Community Partnership of the Ozarks (“CPO”) will be the subrecipient lead agency, as
24 the contracted agency to facilitate the Ozarks Alliance to End Homelessness; and
25

26 WHEREAS, if selected, HUD will provide grant funding to our community based
27 upon the number of individuals aged 12 to 24 living in poverty in Greene, Christian, and
28 Webster Counties, as well as fair market rent data for the same geographic area; and
29

30 WHEREAS, if awarded, this grant funding would be eligible for renewal each
31 fiscal year.
32

33 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
34 SPRINGFIELD, MISSOURI, as follows, that:
35

36 Section 1 – The City Manager, or designee, is hereby authorized to apply for a
37 Youth Homelessness Demonstration Program Grant from the United States Department
38 of Housing and Urban Development in a minimum amount of \$600,000, to develop and
39 implement a coordinated community plan to end youth homelessness.
40

41 Section 2 – This Resolution shall be effective immediately upon adoption.
42

43 Passed at meeting: _____
44

45 _____
46 Mayor
47

48 Attest: _____, City Clerk
49

50 Filed as Resolution _____
51

52 _____
53 Approved as to form: *Laura Vales*, Assistant City Attorney
54

55 _____
56 Approved for Council action: *Jason A. Hage*, City Manager



EXPLANATION TO COUNCIL BILL 2024-152 (HORTON)

FILED: 07/16/2024

ORIGINATING DEPARTMENT: Public Works

TITLE: A resolution approving the use of funds from the 1/4-Cent Capital Improvements Sales Tax Minor Neighborhood Improvement Program in the amount of \$93,705 to partially fund sidewalk improvements on High Street from Kansas Expressway to Newton Avenue (Zone 1) to meet requirements in accordance with the City's Americans with Disabilities Act transition plan.

PURPOSE: Adopting a resolution approving the use of funds from the 1/4-cent Capital Improvement Sales Tax Minor Neighborhood Improvement Program in the amount of \$93,705 to fill high priority sidewalk gaps and perform rehabilitation of existing sidewalk on High Street from Kansas Expressway to Newton Avenue (Zone 1) to meet requirements in accordance with the City's previously approved ADA transition plan.

BACKGROUND INFORMATION: Zone 1 Councilmember Monica Horton has indicated support for partially funding this sidewalk improvement from the 1/4-cent Capital Improvement Sales Tax Minor Neighborhood Improvement Program (Zone 1). The current balance of the Zone 1 account is \$93,705. If this project is approved for Zone 1 funding, the revised Zone 1 account balance will be zero (\$0). This would be the first project approved during Fiscal Year 2025 with funding from the Minor Neighborhood Improvement Program.

Councilmember Horton specifically requested to fill a critical gap in sidewalk on High Street from Kansas Expressway to Newton Avenue. The available Minor Neighborhood Improvement Program Zone 1 balance will not fully fund the total project estimate of \$185,000 for the noted section on High Street. The additional funding will be provided from 1/4-cent Capital Improvement Sales Tax fund balance reserves being budgeted as part of a separate Council bill for sidewalk improvements in various locations scheduled to be bid in August 2024.

Supports the following City Council Priorities:

- Public Safety
- Quality of Place

REMARKS: Public Works recommends approval of this Council Resolution.

Submitted By: Martin Gugel, Assistant Director of Public Works



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

Maurice S. Jones, Deputy City Manager 7/25/2024

Attachments: 1. Zone 1Minor Neighborhood Imp_res

One-rdg. X
P. Hrngs.
Pgs. 4
Filed: 07-30-24

Sponsored by: Horton

COUNCIL BILL 2024- 152 RESOLUTION

A RESOLUTION

1 APPROVING the use of funds from the 1/4-Cent Capital Improvements Sales Tax
2 Minor Neighborhood Improvement Program in the amount of \$93,705
3 to partially fund sidewalk improvements on High Street from Kansas
4 Expressway to Newton Avenue (Zone 1) to meet requirements in
5 accordance with the City's Americans with Disabilities Act transition
6 plan.
7
8

9 WHEREAS, the City has established a program for minor public improvements
10 within each Council Zone for projects suggested by those residents and the respective
11 Councilmembers; and
12

13 WHEREAS, there is a critical gap in sidewalk along High Street from Kansas
14 Expressway to Newton Avenue, with a total project estimate of \$185,000; and
15

16 WHEREAS, Zone 1 Councilmember Monica Horton has indicated support for
17 partially funding the necessary sidewalk improvements from the Zone 1, 1/4-Cent
18 Capital Improvements Sales Tax, Minor Neighborhood Improvement Program, of which
19 the current balance is \$93,705; and
20

21 WHEREAS, if this project is funded, the revised Zone 1 account balance will
22 reduce to \$0, and this would be the first project approved during Fiscal Year 2024-2025
23 for funding from the Minor Neighborhood Improvement Program; and
24

25 WHEREAS, remaining funding for the project will be provided from 1/4-cent
26 Capital Improvement Sales Tax fund balance reserves to be budgeted in a separate
27 council bill following the bidding of sidewalk improvements in August 2024.
28

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

32 Section 1 – City Council hereby approves the allocation of funds from the Zone 1,
33 1/4-Cent Capital Improvements Sales Tax, Minor Neighborhood Improvement Program,

34 in the amount of \$93,705 to partially fund sidewalk improvements on High Street from
35 Kansas Expressway to Newton Avenue (Zone 1).

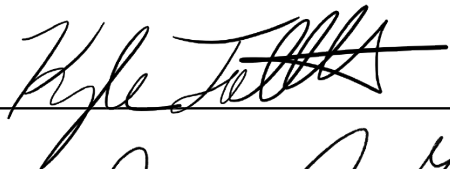
36
37 Section 2 – This Resolution shall be in full force and effect immediately upon
38 adoption.

39
40 Passed at meeting: _____

41
42 _____
43 Mayor

44
45 Attest: _____, City Clerk

46
47 Filed as Resolution: _____

48
49 Approved as to form:  _____, Assistant City Attorney

50
51
52 Approved for Council action:  _____, City Manager
53



EXPLANATION TO COUNCIL BILL 2024-153 (LEE)

FILED: 07/18/2024

ORIGINATING DEPARTMENT: Environmental Services

TITLE: A resolution authorizing the City Manager, or designee, to apply for federal grant funds in the amount of \$400,000 from the United States Department of Agriculture, Office of Urban Agriculture and Innovative Production Pilot Program to fund expansion of the Dish-to-Dirt Program for food waste reduction.

PURPOSE: To authorize the City Manager or his designee, to apply for up to \$400,000 in grant funds, from the United States Department of Agriculture Office of Urban Agriculture and Innovative Production Pilot Program to fund expansion of the Dish to Dirt program for food waste reduction and composting efforts to benefit community soils and urban agriculture.

BACKGROUND INFORMATION:

1. The United States Department of Agriculture ("USDA") Office of Urban Agriculture and Innovative Production ("OUAIP") posted a Notice of Funding Opportunity ("Exhibit A") to fund a Composting and Food Waste Reduction ("CFWR") pilot project. Applications are due September 4, 2024.
2. Approved by voters in 1991, the City's Integrated Solid Waste Management System collectively manages the Noble Hill Sanitary Landfill, recycling collection centers, Yardwaste Recycling Center, Hazardous Household Chemical Collection Center, and recycling education programs. Each component of this system works in concert with the others to provide Springfield citizens a way to dispose of their trash. One of the goals of this system is to reduce divertible waste to the Noble Hill Sanitary Landfill.
3. Food waste diversion remains a top priority for the Environmental Protection Agency ("EPA") and USDA as outlined in the United States 2030 Food Loss and Waste Reduction Goal, aiming to reduce food waste and loss by 50%.
4. The City's Yardwaste Recycling Center is regulated by the Missouri Department of Natural Resources ("MDNR") and is permitted to receive both pre- and post-consumer food waste as feedstock in the composting process.
5. Upon award of the 2022 USDA OUAIP grant, staff have implemented the Dish to Dirt food scraps program for residents and commercial partners, diverting over 54,000 pounds of food waste towards composting efforts to date since the program launch September 29, 2023.

REMARKS: This Council Bill will authorize the City to apply for grant funds from the



USDA OUAIP. If grant funds are awarded, a separate Council Bill will be submitted to formally accept and budget the grant funds. Environmental Services recommends approval of this Council Bill.

Submitted By: Erick Roberts, Assistant Director of Environmental Services

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

Maurice S. Jones, Deputy City Manager 7/25/2024

Attachments:

1. USDA Food Waste Grant App_Res
2. 2024 USDA Food Waste Grant App_ExhA

One-rdg. X
P. Hrngs.
Pgs. 59
Filed 07-30-24

Sponsored by: Lee

COUNCIL BILL 2024-153 RESOLUTION

A RESOLUTION

1 AUTHORIZING the City Manager, or designee, to apply for federal grant funds in the
2 amount of \$400,000 from the United States Department of Agriculture,
3 Office of Urban Agriculture and Innovative Production Pilot Program to
4 fund expansion of the Dish-to-Dirt Program for food waste reduction.
5
6

7 WHEREAS, food waste diversion remains a top priority for the Environmental
8 Protection Agency ("EPA") and United States Department of Agriculture ("USDA") as
9 outlined in the United States 2030 Food Loss and Waste Reduction Goal, aiming to
10 reduce food waste and loss by 50%; and
11

12 WHEREAS, the USDA Office of Urban Agriculture and Innovative Production
13 ("OUAIP") posted a Notice of Funding Opportunity, which is attached hereto and
14 incorporated herein as "Exhibit A," to fund a Composting and Food Waste Reduction
15 ("CFWR") pilot project, with applications due September 4, 2024; and
16

17 WHEREAS, the City's Integrated Solid Waste Management System ("ISWMS"),
18 which collectively manages the Noble Hill Sanitary Landfill ("Landfill"), recycling
19 collection centers, Yardwaste Recycling Center, Hazardous Household Chemical
20 Collection Center, and recycling education programs, has a goal of reducing divertible
21 waste to the Landfill; and
22

23 WHEREAS, in 2022, Environmental Services ("ES") staff applied for and
24 received the 2022 USDA OUAIP Grant, with which they implemented the Dish-to-Dirt
25 food scraps pilot program for residents and commercial partners. Since the program
26 launched September 29, 2023, ES has diverted over 54,000 pounds of food waste from
27 the Landfill, towards composting efforts; and
28

29 WHEREAS, grant funding, if awarded, will be used to supplement existing local
30 funding of up to 25% from the Solid Waste Enterprise Fund, to expand the Dish-to-Dirt
31 Program and extend the useful life of the Landfill, with a total project budget of
32 \$500,000.
33

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

36 Section 1 – The City Manager, or designee, is hereby authorized to apply for
37 grant funding from the United States Department of Agriculture, Office of Urban
38 Agriculture and Innovative Production Pilot Program, in the amount of \$400,000, for use
39 on food waste reduction efforts in the Integrated Solid Waste Management System.
40

41 Section 2 - This Resolution shall be effective from and after passage.
42

43 Passed at meeting: _____
44

45 _____
46 Mayor
47

48 Attest: _____, City Clerk
49

50 Filed as Resolution _____
51

52
53 Approved as to form: Jim Millington, Deputy City Attorney
54

55
56 Approved for Council action: Jason C. Hays, City Manager

Exhibit A

Office of Urban Agriculture and Innovative Production



Fiscal Year (FY) 2024

Composting and Food Waste Reduction (CFWR)

Notice of Funding Opportunity (NFO)

No. USDA-NRCS-NHQ-CFWR-24-NOFO0001412

Notice of Funding Opportunity (NFO)

SUMMARY INFORMATION

Federal Awarding Agency Name: U.S. Department of Agriculture – U.S. Department of Agriculture – Natural Resources Conservation Service – NHQ – Office of Urban Agriculture and Innovative Production (OUAIP)

The U.S. Department of Agriculture – U.S. Department of Agriculture – Natural Resources Conservation Service – NHQ – Office of Urban Agriculture and Innovative Production (OUAIP) is collaborating with National Institute of Food and Agriculture (NIFA) through an interagency agreement for implementation of the Composting and Food Waste Reduction (CFWR) Pilot Project Cooperative Agreement Program.

Notice of Funding Opportunity Title: Composting and Food Waste Reduction (CFWR) Pilot Project

Notice of Funding Opportunity Number: [USDA-NRCS-NHQ-CFWR-24-NOFO0001412](#)

Assistance Listing: This program is listed in the Assistance Listings (previously referred to as the Catalog of Federal Financial Assistance) on Sam.gov under 10.935, which can be found at: <https://sam.gov/content/home>.

SAM is a web-based, government-wide application that collects, validates, stores, and disseminates business information about the federal government's trading partners in support of the contract awards, grants, and electronic payment processes.

Notice of Funding Opportunity Summary

The U.S. Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), under OUAIP, is soliciting proposals from eligible applicants to host a CFWR pilot project for fiscal year (FY) 2024

For new users of Grants.gov, see Section D. of the full Notice of Funding Opportunity for information about steps required before submitting an application via Grants.gov.

Key Dates

Applicants must submit their applications via Grants.gov by 11:59 pm Eastern Time on September 4, 2024. For technical issues with Grants.gov, contact Grants.gov Applicant Support at 1-800-518-4726 or support@grants.gov. Awarding agency staff cannot support applicants regarding Grants.gov accounts.

For inquiries specific to the content of the NFO requirements, contact the federal awarding agency contact (section G of this NFO). Please limit questions to those regarding specific information contained in this NFO (such as dates, page numbers, clarification of discrepancies, etc.). Questions related to eligibility, or the merits of a specific proposal will not be addressed.

A webinar has been pre-recorded and is available at:
<https://www.youtube.com/watch?v=QvexAMyuY2o>.

The presentation and supporting information are posted in the “Related Documents” tab of this opportunity. The recorded webinar is also available on
<https://www.usda.gov/topics/urban/coop-agreements>.

The agency anticipates making selections by November 2024 and expects to execute awards by January 2025. These dates are estimates and are subject to change.

Federal Funding Floor and Ceiling Amounts

The estimated funding floor for this opportunity is \$75,000, and the estimated funding ceiling is \$400,000. The funding floor means the minimum agreement funding amount for the Federal share per agreement awarded. The funding ceiling is the maximum agreement funding amount for the Federal share per agreement awarded. These numbers refer to the total agreement amount, not any specific budget period.

Federal Financial Assistance Training

The funding available through this NFO is Federal financial assistance. Grants 101 Training is highly recommended for those seeking knowledge about Federal financial assistance. The training is free and available to the public via <https://www.cfo.gov/resources/federal-financial-assistance-training/>.

It consists of five modules covering each of the following topics: 1) laws, regulations, and guidance; 2) financial assistance mechanisms; 3) uniform guidance administrative requirements; 4) cost principles; and 5) risk management and single audit. FPAC agencies also apply Federal financial assistance regulations to certain non-assistance awards (e.g., non-assistance cooperative agreements).

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A. PROGRAM DESCRIPTION

The Composting and Food Waste Reduction (CFWR) cooperative agreement pilot program is authorized by Section 222 of the Department of Agriculture Reorganization Act of 1994, as added by Section 12302 of the Agriculture Improvement Act of 2018, 7 U.S.C. 6923. Funding for FY24 was made available by the American Rescue Plan Act of 2021, Public Law 117-2.

The Secretary of Agriculture delegated the authority for the administration of CFWR to the Chief of the Natural Resources Conservation Service (NRCS). In fiscal year 2024, NRCS has partnered with the National Institute of Food and Agriculture (NIFA) to administer CFWR.

The goals and objectives of this program are:

- Food Waste Reduction Objectives
 - Reduce municipal food and waste
 - Divert residential and commercial food waste from landfills
- Composting and Conservation Objectives
 - Generate compost
 - Increase agricultural producers' access to compost
 - Reduce reliance on, and limit the use of, chemical fertilizer
 - Improve soil quality
 - Encourage waste management and permaculture business development.
 - Increase rainwater utilization (capture, infiltration, or absorption)

This program provides financial assistance to municipalities, school districts, counties, local governments, special district governments, tribal governments (State-designated Indian Tribes, Federally Recognized Indian Tribal Governments), or tribal organizations to carry out food waste reduction and composting objectives. While applicants are encouraged to submit proposals that meet more than one of the objectives below (inclusion of multiple objectives will be considered when ranking proposals), OUAIP will accept proposals that address at least one of the aforementioned goals and objectives.

Priority will be given for each of the following elements that are included in a project:

- Align project proposals to address priorities on environmental justice, racial equity, climate change, investment in underserved communities, and sustainable agricultural practices. For example, keeping food waste out of

landfills can contribute to climate change mitigation by reducing landfill methane emissions;

- Integrate food waste reduction strategies that take into consideration the most-preferred food waste recovery activities as described in the [Environmental Protection Agency \(EPA\) Wasted Food Scale](#).
- Anticipate or demonstrate economic benefits for the impacted community,
- Incorporate plans to make compost easily accessible to agricultural producers, including community gardeners, school gardens, and producers.
- Include a robust plan that describes collaboration with multiple partners.
- Provide a detailed plan for project monitoring, evaluation and documentation of insights and solutions to obstacles encountered during the course of the project.

Applicants should refer to the Merit/Technical Criteria section of this announcement for a complete description of evaluation and scoring criteria for proposals.

NRCS is committed to the success of all of our nation's producers, businesses, and partners. Some of our nation's producers belong to communities which have been or are marginalized in ways that have reduced their ability to farm and ranch successfully -- despite the vital role that they have played in securing a healthy agricultural economy for our country and protecting, enhancing, and sustaining our valuable natural resources. NRCS encourages proposal submissions from entities that represent, are partnered with, or are composed entirely of producers belonging to such communities.

B. FEDERAL AWARD INFORMATION

1. Available Funding

a. Estimated Funding

The Federal funding agency expects to award approximately \$7.8 million through this opportunity. However, the agency retains the discretion to award a larger or lesser amount.

b. Start Dates and Performance Periods

Projects must be 2 years in duration. Applicants should plan their projects based on an estimated project start date of January 31, 2025.

c. Number of Awards

There is no commitment by USDA to make a specific number of awards.

2. Type of Award

a. Type of Federal Award

This announcement plans to award cooperative agreement(s), pursuant to this opportunity. Depending on the nature of a particular proposal received, the agency may elect to negotiate an alternate award type with the selected applicant. Cooperative agreements have a principal purpose to transfer a thing of value to a recipient in order to accomplish a public purpose of support or stimulation authorized by Federal Law. A cooperative agreement includes substantial involvement by the Government. See 31 U.S.C. 6302-6305.31.

The agency will be substantially involved in the work performed under the agreement and will undertake activities such as the following:

- a. Authority to suspend work if specifications or work statements are not met
- b. Review and approval of one stage of work before another may begin
- c. Review and approval of substantive provisions of proposed subawards or contracts beyond existing Federal policy
- d. Agency and recipient collaboration or joint participation
- e. Project monitoring to permit specified kinds of direction or redirection of the work because of interrelationships with and impacts on other projects
- f. Highly prescriptive agency requirements that limit recipient discretion
- g. Review and approval of key personnel
- h. Direct agency operational involvement or participation during the activity

NRCS will have the following responsibilities:

- 1) Connect pilot projects with other USDA agencies such as, but not limited to the Economic Research Service (ERS); National Institute of Food and Agriculture (NIFA); the Office of the Chief Economist (OCE); and other Federal partners (e.g., U.S. Environmental Protection Agency (EPA)) to collaborate on project activities and outcomes that contribute to the [U.S. Food Loss and Waste 2030 goal](#).
- 2) Coordinate and convene the CFWR pilot project team(s) to collaborate with other Federal Government, regional, institution, state, and local experts. This collaboration will focus on information dissemination and project strategy implementation of the objectives related to CFWR as characterized above in the project description; and

- 3) Gather project data (i.e., methods, results, and derived benefits, including data on weight of food waste diverted from landfills, data on food reclaimed for human and animal consumption, as well as data on compost created) for evaluation and dissemination to increase access to, and solutions for, composting and municipal food waste reduction across the United States.

b. Procurement Contracts

The agency does not expect to award procurement contracts associated with this NFO.

c. Eligibility of Renewal or Supplemental Project Applications

Applications for renewal or supplementation of existing projects are eligible to compete with applications for new Federal awards. An application for renewal means an application submitted to continue an existing agreement that meets the objectives and requirements of this NFO. An application for supplementation of an existing project means an application to add components to an existing agreement so that it would meet the objectives and requirements in this NFO.

Proposals for renewal or supplementation cannot exceed the two-year project window required for all proposals under this funding announcement. Such proposals should include the most recent progress report for any existing project. Refer to section D for more information about the elements required in a complete proposal package.

C. ELIGIBILITY INFORMATION

1. Eligible Applicants

Applicants and applications must meet eligibility criteria by the application deadline to be considered for award. Eligible applicant type is determined by the implementing program statute. Applicant entities identified in the SAM.gov exclusions database as ineligible, prohibited/restricted, or excluded from receiving Federal contracts and certain Federal assistance and benefits will not be considered for Federal funding, as applicable to the funding being requested under this Federal program (2 CFR 200.206(d)). Neither foreign entities nor individuals are eligible to apply for this opportunity.

Eligibility for this opportunity is limited to the following entity types:

- a. City or township governments (or other municipal governments)
- b. County governments
- c. School districts (including independent school districts)
- d. State-designated Indian Tribes
- e. Native American tribal governments (Federally recognized)
- f. Native American tribal organizations (other than Federally recognized tribal governments)

- g. Special district governments (e.g. soil and water conservation districts, regional planning districts, landfill districts, etc.)

State designated Indian Tribes should select “Native American tribal organizations (other than Federally recognized tribal governments)” when completing the SF-424 block 9.

Municipal governments other than cities or townships should select “Other” and enter “municipal government” when completing Block 9 on the SF-424.

Proposed projects must be performed within the 50 United States, the District of Columbia, the Caribbean Area (Puerto Rico and the U.S. Virgin Islands), the Pacific Islands Area (Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands).

2. Other

Any award made pursuant to this NFO will be made to a single entity. Applicants that apply as “partnerships” or other similar groupings must clearly describe the relationship between the applicant and the “partner” parties. In all but exceptional cases, it must be reflected in the award as an awardee/sub awardee relationship.

An applicant organization may submit more than one application for different projects or proposing different approaches. In the case of applications submitted as revisions or corrections to a previously submitted application under this NFO, the agency will consider the last application submitted prior to the established deadline.

Awards made pursuant to this NFO are not Farm Bill incentive contracts; therefore, the awards in and of themselves are not limited by the payment limitation in 16 USC Chapter 58. However, any agricultural producers receiving a payment through participation in a project awarded under this NFO must meet the eligibility requirements of 7 CFR Part 12 and 7 CFR Part 1400 and have control of the land involved for the term of the proposed award period.

Research proposals will not be accepted or considered.

“Research” is defined as a systematic study directed toward fuller scientific knowledge or understanding of the subject studied. A “research proposal” is a form of research where the primary objective is such a study and variables are unknown. Projects that are meant to plan and test strategies for composting and food waste reduction are allowable.

Travel funds for conferences, educational events, networking, and/or partnership opportunities, and in-person site visits between active OUAIP grant recipients as well as grant recipients from other USDA programs that are directly related to project objectives are available and highly encouraged.

Organizations may build in costs within their proposal for travel expenses that could support their project's capacity or advance shared technical knowledge and skills. See Appendix B for guidance on how to properly add travel funds within the proposal's budget narrative. All requested cost must be supported to show a direct benefit to the project.

3. Match

Section 12302 of the Agriculture Improvement Act of 2018, 7 U.S.C. 6923 requires applicants to match 25 percent of the total federal share. Applications that do not include the required level of matching will be ineligible for award. **Please do not include matching funds in excess of 25 percent.** Match may be achieved with contributions of cash, services, materials, equipment, or third-party in-kind contributions. Funds from another Federal award cannot be used as match except where the Federal statute authorizing a program specifically provides that Federal funds made available for such program can be applied to match. Additional details about matching funds can be found at 2 CFR 200.306. Refer to Section D of this NFO for information about any required submittals related to match requirements. While the pace of match may vary throughout the award period, the agency will actively monitor match levels as it receives payment requests to ensure the total match requirement is met by the award periods of performance end date. Additional details about matching funds are located at 2 CFR 200.306.

The following are examples of the appropriate level of cost-share for a given federal award amount.

Federal Share Requested	Cost Share Min (25%)	Total Project Cost
\$75,000	\$18,750	\$93,750
\$400,000	\$100,000	\$500,000

Applicants that are using third party contributions to meet the 25% match requirement must provide a letter of intent from the contributing party within their application package that clearly states what is being provided.

D. APPLICATION AND SUBMISSION INFORMATION

1. Information for New Users of Grants.gov

a. Overview

While a Grants.gov account is not required to download an NFO and related documents, it is required to submit an application. If your organization has never submitted an application via Grants.gov, please be aware that there are several steps you must take to register your organization before you can

submit an application. **Completing those steps can take a significant amount of time, plan accordingly.**

b. Register to Apply through Grants.gov

Applicants should read the registration instructions carefully and prepare the information requested before beginning the registration process. Reviewing and assembling the required information before beginning the registration process will alleviate last-minute searches for required information.

For assistance with the registration process, contact Grants.gov Applicant Support, available 24/7, at 1-800-518-4726 or support@grants.gov.

Organizations must complete all steps to register (steps i. through v. below). Complete organization instructions are included on Grants.gov here: <https://www.grants.gov/applicants/applicant-registration/>

Although creating a Grants.gov account online can be completed online in minutes, SAM registrations may take several weeks. Therefore, organizations should begin the process early to ensure they have sufficient time to complete registration and meet required application submission deadlines.

c. Steps to Register

- i. *Obtain a UEI:* All entities applying for funding must have a UEI issued by SAM.gov. Applicants must enter the UEI in the data entry field labeled "UEI" on the SF-424 form.
- ii. *Register with SAM:* All organizations (entities) must register with System for Award Management (SAM) to apply online through Grants.gov. Failure to register with SAM will prevent your organization from applying through Grants.gov. SAM registration must be renewed annually. Part of the SAM registration process includes designating an Electronic Business Point of Contact (EBiz POC). **The EBiz POC plays an integral part in the organization's Grants.gov registration and application process.** The individual in that role must authorize all other roles in Grants.gov. For more detailed instructions for registering with SAM, refer to <https://www.grants.gov/applicants/applicant-registration/>
- iii. *Create a Grants.gov Account:* From the Grants.gov webpage (<https://www.grants.gov/>), click "Register" in the top right-hand corner and follow the on-screen instructions.

- iv. *Add a Profile to a Grants.gov Account:* A profile in Grants.gov corresponds to a single applicant organization the user represents (i.e., an applicant) or an individual applicant submitting on their own behalf. If you work for or consult with multiple organizations, you can have a profile for each organization under one Grants.gov account. In such cases you can log in to one Grants.gov account to access all your grant profiles. To add an organizational profile to your Grants.gov account, enter the UEI for the organization in the UEI field. If you are an individual applicant submitting on your own behalf, you do not need a UEI to add the profile. For more detailed instructions about creating a profile on Grants.gov, refer to <https://www.grants.gov/applicants/applicant-registration/add-profile>
- v. *EBiz POC Authorized Profile Roles:* After you register with Grants.gov and create an Organization Applicant Profile, you must establish roles for individuals in the organization. The Authorized Organizational Representative (AOR) role is critical; it gives an individual permission to complete and submit applications on behalf of the organization. Without this role, the organization cannot submit any applications. The request for role assignment will be routed to the organization's EBiz POC for approval. Once approved, the AOR can submit an application online. For more detailed instructions about creating a EBiz POC authorized profile on Grants.gov, refer to <https://www.grants.gov/applicants/applicant-registration/ebiz-poc-authorizes-profile-roles>

Track Role Status: To track your role request, refer to <https://www.grants.gov/applicants/applicant-registration/track-profile-role-status>

d. Electronic Signature

When applications are submitted through Grants.gov, the name of the organization applicant with the AOR role that submitted the application is inserted into the signature line of the application, serving as the electronic signature. The EBiz POC **must** authorize people who are able to make legally binding commitments on behalf of the organization as a user with the AOR role. **This step (step c.v. above) is often missed, and it is crucial for valid and timely submissions.**

e. Workspace

Workspace is a shared, online environment where members of a grant team may simultaneously access and edit different webforms within an application. For each NFO, you can create individual instances of a

workspace. An applicant can start an application in Workspace and return to work on it later within Workspace.

Applicants using unreliable internet connections should be aware that the process of completing the Workspace can take some time. Therefore, applicants should allow enough time to prepare and submit the application before the package closing date.

f. Apply for an Opportunity

Below is an overview of applying on Grants.gov. For complete instructions on how to apply for opportunities, refer to

<https://www.grants.gov/applicants/workspace-overview/>

If the Apply button in the opportunity is not active (greyed out), the user does not have the appropriate permissions or has an incomplete applicant registration. For additional information, refer to

<https://grantsgovprod.wordpress.com/2023/06/08/unlock-the-mystery-of-the-gray-apply-button-four-scenarios/#:~:text=The%20Apply%20button%20will%20be,to%20view%20the%20close%20date.>

- i. **Create a Workspace:** Creating a workspace allows you to complete an application online and route it through your organization for review before submitting.
- ii. **Complete a Workspace:** Add participants to the workspace to work on the application together, complete all the required forms online or by downloading PDF versions, and check for errors before submission. The Workspace progress bar will display the status of your application process as you apply. As you apply using Workspace, you may click the blue question mark icon near the upper-right corner of each page to access context-sensitive help.

- **Adobe Reader:** If you decide not to apply by filling out webforms you can download individual PDF forms in Workspace. The individual PDF forms can be downloaded and saved to your local device storage, network drive(s), or external drives, then accessed through Adobe Reader.

NOTE: Visit the Adobe Software Compatibility page on Grants.gov to download the appropriate version of the software at

<https://www.grants.gov/applicants/adobe-software-compatibility>

- **Mandatory Fields in Forms:** In the forms, you will note fields marked with an asterisk and a different background color. These fields are mandatory fields that must be completed to successfully submit your application.

- Complete SF-424 Fields First: The forms are designed to fill in common required fields across other forms, such as the applicant name, address, and UEI. Once it is completed, the information will transfer (i.e., prepopulate) to the other forms.
- iii. Submit a Workspace: An application may be submitted through workspace by clicking the Sign and Submit button on the Manage Workspace page, under the Forms tab. Grants.gov recommends submitting your application package at least 24-48 hours prior to the close date to provide you with time to correct any potential technical issues that may disrupt the application submission.
- iv. Track a Workspace Submission: After successfully submitting a workspace application, a Grants.gov Tracking Number (GRANTXXXXXXXX) is automatically assigned to the application. The number will be listed on the Confirmation page that is generated after submission. Using the tracking number, access the Track My Application page under the Applicants tab or the Details tab in the submitted workspace.

For additional training resources, including video tutorials, refer to <https://www.grants.gov/applicants/applicant-training>

2. Electronic Application Package

Applicants interested in submitting an application in response to this NFO must submit it via Grants.gov; the agency will not accept applications submitted via email or any other method. No exceptions will be made for applicants experiencing issues with Grants.gov unless a known system wide Grants.gov issue is identified, in which case the deadline will be extended for all applicants, as appropriate. Applicants are urged to submit early to the Grants.gov system.

For technical issues with Grants.gov, contact Grants.gov Applicant Support, available 24/7, at 1-800-518-4726 or support@grants.gov. Awarding agency staff cannot support applicants regarding Grants.gov accounts.

Address to Request Application Package

All information necessary to apply for this opportunity is included in the [Grants.gov](#) opportunity announcement.

3. Content and Form of Application Submission

The agency may choose not to consider applications that fail to comply with the required content, format, and page limits, or those that are incomplete. Do not submit video files or files larger than 10MB. File names of attachments must be limited to 50 characters, may not include special characters (e.g., &, -, *, %, /, #), periods (.), blank spaces or accent marks, and must be unique (i.e., no other attachment may have the same file name). An underscore (example:

my_Attached_File.pdf) may be used to separate a file name. Attachments must **NOT** be password protected.

To be considered for funding under this opportunity, an application must contain the documents in a-g below.

a. Application Form

(Standard Form 424 Application for Federal Assistance) See Instructions for Completing SF 424 located in the appendices section.

b. Project Summary/Abstract (1-page maximum)

Provide a descriptive title and summary of your project. Present a statement of need or assessment of the problem. Define the intended beneficiaries of this project and include the zip codes of the area impacted by your project activities (maximum 5 zip codes). State whether the communities being served are rural, suburban, or urban. Identify any underserved communities and describe your approach to determining the critical elements and needs of the local food economy or food system of the area or communities to be served. Describe how this project will initiate, build upon, or expand related work or programs. The summary should also include the relevance of the project to the purpose and priorities of the CFWR.

c. Project Narrative (15-page maximum)

Each page must be numbered and have one-inch margins. The text of the project narrative must be single spaced and typed in a standard typeface (e.g., Times New Roman, Arial, Courier) with no smaller than 12-point font. The project narrative must not exceed 15 pages. This page limitation applies to the project narrative only.

1. Introduction: Describe the applicant organization in terms of its location, demographics, and community served. Please include the relevant zip codes that will be served by the project. Describe past and current involvement with developing and testing strategies for planning and implementing municipal food waste reduction and compost plans. Present a statement of need or assessment of the problem in the targeted community. Describe your approach to solving existing problems and concerns related to reducing food waste and/or increasing community compost.

2. Goals and Objectives: Describe the over-arching goal of your project and list any supporting objectives that may accomplish this goal. Identify how the project addresses the most-preferred food waste recovery activities as described in the [EPA's Wasted Food Scale](#). Describe the anticipated impact of this project on Executive Priorities including tackling the climate crisis, advancing racial equity, and promoting environmental justice. This element may include, but

is not limited to: participation by [marginalized](#) groups or groups serving underserved or vulnerable communities; activities with the potential to address the causes or impacts of climate change.

- 3. Procedures and Work Plan:** Discuss planned procedures and activities for achieving project goals and objectives, and provide project deliverables, milestones, and timelines for completion of those activities and collection and evaluation of data and reporting of outcomes. As applicable to the project, describe the food waste reduction strategies and methods to be used, as aligned with the EPA's Wasted Food Scale; identify what segments of the food chain the project will address (consumers, food purchasing, preparation, storage, preservation) and any barriers (economic, social, logistical, etc.) that must be overcome; describe if and how food waste will be composted; describe how the plan will make compost easily accessible to agricultural producers and community gardeners; describe also how the plan will assist these agricultural producers, community gardeners, and other community members (such as residential gardeners) to reduce their reliance on or use of fertilizers, improve soil quality, encourage waste management and permaculture business development, increase rainwater absorption, reduce municipal food waste, and divert food waste from landfills; include how your project will impact any existing food waste reduction, recovery and disposal by commercial, marketing, or business relationships in your area. For each task identify key personnel involved, including a description of those individuals' experience and qualifications.
- 4. Collaborators:** List partner institutions including contact names, addresses, phone numbers, and e-mail addresses (if applicable). Identify why the partner was chosen, how its activities will contribute to the success of the project, and the partnership arrangement. Where possible, project collaborators should represent a variety of disciplines and experiences directly related to the deliverables proposed and complementary to the qualifications of the core project team. Please note that collaboration with partner institutions is considered instrumental to the success of a CFWR project, and lack of such collaboration will be reflected in the proposal's evaluation for funding.
- 5. Evaluation:** Provide a plan for evaluating accomplishments and outcomes that match project deliverables. Include a timeline of activities with milestones and verifiable indicators to demonstrate how progress will be measured and achieved. Gather project data (i.e., supplies/equipment used, methods, results, and derived benefits, including data on weight of food waste diverted from landfills and

compost created) for evaluation and dissemination to increase access to, and solutions for, composting and municipal food waste reduction across the United States. Provide how you will convey results measured by weight (e.g., pounds/tons food waste diverted, pounds/tons reclaimed for human or animal consumption, pounds/tons of composted created), which is required though will differ due to project scope. Include any anticipated or demonstrated economic benefits. Discuss if the project's strategy to reduce food waste and/or increase community compost has the potential to be replicated in other areas.

Scales and other equipment items used for measuring project results based on OUAIP indicators are allowable costs.

A list of OUAIP approved indicators can be found in Appendix D of this document to assist applicants in developing their monitoring and evaluation strategies. All CFWR projects are required to associate each project objective to a relevant indicator that will be tracked and measured throughout their project's period of performance should the proposal be accepted.

6. Self-Sustainability: Describe which aspects or components of the project will continue beyond the end of the project period. Discuss how a one-time infusion of Federal funds will be enough for the proposed pilot project to advance CFWR goals and achieve sustainability. Projects should identify actual or potential funding sources for continuation of the project after Federal funding has ended.

d. Statement of Previous USDA Awards (If applicable, no page limit)

If the applicant has received an award from USDA in the last three years (either at the National or State levels), list the following for each award and give a short summary of the completed project's outcomes. If the project is ongoing, provide the anticipated outcomes. Each description should be no more than a half page:

- Project title
- Agreement number (Federal Award Identifying Number)
- Award funding amount
- Year of award expiration

This section will not be factored into the evaluation of the application.

e. Standard Form (SF) 424A, Budget Information - Non-Construction Programs

Fill in all spaces as appropriate. Section B, Item 6, Column 1 should reflect the agency funds, and Column 2 should reflect the applicant's

matching funds. This form is the summary budget for the project and should include the full project totals on pages one and two. See Instructions for Completing SF 424A located in the appendices section. Refer to Section D of this opportunity for information regarding indirect costs. Errors in the SF-424A regarding classifying costs may be negotiated after selection.

f. SF 424C, Budget Information for Construction Programs (only if project includes construction)

Fill in all spaces as appropriate. Construction budget should be broken down into the object class categories listed on the SF-424C. Errors in the SF-424C regarding classifying costs may be negotiated after selection. Projects that have budgets entirely allocated to construction must still complete and SF-424A placing all funds within the “Construction” object class category in addition to the SF-424C which will further itemize the construction budget.

g. Budget Narrative

In a separate document titled “Budget Narrative,” explain and justify all requested budget items/costs. (Refer to the budget narrative guidance located in the appendices section.) Detail how the totals on the SF-424A were determined and demonstrate a clear connection between costs and the proposed project activities. For personnel salary costs, include the base-line salary figures and the estimates of time (as percentages) to be directly charged to the project. Describe any item that under the applicable Federal cost principles requires the agency’s approval and estimate its cost. The pages included as the budget narrative do not count toward the page limit. Errors in the budget narrative regarding classifying costs may be negotiated after selection. Refer to Appendix C, Budget Narrative Guidance, located at the end of this document regarding procurement standards when including contracts for goods or services. **Sole-source contracting is prohibited without proper justification.** See Procurement Standards located at 2 CFR 200.317-327.

- i. Build America, Buy American. “Buy America” preference applies to Federal financial assistance awards that include construction components, even if it is funded by both Federal and non-Federal funds under the award. Subawards should conform to the terms and conditions of the Federal award from which they flow. A Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to a construction project. Refer to the General Terms and Conditions for additional information: <https://www.fpacbc.usda.gov/about/grants-and-agreements/award-terms-and-conditions/index.html>

- ii. Indirect Costs Recovery. If requesting indirect costs, provide the calculation specifying the amounts used in applying the base (the base specified in the applicable rate agreement) by the applicable rate. The calculation can be displayed in different formats but must capture the components (i.e., amounts used in determining the base and the rate applied to the base).
 - A. To be eligible to recover any indirect costs under a Federal award, recipients must either 1) have a current negotiated indirect cost rate agreement (NICRA) with a Federal agency that has not expired; or 2) qualify for use of the de minimis rate authorized by 2 CFR 200.414(f) and described below. For-profit entities (if eligible to apply) must obtain a NICRA from their cognizant agency. USDA will not accept an indirect cost agreement that is not a NICRA, for example, those negotiated or approved by the Defense Contract Audit Agency or the Defense Contract Management Agency.

A copy of the applicant's current NICRA must be provided with the application (see section D(3)(i)). Indirect costs may not be recovered under an expired NICRA. For applicants negotiating a NICRA, provide a copy of the indirect cost rate proposal submitted to the cognizant agency. See section D(3)(h) below for how to submit a NICRA as part of the application.
 - B. Any non-Federal entity (except State and local governments that receive more than \$35 million per year in Federal funding) that does not have a current negotiated (including provisional) rate may elect to charge a de minimis rate of 10 percent of modified total direct costs (MTDC) which may be used indefinitely. No documentation is required to justify the 10 percent de minimis indirect cost rate, simply indicate in your budget narrative that the recipient elects to use the de minimis rate. Modified Total Direct Cost (MTDC) means all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$25,000 of each subaward (regardless of the period of performance of the subawards under the award). MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each subaward in excess of \$25,000. Other items may only be excluded when necessary to avoid a serious inequity in the distribution of indirect costs, and with the approval of the cognizant agency for indirect costs.
 - C. As described in [2 CFR 200.403](#), costs must be consistently charged as either indirect or direct costs but may not be double charged or inconsistently charged as both. If chosen, this

methodology once elected must be used consistently for all Federal awards until such time as a non-Federal entity chooses to negotiate for a rate, which the non-Federal entity may apply to do at any time.

- D. A recipient may voluntarily reduce or waive recovery of indirect costs at its sole discretion and must not be encouraged or coerced in any way to do so by the agency.

iii. Indirect Costs Limitations

- A. Applicants not subject to a statutory limitation, which have a current NICRA must calculate indirect costs using the rate and base specified in their NICRA.
- B. Recipients are prohibited from shifting unallowable indirect costs to another Federal award unless specifically authorized to do so by legislation.

iv. Match

Matching must be committed at the time of application submission. The budget narrative must show the amounts and sources of match (including both cash and in-kind contributions or a combination of both).

For third-party contributions, a letter is required for each contribution, signed by the authorized organizational representative of the contributing organization and the applicant organization, which must include: (1) the name, address, and telephone number of the contributor, (2) the name of the applicant organization, (3) the title of the project for which the contribution is made, (4) the dollar amount of the contribution, and (5) a statement that the contributor will pay the contribution no later than the end of the award period. The agency may conduct reference checks to ensure that organizations identified are supportive and involved with the project. Cost sharing/match letters should be addressed to the Federal Awarding Agency Contact in Section G of this NFO and uploaded under Other Attachments (listed separately under Optional Forms) in Grants.gov.

Refer to the Budget Narrative Guidance located in the appendices section for information about making contract vs. subaward determinations.

Do not add any matching funds in excess of the CFWR requirement of 25% of federal funds.

h. Grants.gov Lobbying Form

Under Title 31 of the United States Code, Section 1352, an applicant or recipient must not use any federally appropriated funds (both annually appropriated and continuing appropriations) or matching funds under a grant or cooperative agreement award to pay any person for lobbying in connection with the award. Lobbying is defined as influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress connection with the award. Submission of an application also represents the applicant's certification of the statements in 2 CFR Part 418, Appendix A-Certification Regarding Lobbying.

f. Applicant Contact Information

Provide contact information for the roles identified in the Applicant Contact Information template, located in the Related Documents tab of the opportunity. Upload the contact information under Other Attachments (listed as an Optional Form) in the Grants.gov Opportunity Application Package.

g. Statement of Current and Pending Support

Submit a Statement of Current and Pending Support for each key personnel who will participate in the project. For your convenience, a template is available for your use in in the Related Documents tab of the opportunity.

h. SF-LLL, Disclosure of Lobbying Activities

SF-LLL, Disclosure of Lobbying Activities, must be submitted **only** if you/your organization have/has made or agrees to make any payment using non-appropriated funds for lobbying. See 2 CFR 418.110 for more information on when additional submission of this form is required.

i. Negotiated Indirect Cost Rate Agreement (NICRA), if applicable

If charging indirect costs using a NICRA (including for match), upload the NICRA under Other Attachments (listed as an Optional Form) in the Grants.gov Opportunity Application Package.

j. Letters of Support

Letters of support refer to character testimonies from outside entities, such as external organizations, members of congress, or other endorsements. Letters of support are not required and should not be submitted.

k. Letters of Intent to Partner

A letter of intent refers to attestations from project partners or stakeholders confirming their involvement within the proposed project. Letters of intent from relevant partners involved with the project are

encouraged from all applicants but are only required if the proposed budget is utilizing partner contributions. A letter of intent from the partner providing third-party contributions must clearly state what is being provided.

I. Disclosure of Potential Conflict of Interest

In accordance with 2 CFR 400.2, applicants must maintain written standards of conduct covering conflicts of interest and governing the performance of its employees in the selection, award, and administration of Federal awards. No employee, officer, or agent may participate in the selection, award, or administration of a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties referenced, has a financial or other interest in, or a tangible personal benefit from, an applicant considered for a Federal award. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the applicant.

If the applicant has a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian tribe, the applicant must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflict of interest means that because of the relationships with a parent company, affiliate, or subsidiary organization, the applicant is unable or appears to be unable to be impartial in conducting a Federal award action involving a related organization.

Applicants must disclose in writing any potential conflicts of interest to the USDA awarding agency or pass-through entity. Include the name of the individual, the name of the entity with which the individual has a conflict, the nature of the financial or other interest, the value of the interest, a description of how the interest relates to your application. Upload disclosures under Other Attachments (listed separately under Optional Forms) in Grants.gov. **If no conflict exists, no submission is required.**

m. Post Award Documentation

N/A

n. Unique Entity Identifier (UEI) and System for Award Management (SAM)

Each applicant (unless the applicant is an individual excepted from those requirements under 2 CFR 25.110(b) or (c), or has an exception approved by the Federal awarding agency under 2 CFR 25.110(d)) is required to: (i) Be registered in SAM before submitting its application; (ii)

provide a valid unique entity identifier in its application; and (iii) continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency. The agency may not make a Federal award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if an applicant has not fully complied with the requirements by the time the agency is ready to make an award, it may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

Entities must obtain a UEI and register in SAM prior to registering with Grants.gov. A description of each is below. Entities are strongly encouraged to apply early for their SAM registration.

System for Award Management (SAM) Registration: To register, go to: <https://www.sam.gov>. The Federal Service Desk is available for registration assistance and can be contacted via the Help tab at the website listed above.

Awarding agency staff cannot support applicants regarding UEI or SAM issues.

4. Submission Dates and Times and Correspondence

All applications must be received by Grants.gov by 11:59 pm Eastern Time (ET) by the established due date in the Key Dates section of the Summary Information of this NFO. Proof of timely submission is automatically recorded by Grants.gov. An electronic date/time stamp is generated within the system when the application is successfully received by Grants.gov.

Applications received by Grants.gov after the established due date will be considered late and will not be considered for funding. An application is considered on time at 11:59.59 pm ET, but it is late at 12:00 am ET.

Grants.gov will provide either an error or a successfully received transmission in the form of an email sent to the applicant with the Authorized Organizational Representative (AOR) role attempting to submit the application. The Grants.gov Support Center reports that some applicants end the transmission because they think that nothing is occurring during the transmission process; be patient and give the system time to process the application.

The applicant with the AOR role who submitted the application will receive:

- an acknowledgement of receipt and a tracking number (GRANTXXXXXXXX) from Grants.gov with the successful transmission of their application.

- an email with the official date/time stamp and Grants.gov tracking number serving as proof of timely submission.

When the agency successfully retrieves the application from Grants.gov, and acknowledges the download of submissions, Grants.gov will also provide an electronic acknowledgment of receipt of the application to the applicant with the AOR role who submitted the application. Proof of timely submission shall be the official date and time that Grants.gov receives your application.

If you have trouble submitting an application to Grants.gov, contact the Grants.gov Help Desk to resolve any issues. See Section D. 2. for Grants.gov contact information.

Applicants using unreliable internet connections should be aware that the process of completing the Workspace can take some time. Therefore, applicants should allow enough time to prepare and submit the application before the package closing date.

5. Intergovernmental Review

This funding opportunity is not subject to Executive Order 12372, "Intergovernmental Review of Federal Programs." When completing the SF-424, check block c, "Program is not covered by E.O. 13272."

6. Funding Restrictions

Funds may not be used to pay any of the following costs unless otherwise permitted by law and approved in writing by the agency in advance of incurring such costs:

- a. Costs above the amount of funds authorized for the project.
- b. Costs incurred prior to the effective date of the award, including time spent applying for this opportunity.
- c. Costs which lie outside the scope of the approved project and amendments thereto.
- d. Entertainment costs, regardless of their apparent relationship to project objectives.
- e. Compensation for injuries to persons, or damage to property arising out of project activities.
- f. Consulting services performed by a Federal employee during official duty hours when such consulting services result in the payment of additional compensation to the employee.
- g. Capital expenditures for general purpose equipment, buildings, and land and for improvements to land, buildings, or equipment which materially increase their value or useful life. See 2 CFR 200.439 for additional information.
- h. Meals may be charged to an award only if they are necessary for the performance of the project. For instance, meals (normally only lunch)

that are a necessary part of the costs of meetings and conferences (i.e., required attendance and continuity of a meeting), the primary purpose of which is the dissemination of information, are allowable, as are costs of transportation, rental of facilities, speakers' fees, and other items incidental to such meetings or conferences. Note: Meals consumed while in official travel status do not fall in this category. They are considered to be per diem expenses and should be reimbursed in accordance with the organization's established travel policies subject to statutory limitations or in accordance with Federal travel policies.

- i. Costs normally charged as [indirect costs](#) may not be charged as [direct costs](#) without proper justification and agency approval. Proper justification includes documentation that the costs meet the criteria for allowability (see 2 CFR 200.403). Examples of such costs include rent, utilities, depreciation on buildings and equipment, the costs of operating and maintaining facilities, and general administration and general expenses, such as the salaries and expenses of executive officers, personnel administration, and accounting.
- j. Salaries that are not commensurate with level of work. All costs must be reasonable to be allowable (2 CFR 200.403), and 2 CFR 200.404 defines a reasonable cost as one if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost. Salaries determined not to be reasonable compared to the level of work will be unallowable.
- k. Software produced by non-domestic entities. Project budgets must not include costs (both Federal costs and match) for software development by non-domestic entities if it will be utilized by the Federal government or hosted on Federal systems.
- l. Refer to Section D for applicable indirect cost restrictions, if any.

This list is not exhaustive. For additional information please refer to 2 CFR Part 200, subpart E, Cost Principals.

E. APPLICATION REVIEW INFORMATION

1. Review and Selection Process

Applications will be screened for completeness and compliance with the provisions of this notice. Incomplete, noncompliant, and/or applications not meeting the formatting criteria may be eliminated from competition. In that event, the agency will send notification of elimination to the applicant. The agency intends to select and award without conducting any discussions or allowing applicants to correct deficiencies or omissions in their applications. Consequently, applicants must ensure their applications are complete and accurate. However, while the agency intends to select without contacting applicants, it reserves the right to request applicants to revise their applications

to correct deficiencies or omissions it identifies. If this occurs, the agency will conduct discussions with all applicants, identify deficiencies and omissions for all, and give applicants an opportunity to submit a revised application by a common cut-off date. The agency may also contact individual applicants to clarify certain components of their applications.

Merit/technical reviews will be conducted by the National Institute of Food and Agriculture (NIFA). Risk reviews will be conducted by the FPAC Business Center, Grants and Agreements Division. The approving official will make the final award decisions. The approving official for this opportunity is the Chief of the Natural Resources Conservation Service or Designee. In addition to the merit/technical review and risk reviews, the approving official may also consider furthering programmatic purposes, including geographical dispersion, program balance, or diversity of awards.

2. Merit/Technical Criteria

The evaluation criteria below will be used in reviewing proposals submitted in response to this NFO. Proposals will be evaluated by the extent to which they meet the listed criteria:

- a. Degree to which the proposal is consistent with the CFWR's purpose and priorities (see Section A: Program Description). The number of purposes addressed by the project. The number of priority elements captured by the project.
- b. Degree to which proposal aligns with the most-preferred food waste recovery activities as identified in the levels contained in [EPA's Wasted Food Scale](#). Points under this criterion will be given for those proposals that include a component focused on source reduction, donation or upcycling, feeding animals, or composting/anaerobic digestion with beneficial use of biosolids.
- c. Project Relevance
 - i. Rationale: The proposal's success in implementing a project consistent with composting and/or food waste reduction goals in the target area(s), including estimated number of participants and one or more sources of relevant data. Degree to which the proposal aligns with USDA priorities including climate, equity, and environmental justice. Amount of anticipated participation by underserved groups or groups serving underserved or vulnerable communities. Description of activities with the potential to address the causes and impacts of climate change.
 - ii. History and Capacity: The applicants demonstrated experience with municipal composting and/or food waste reduction activities; the degree to which this information demonstrates that the applicant can successfully execute the proposed project.

- d. Degree to which the plan, as presented, successfully demonstrates the potential for significant positive impact on new or existing food waste reduction strategies, including recovery and disposal, and strengthens partnerships needed to accomplish those goals.
 - i. Evaluation Plan: Clarity with which the proposal describes how activities will be monitored, data will be collected, progress will be measured, and at what frequency evaluation activities will occur. Degree to which identified indicators for measuring progress/impact are relevant and clearly align with project activities (See Appendix D, List of OUAIP Indicators). The number of indicators chosen will not count towards the evaluation score. Soundness of plan for tracking any anticipated or demonstrated economic benefits and impacts on existing food waste recovery and disposal by commercial, marketing, or business relationships in the target area(s).
 - ii. Monitoring and Evaluation Experience: Proposal's success in adequately describing the organization's ability to monitor and evaluate the impact of the proposed project according to a proposed plan. Amount of relevant experience brought by the applicant or identified entity in monitoring and evaluation. Clarity and succinctness over the overview provided by the applicant of how the work will be evaluated.
 - iii. Sustainability: Soundness of strategies provided by the applicant to ensure replicability and/or long-term viability of the project and describes how CFWR will be integrated into the operations, workflows, and staffing structure of the organization to continue past the end of the award. Extent to which the sustainability plan includes building or strengthening partnerships to promote CFWR as a priority to local stakeholders.
 - iv. Key Personnel Experience and Skills: Amount of relevant experience and/or expertise described for required key personnel and/or entities needed to successfully develop and test strategies for planning and implementing municipal compost plans and food waste reduction plans. Adequacy of staffing plan.
- e. Degree to which the project anticipates or demonstrates economic efficiency, including evaluating the amount of Federal funds requested and the cost-effectiveness of the budget (including analysis of such items as the rental of equipment, vehicles, land, and building space during the length of the cooperative agreement instead of purchase thereof) in relation to the expected measurable outcomes and project impact:
 - i. Cost: The total amount of Federal funds requested is within the allowable range (\$75,000 to \$400,000) and appropriate for the

scope of the project. Proposed costs are reasonable, necessary, and allocable to carry out the project's goals and objectives. Budget calculations and documentation clearly show how the budget components were developed and costs were estimated. The budget includes a line-item description for every allowable cost and shows how it supports the project goals. The purchase of special purpose equipment is supported by substantial documentation that includes how it will help accomplish the project deliverables; a lease vs. purchase comparison; how it will be inventoried, stored, and maintained during the project; and what will be done with it when the project is over.

- ii. Budget Narrative: Budget Narrative includes an itemized explanation and justification for all requested budget items and costs. Costs clearly support the purpose of CFWR. Details provided show how the totals on the SF-424A or SF-424C were determined and demonstrate a clear connection between costs and the proposed project activities. Budget Narrative and the Project Narrative clearly align with one another. See Appendix C, "Budget Narrative Guidance", at the end of this announcement.
- iii. Funding: Applicant clearly describes how the program will continue to be funded or supported past the award period, by thoroughly identifying areas and activities that require additional funding and indicating specific sources of future funding (can be other grants, in-kind donations/volunteer hours/etc.). Applicant describes how CFWR efforts will be included in the local governments and/or organization overall long-term budget.

NOTE: Project's relying on volunteer contributions should document the volunteer hours and cost calculations translating the volunteer hours to non-federal in-kind dollars with details provided identifying and objectively detailing the tasks and volunteer services that will be provided.

- f. Quality of the plan for collaborating with multiple partners, including public or private entities, nonprofit or for-profit entities, academic institutions (including minority-serving colleges and universities), and/or other appropriate professionals, community-based organizations, and local government entities to achieve project objectives and outcomes:
 - i. Diverse collaborator list: Applicant lists two or more partners from diverse disciplines and expertise to achieve project objectives and outcomes. Partners are from a wide range of organizations — universities, other federal agencies, non-profit organizations, businesses, foundations, and associations — in order to join strength and skills. Applicant provides complete contact information for each

partner including contact names, addresses, phone numbers and email addresses (if applicable) in the Project Narrative.

- ii. Partnership: Applicant includes reasoning for why each partner was selected and clearly describes the partnership arrangement.
- iii. Roles: Applicant identifies and describes the contribution of each partner, what they are responsible for, and how each partner's involvement will contribute to achieving project objectives and goals. The identified partners are appropriate for the listed role(s). Applicant clearly describes coordination among project team and partners.

3. Technical/Merit Review Process (Conducted by National Institute of Food and Agriculture)

NIFA selects reviewers, both internal and external from USDA, for the review panel based upon their training and experience in relevant scientific, extension, or education fields, considering the following factors:

1. The level of relevant formal scientific, technical education, or extension experience of the individual, as well as the extent to which an individual is engaged in relevant research, education, or extension activities.
2. The need to include experts from various areas of specialization within relevant scientific, education, or extension fields.
3. The need to include other experts (e.g., producers, range or forest managers/operators, researchers, public health practitioners, educators, consumers, and commercial reviews) who can assess relevance of the applications to targeted audiences and to program needs.
4. The need to include experts from a variety of organizational types (e.g., colleges, universities, industry, state and Federal agencies, and private profit and non-profit organizations) and geographic locations.
5. The need to maintain a balanced composition with regard to race, ethnicity, gender representation, and an equitable age distribution.
6. The need to include reviewers who can judge the effective usefulness of each application to producers and the general public.

After each peer review panel has completed its deliberations, the responsible program staff of NIFA will provide a list of recommended applications for OUAIP's review and selection for potential funding. Once the entire review process is complete, NIFA sends copies of reviews, not including the identity of reviewers, and a summary (if applicable) of the review panel comments to applicants.

NIFA takes extreme care to prevent any actual or perceived conflicts of interest that may influence the review or evaluation (see [NIFA Peer Review Process for Competitive Grant Applications](#)).

NIFA will use the following criteria to evaluate this NFO: A reviewer's written evaluation entails two levels of assessment. First, the reviewer summarizes how well the application addressed each evaluation criterion. After the application has been assessed for strengths and weaknesses of each criterion, the reviewer then evaluates the overall likelihood that the project will have significant outcome and impact. The written reviews are used to begin panel discussions with other reviewers serving on the peer review panel. Through these discussions, peer review panelists come to consensus on the final ranking of the applications. A complete description of NIFA's peer review process can be found on the [NIFA Peer Review Process for Competitive Grant Applications page](#).

4. Administrative and Risk Criteria

Notice of selection after merit/technical evaluation does not guarantee that an applicant will receive an award. Following notification of selection for funding (see Section F), the FPAC Business Center, Grants and Agreements Division's staff conducts a final administrative and risk review of those applications. The administrative review includes, but is not limited to, a check to ensure that NFO requirements were met (e.g., applicant meets eligibility criteria, application was submitted via Grants.gov by the established deadline), and proposed costs are allowable, allocable, and necessary. During this process, it may be necessary to request further documentation from the applicant (e.g., organizational information as part of the risk assessment, more detail regarding proposed costs).

In addition, to comply with the requirements at 2 CFR 200.206, the agency will follow, at a minimum, the risk review process described below (additional steps may be taken).

The awarding agency will check SAM to ensure the applicant is not suspended or debarred, which would preclude receiving an award. In addition, prior to making a Federal award with a total Federal share greater than the simplified acquisition threshold (\$250,000), the agency must review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (the Federal Awardee Performance Integrity Information System, FAPIIS) (see 41 USC 2313 and 2 CFR 200.206(a)).

An applicant must meet the following standards to be considered for award:

a. Financial Stability

The applicant maintains an adequate financial resources or cash flow to meet its financial obligations on a routine basis in order to successfully complete any agreement it may be awarded.

b. Quality of Management Systems and Ability to meet Management Standards prescribed in 2 CFR Part 200

The applicant has a financial management system adequate to segregate and track federal funds. It has adequate systems in place for proper agreement administration; compliance with the standards outlined in 2 CFR Part 200 Section D for procurement, property, and records management; and required financial and performance reporting.

c. History of Performance

If the applicant has previously obtained Federal financial assistance award, it has never failed to materially comply with the Federal award terms and conditions and further has never had an award terminated on that basis.

Submission of an application constitutes certification that an applicant meets these standards (items a. through c. above). The agency may request documentation to substantiate the certification. Based on risk assessment, the agency may impose specific award conditions in accordance with 2 CFR 200.208.

4. Awards Over the Simplified Acquisition Threshold (if applicable)

- a. Prior to making a Federal award with a total Federal share greater than the simplified acquisition threshold (\$250,000), the agency must review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM, the Federal Awardee Performance Integrity Information System, FAPIIS. FAPIIS is a federal database intended to serve as a government-wide source of information about the prior performance and compliance of federal procurement contractors, grantees, and cooperative agreement holders (see 41 U.S.C. 2313 and 2 CFR 200.206(a)).
- b. An applicant may review information in FAPIIS accessible through SAM and comment on any information about it that a Federal awarding agency previously entered.
- c. The agency will consider any comments by the applicant, in addition to the other information in FAPIIS, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in 2 CFR 200.206, Federal awarding agency review of risk posed by applicants.

F. FEDERAL AWARD ADMINISTRATION INFORMATION

1. Federal Award Notices

The agency will provide notice that an application has been selected before it actually makes the Federal award. As such, the selection notification is not an authorization to begin performance. Reimbursement of pre-award costs require written agency prior approval. The Notice of Grant and Agreement Award (ADS-093) signed by the authorized agency official is the only authorizing document and will be provided electronically to the entity's authorized official for signature.

Both successful and unsuccessful applicants will be notified of the award decision via email to the address listed on the SF-424 Application for Federal Assistance.

2. Administrative and National Policy Requirements

All project funds will be used in accordance with 2 CFR Part 200 and the General Terms and Conditions, which are available at the following website: <https://www.fpacbc.usda.gov/about/grants-and-agreements/award-terms-and-conditions/index.html>.

Projects performed pursuant to this opportunity may be subject to the National Environmental Policy Act (NEPA). If applicable, awardees will inform NRCS program contacts and must work to complete an environmental review of the awarded project before project commencement. In addition, prior to any ground-disturbing activities related to NRCS funding, the awardee must work with NRCS staff to complete an environmental evaluation (EE) related to those activities. Awardees may be required to prepare or pay for preparation of an environmental assessment (EA) or environmental impact statement (EIS), should any environmental review find that an EA or EIS is required.

In addition, a National Historic Preservation Act (NHPA), Section 106 review and consultation by an NRCS State or area office with consulting parties (such as the pertinent State Historic Preservation Officer and federally recognized Indian Tribes) may be required prior to the implementation of project activities that have the potential to impact cultural resources. NHPA Section 106, its implementing regulations (36 CFR Part 800), and other related authorities, require Federal agencies to determine if a project has the potential to cause an effect to historic properties and, if so, if they are adverse and how the effects may be addressed. The NHPA review and compliance in accordance with Section 106 of NHPA and implementing regulations at 36 CFR Part 800 must be completed by NRCS and applicants may be required to pay for any cultural resource surveys needed for NRCS to assess project effects. More information on the applicant's role in the NHPA Section 106 process can be found on the Advisory Council on Historic Preservation

website at

<https://www.achp.gov/digital-library-section-106-landing/section-106-applicant-toolkit>.

Consultation with the U.S. Fish & Wildlife Service and/or the National Marine Fisheries Service under the Section 7 of the Endangered Species Act (ESA) is also required for projects that may affect listed or proposed species or destroy or modify critical habitat. The ESA consultation in accordance with Section 7 of the ESA and implementing regulations at 50 CFR Part 402 must be completed by NRCS prior to the implementation of project activities that have the potential to impact species or habitat protected under the ESA. More information on the Section 7 consultation process can be found at <https://www.fws.gov/service/esa-section-7-consultation>.

3. Reporting

Reporting will follow the guidelines included in the agency's General Terms and Conditions, which are available at the following website:

<https://www.fpacbc.usda.gov/about/grants-and-agreements/award-terms-and-conditions/index.html>

If the Federal share of any agreement awarded under this opportunity notice may include more than \$500,000 over the period of performance, recipients must also comply with the post award reporting requirements reflected in Appendix XII of 2 CFR Part 200 –Award Term and Condition for Recipient Integrity and Performance Matters.

Applicants that receive awards pursuant to this opportunity and any sub awardees must comply with the reporting requirements described at 2 CFR Part 170 unless an exception applies. Applicants must ensure they have the necessary processes and systems in place to comply with those requirements. A list of exceptions can be found at 2 CFR 170.110(b).

In addition to agency reporting requirements, OUAIP has provided a list of unified indicators (Appendix D) to track project results across the CFWR program. Applicants are encouraged to develop their monitoring and evaluation plans around those approved indicators that are relevant to their project objectives. At least one indicator should be chosen per objective. If a proposal is accepted, project staff will work with OUAIP and NIFA to confirm the selected indicators during the pre-award period.

All CFWR recipients are responsible for reporting on project outcomes related to strategies for planning and implementing municipal compost plans and/or food waste reduction plans.

Submission of interim and final reports are required to demonstrate the progress made toward the completion of project goals, objectives, and outcomes, as well as the agreement's overall financial status. A Federal

Financial Report (SF-425) is due with each performance report to account for financial expenditures during that reporting period.

Financial Reports

- NIFA requires all cooperators to submit a Federal Financial Report Form SF-425, on an annual basis, due February 1st of each year. Reports should be emailed directly to both: awards@usda.gov and urbanagriculture@usda.gov

Annual Performance Reports

- NIFA requires all cooperators to submit an annual REEport Project Progress Report, due within 90 days after the award anniversary date.
- OUAIP requires OUAIP Supplemental Reporting Form (NRCS-OUAIP-1), reporting on specific project indicators, must be submitted to urbanagriculture@usda.gov annually, due within 90 days after the award anniversary.

Final Performance Report

- NIFA requires all cooperators to submit a final performance report within 120 days of the expiration of the award, in compliance with 2 CFR 200.344(a) and NIFA's Research Terms and Conditions (RTC) dated May 14, 2022. If the non-Federal entity fails to complete the requirements, the Federal awarding agency or pass-through entity will proceed to close out the Federal award with the information available.
- OUAIP requires all cooperators to submit a final OUAIP Supplemental Reporting Form (NRCS-OUAIP-1), reporting on specific project indicators, to urbanagriculture@usda.gov within 120 days of the expiration of the award.

Performance reports ([NRCS-OUAIP-1](#)) and Federal Financial Reports (SF425) are due annually no later than 90 calendar days after each annual performance reporting period end date.

A final performance report and SF-425 must be submitted no later than 120 calendar days after the performance period end date.

4. Audit Requirements

As required in 2 CFR Part 200, Subpart F Audit Requirements, all U.S. states, local governments, Federally recognized Indian tribal governments, and non-profit organizations expending \$750,000 or more in Federal award funds in a fiscal year must submit a Single Audit report for that year through the Federal Audit Clearinghouse's Internet Data Entry System. FPAC agencies also require for-profit organizations that meet the expenditure threshold to comply with

the single audit requirements and submit their audit reports directly to the funding agency.

G. FEDERAL AWARDING AGENCY CONTACT

For questions regarding this opportunity, contact the following individual with the opportunity number in the subject line:

Name: Jose A. Berna
Grants Management Specialist
FPAC Business Center

Email: Jose.Berna@usda.gov with a copy to NFO.FPAC@USDA.GOV

To protect the integrity of the competitive process, applicants must not contact agency program staff with questions.

H. OTHER INFORMATION

1. Questions regarding this opportunity must be submitted to the Federal Awarding Agency Contact identified above via email with the opportunity number in the subject line.
2. For technical issues with Grants.gov, please contact Grants.gov Applicant Support at 1-800-518-4726 or support@grants.gov. Awarding agency staff cannot support applicants regarding Grants.gov accounts.

3. Freedom of Information Act (FOIA)

Applications are considered confidential information. Applications are not shared with individuals or entities seeking public disclosure through the Freedom of Information Act (FOIA) without the consent of the applicant. More specifically, Executive Order 12600 and USDA FOIA regulation 7 CFR Part 1, Subpart A requires the awarding agency to provide notice to applicants that a third party has requested copies of their business information and requires the awarding agency to consult with applicants regarding the releasing their records.

4. Government Obligation

The Federal Government is not obligated to make any Federal award as a result of this opportunity. Only authorized federal officials can bind the Federal Government to the expenditure of funds.

Any award made pursuant to this NFO may be executed in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

U.S. Department of Agriculture Non-Discrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at <https://www.usda.gov/oascr/filing-program-discrimination-complaint-usda-customer> and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) Mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410
- (2) Fax: (202) 690-7442; or
- (3) Email: program.intake@usda.gov

USDA is an equal opportunity provider, employer, and lender.

APPENDIX A: Instructions for Completing SF-424

SF-424, APPLICATION FOR FEDERAL ASSISTANCE INSTRUCTIONS FOR USDA-FPAC AGENCIES

Applicants must review these instructions to ensure the form is completed correctly. This will reduce the likelihood that the form will need to be returned for correction and potentially delay execution of any resultant agreement.

Item	Name	Instructions
1	Type of Submission	Select "Application" since this is first time your entity is applying for this funding opportunity.
2	Type of Application	Select "New" since this application is being submitted to an agency for the first time for this funding opportunity or "Revision" for Supplemental Active UAIP Project Applications.
3	Date Received	Leave blank.
4	Applicant Identifier	Leave blank.
5a	Federal Entity Identifier	Leave blank.
5b	Federal Award Identifier	Leave blank.
6	Date Received by State	Leave blank.
7	State Application Identifier	Leave blank.
8a	Applicant Legal Name	Enter the legal name of applicant. This name must be consistent with the name as registered in the System for Award Management (SAM). If the name in SAM is not correct, update it.
8b	Applicant Employer/Taxpayer Identification Number (EIN/TIN)	Enter the employer or taxpayer identification number of applicant assigned by the Internal Revenue Service. This number must be consistent with the number in the applicant's SAM registration.
8c	Applicant Organizational DUNS/Unique Entity Identifier	Enter the DUNS number of applicants. This number must be consistent with the number in the applicant's SAM registration. The DUNS number is a total of 13 digits. The first 9 are the basic DUNS number from SAM. The last four digits are reserved for a certain purpose and is usually "0000" for most applicants.
8d	Applicant Address	Enter the mailing address of applicant. This address must be consistent with the mailing address in the applicant's SAM registration.
8e	Applicant Organizational Unit	Not required.
8f	Applicant Contact Information	Provide the name and contact information of person to be contacted on matters involving this application. This does not necessarily need to be the person with authority to sign the application. It is a point of contact for agency staff to contact regarding the application.
9	Type of Applicant 1	Select the type of entity the applicant is. This type must be consistent with the entity type listed in the applicant's SAM registration.
10	Name of Federal Agency	Enter the applicable agency: USDA-NRCS

11	Catalog of Federal Domestic Assistance Number/Federal Assistance Listing and Title	Enter the CFDA number from the Notice of Funding Opportunity. For the title, see https://sam.gov/
12	Funding Opportunity Number and Title	Enter the opportunity number and title from the Notice of Funding Opportunity
13	Competition Identification Number and Title	Leave blank.
14	Areas Affected by Project (Cities, Counties, States, etc.)	Leave blank.
15	Descriptive Title of Applicant's Project	Enter a concise title for the project. Title should include location of project.
16a	Congressional District of Applicant	Enter the Congressional district based on the physical address of the applicant as listed in the applicant's SAM registration. District numbers can be found at http://www.house.gov/representatives/find/ .
16b	Congressional District(s) of Program/Project	Enter the Congressional district(s) for all districts affected by the program/project. Enter in the format: first 2 characters for state abbreviation and next 3 characters for the district number (e.g., "CA-005" for California 5th district, "NC-103" for North Carolina's 103 district). If all congressional districts in a state are affected, enter "all" for the district number (e.g., "MD-all" for all congressional districts in Maryland). If nationwide (i.e., all districts within all states are affected, enter "US-all"). Attach an additional list of program/project congressional districts, if needed. District numbers can be found at http://www.house.gov/representatives/find/ .
17a	Proposed Project Start Date	Enter an estimated date consistent with what is stated on the Notice of Funding Opportunity. Do not anticipate an earlier award date, even though an earlier award may be possible.
17b	Proposed Project End Date	Enter the estimated end date consistent with the start date and what is stated on the Notice of Funding Opportunity
18a-g	Estimated Funding	Enter the project's total amount of funding by organization including the Federal share, applicant share (if any), and any other sources of applicant funding, other than their own funds. <i>These values must be consistent with the values on the SF-424A and the Budget Narrative.</i> <u>Federal:</u> enter the amount of Federal funds being requested. <u>Applicant:</u> enter cost share/match being provided by the applicant itself. Do not include cost share/match being provided by commitments from the sources listed below. <u>State:</u> enter the amount of any cost share/match being provided by a State government entity. <u>Local:</u> enter the amount of any cost share/match being provided by a Local government entity. <u>Other:</u> enter the amount of any cost share/match being provided by a source other than those listed above. <u>Program Income:</u> enter the amount of program income (if any) used for meeting cost share/match requirements (see 2 CFR 200.80 and 200.307). <u>Total:</u> enter the sum of all amounts. <i>This must equal the total proposed</i>

		<i>budget amounts above.</i>
19	Executive Order 12372	Select the applicable response as to whether or not the application is subject to State review under state laws or procedures. Executive Order 12372 can be found at https://www.archives.gov/federal-register/codification/executive-order/12372.html
20	Federal Debt Delinquency	Select the applicable response as to whether or not the applicant is delinquent on any Federal debt.
21	Certification and Signature	Check the "I Agree" box and provide the name and contact information for the person who is authorized by the applicant to submit the application on its behalf. The form will be electronically signed during the submission process on Grants.gov.

APPENDIX B: Instructions for completing SF-424A

SF-424A, BUDGET INFORMATION INSTRUCTIONS FOR USDA-FPAC AGENCIES

Applicants must review these instructions to ensure the form is completed correctly. This will reduce the likelihood that the form will need to be returned for correction and potentially delay execution of any resultant agreement.

SECTION A - BUDGET SUMMARY		
Column	Name	Instructions
(a)	Grant Program Function or Activity	FPAC agencies do not require the project budget be broken down into separate programs, functions, or activities on this form. That level of detail, if desired, is reserved for the Budget Narrative which is a related, but separate document. Enter "Federal" in 1(a) and Non-Federal in 2(a). Leave the remaining rows blank.
(b)	Catalog of Federal Domestic Assistance Number	Enter the CFDA number from the Notice of Funding Opportunity in 1(b) and 2(b). Leave the remaining rows blank.
(c)	Estimated Unobligated Funds: Federal	Leave this entire column blank.
(d)	Estimated Unobligated Funds: Non-Federal	Leave this entire column blank.
(e)	New or Revised Budget: Federal	Enter the total amount of the Federal funds requested in Row 1. Leave the remaining rows blank. This amount must be consistent with the amount in Block 18a of the SF-424.
(f)	New or Revised Budget: Non-Federal	Enter the total amount of the Non-Federal cost share/match in Row 2 and leave the remaining rows blank. This amount must be consistent with the total amount of Blocks 18b through 18f of the SF-424.
(g)	Total	This auto-calculates and is the total proposed agreement budget. This amount must be consistent with the total amount in Block 18g of the SF- 424.

SECTION B - BUDGET CATEGORIES		
Column	Name	Instructions
(1)	Grant Program Function or Activity 1	The form will auto-populate "Federal" in the heading of Column 1. See the list of budget cost categories at the end of this table for guidance on what types of costs to include in each category. The total of Column 1 must be consistent with the Federal total in Section A.
(2)	Grant Program Function or Activity 2	The form will auto-populate "Non-Federal" in the heading of Column 2. See the list of budget cost categories at the end of this table for guidance on what types of costs to include in each category. The total of

		Column 2 must be consistent with the Non-Federal total in Section A.
(3)	Grant Program Function or Activity 3	Leave this entire column blank.
(4)	Grant Program Function or Activity 4	Leave this entire column blank.
(5)	Total	This auto-calculates.

		<i>All costs must comply with the cost principles of 2 CFR Part 200, Subpart E – Cost Principles. All costs must be allowable (2 CFR 200.403), allocable to the agreement (2 CFR 200.405), and reasonable in amount (2 CFR 200.404).</i>
	Personnel	Compensation for employees of the applicant, for example, wages and salaries. See 2 CFR 200.430, Compensation-Personal Services. Do not include the cost of fringe benefits in this category. Such costs must be listed in the “Fringe Benefit” category. Do not include the personnel cost of contractor’s or other organizations with which a contract or other agreement for their services exists. Those amounts must instead be listed under the “Contractual” category as part of the total value of the contract or agreement. Do not include the value of donated or volunteer services (or third-party in-kind contributions of services) as it may <i>not</i> be charged to the Federal award either as a direct or indirect cost (2 CFR 200.434). However, the value of those services may be used to meet cost sharing/matching requirements (2 CFR 200.306).
	Fringe Benefits	Fringe benefits should be separated out from the personnel category and are allowances and services provided by employers to their employees as compensation in addition to regular salaries and wages. Fringe benefits include, but are not limited to, the costs of leave (vacation, family- related, sick or military), employee insurance, pensions, and unemployment benefit plans. Also, see 2 CFR 200.431, Compensation- Fringe Benefits. Do not include the fringe benefit cost of contractor’s or other organizations with which a contract or other agreement for their services exists. Those amounts must instead be listed under the “Contractual” category as part of the total value of the contract or agreement.

	Travel	Travel costs are the expenses for transportation, lodging, subsistence, and related items incurred by employees who are in travel status on official business of the applicant. This only includes the travel costs directly incurred by employees of the applicant. Also, see 2 CFR 200.475, Travel Costs. Travel costs do not include the cost of renting a conference room for people who are in travel status. Instead, that type of cost should be included under the “Contractual” category. Travel costs incurred by a third-party under a contract or agreement with the applicant should instead listed under the “Contractual” category as part of the total value of the contract or agreement.
	Equipment	The common dictionary definition or common use of the term “equipment” does not apply to financial assistance agreements. Consequently, property that might otherwise normally be considered equipment, might actually be considered “supplies” as defined by 2 CFR 200.94. “Equipment” is defined as “tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-Federal entity for financial statement purposes, or \$5,000. See also §200.12 Capital assets, 200.20 Computing devices, 200.48 General purpose equipment, 200.58 Information technology systems, 200.89 Special purpose equipment, and 200.94 Supplies” (2 CFR 200.33). Include the cost of all equipment planned to be acquired under the agreement in this budget category. Do not include the value of third-party in-kind contributions of property (2 CFR 200.96) as it may <i>not</i> be charged to the Federal award either as a direct or indirect cost (2 CFR 200.434). However, the value of this property may be used to meet cost sharing/matching requirements (2 CFR 200.306). Do not include the cost of renting or leasing equipment in this category. Instead, such costs should be included under the “Contractual” category. Also, see 2 CFR 200.465. Also, see 2 CFR 200.439, Equipment and Other Capital Expenditures, regarding allowability of costs.
	Supplies	Property that might otherwise normally be considered equipment, might actually be considered “supplies” as defined by 2 CFR 200.94 (see section above regarding the definition of equipment). “Supplies” is defined as all tangible personal property other than those described in §200.33 Equipment. A computing device is a supply if the acquisition cost is less than the lesser of the capitalization level established by the non-Federal entity for financial statement purposes or

		\$5,000, regardless of the length of its useful life. See also §§200.20 Computing devices and 200.33 Equipment” (2 CFR 200.94). Include the cost of all supplies acquired under the agreement in this budget category. Non-tangible goods and services associated with supplies, such as printing services, photocopy services, and rental costs should be included in the “Other” category. Do not include the value of third-party in-kind contributions of property (2 CFR 200.96) as it may <i>not</i> be charged to the Federal award either as a direct or indirect cost (2 CFR 200.434). However, the value of this property may be used to meet cost sharing/matching requirements (2 CFR 200.306). Also, see 2 CFR 200.453, Materials and Supplies Costs, Including Costs of Computing Devices, regarding the allowability of costs.
	Contractual	Services to be carried out by an individual or organization other than the applicant in the form of procurement. It excludes the acquisition of equipment and supplies, which is included under those respective categories. Do not include the value of donated or volunteer services (third-party in-kind contributions of services). While the value of those services may be used to meet cost sharing/matching requirements, it may <i>not</i> be charged to the Federal award either as a direct or indirect cost (2 CFR 200.434). Also, see 2 CFR 200.459, Professional Service Costs, regarding the allowability of costs.
	Construction	Include any construction, alteration, or repair of real property (e.g., buildings and facilities).
	Other (Direct Costs)	This category includes all other direct costs that do not fit in any of the other direct costs categories above. “Direct costs” is defined by 2 CFR 200.413. The costs in this section must be broken down in the budget narrative. Include sub-awards in this category Also, see 2 CFR 200.466, Scholarships and Student Aid Costs, regarding tuition remission.

	Indirect Charges	This category includes the amount of indirect cost permitted under the agreement. "Indirect costs" is defined by 2 CFR 200.414.
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SECTION C – NON-FEDERAL RESOURCES

Not required to be completed

SECTION D – FORECASTED CASH NEEDS

Not required to be completed

SECTION E – BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT

Not required to be completed

SECTION F – OTHER BUDGET INFORMATION

Not required to be completed

APPENDIX C: Budget Narrative Guidance

All costs must comply with the cost principles of 2 CFR Part 200, Subpart E, “Cost Principles.” All costs (both Federal and any required non-federal cost sharing/match) that are part of an award must be:

- Allowable (2 CFR Section 200.403),
- Allocable to the agreement (2 CFR Section 200.405), and
- Reasonable in amount (2 CFR Section 200.404).

A thorough budget narrative will aid the administrative review and processing of a recommended award. Amounts included in a budget and budget narrative are estimates; in the event of an award, payments will be based on actual expenditures. The following is guidance for your use in preparing a thorough budget narrative. The guidance follows the order of the budget items.

PERSONNEL – Only include employees of applicant organization.

This category includes salaries and wages of personnel of the applicant organization (i.e., employees) that will be working directly on the project. For everyone, identify their role and describe their contributions to the project. Also include their annual salary, percent of effort, and the period they will contribute to the project along with the associated funds requested for support.

Example: Mr. Jones – Project Director. Accountable for assuring that all project activities are carried out in a timely, cost-efficient and responsible manner. He will provide oversight of daily activities and lead and direct the project toward accomplishment of the objectives of the project. He is responsible for the submission of the required reports.

Salary	% effort	Project Duration	Funds Requested
\$50,000	25%	12 months	\$12,500

FRINGE BENEFITS – Only related to salaries identified under Personnel

Fringe benefits include, but are not limited to, the costs of leave (e.g., vacation, family-related, sick or military), employee insurance, pensions, and unemployment benefit plans. Also, see 2 CFR Section 200.431, “Compensation - fringe benefits.” Provide information about how fringe benefits are determined along with the amount requested.

Example: Fringe benefits - 25% of salaries and wages (\$12,500 @ 25%). \$3,125

TRAVEL

See your organization's travel policy for guidance on how to arrange travel. If your organization lacks a policy, it is expected that you follow the U.S. Federal Government policy. See <http://www.gsa.gov/federaltravelregulation>.

For the budget narrative, identify the total funds requested for travel. Provide as much detail as possible including purpose, destination, dates of travel, and number of individuals for each trip. If the dates of travel are not known, specify estimated length of trip. Identify what will be followed (e.g., organizational travel policies or government per diem rates).

The following are a few examples of how to provide the information.

- 2 people - travel to Washington D.C. once per year for a two-day meeting [identify purpose of meeting].
 - Airfare \$800 x 2 for airfare = \$1,600;
 - Airport parking = \$64
 - Hotel for 3 nights x 2 @ \$200 = \$1,200;
 - Meals for 2 days x 2 = \$245;
 - Rental car for 3 days @ \$110/day = \$330. Total for trip: \$3,439
- Local travel for project manager is calculated at .50 per mile throughout primary service area x 326 miles/month x 12 months = \$1,956.

EQUIPMENT

Equipment is defined as an item of property that has an acquisition cost of \$5,000 or more (unless the organization has established lower levels) and an expected service life of more than 1 year. List each item of equipment along with the applicable cost. Include justification of its need in accomplishing the goals of the project.

Example:

- Estimated - Solar generator from GoalZero – Yeti 6000X + 4 Tanks + Link + Integration Kit \$8,249.85 plus S/H and Tax = \$8,800
- Greenhouse Janssens Royal Victorian Greenhouse 13 x 20 ft @ \$16,500 plus shipping= \$35,000 (Estimated cost)

These costs should only include the costs to purchase new equipment. The cost of renting or leasing equipment is not to be included in this category but instead, include under the “Contractual” category. If equipment is costly, include a lease versus purchase comparison in the budget narrative in support of route chosen.

SUPPLIES

Supplies are defined in 2 CFR Section 200.94 as all tangible personal property other than those described in 2 CFR Section 200.313, “Equipment.” A computing device is a supply if the acquisition cost is less than the lesser of the capitalization level established by the non-federal entity for financial statement purposes or \$5,000, regardless of the length of

its useful life. See 2 CFR Section 200.453, "Materials and Supplies Costs, Including Costs of Computing Devices," regarding the allowability of costs. Indicate general categories of expendable supplies, including an amount for each category.

Caution: If a category is viewed as too general or the associated amount is too high, further itemization may be requested. Therefore, use good judgement in determining the level of detail to provide.

Example:

- Water storage tank 1x - \$1550/each
- 6 - Quiet cool Fans of 40 watt solar x \$300 each
- Seeds/starts- 15 cartons x 14.00
- Green waste mulch - 4 x \$30 per yard = \$120
- Worm castings - 10 x \$20.00 per 10 lb bag = \$200
- Coco coir - Mother Earth - 10 x \$23 per 5 kg = \$230
- Perlite- 11 x \$38 per 4 cft = \$104

CONTRACTUAL

A contractor (versus a subrecipient) provides goods and services within normal business operations. These goods and services are ancillary to the operation of the federal program. A contractor generally provides similar goods or services to many different purchasers, and normally operates in a competitive environment. This category includes consultants, subcontracts, etc.

Consultants - List the total costs for all consultant services. Identify each consultant, the services performed, total number of days, rate of pay, travel costs, per diem, and total estimated costs.

Contract - A contract is defined in 2 CFR Section 200.22 as a legal instrument by which a non- federal entity purchases property or services needed to carry out the project or program under a federal award. The term as used in this part does not include a legal instrument, even if the non- federal entity considers it a contract when the substance of the transaction meets the definition of a federal award or subaward (see §200.92 Subaward).

Explain the need for each agreement and how their use will support the purpose and goals of the project. For each contract, describe the associated activities, scope of work or services to be provided, and how the costs were estimated. If budgeting for a procurement action, document if a solicitation process has occurred or if the contract will be a sole source.

Example:

- ABC Company: Training \$250/individual x 3 staff 5 days = \$ 750
- Amy White to provide Technical Assistant Services
- 1FTE @ \$25,000 + 20% Fringe Benefits of \$5,000 = \$30,000
- Travel at 2,000 miles @ .50 per mile = \$ 1,000
- Training course \$ 175
- Supplies @ \$42.50 x 12 months = \$ 510
- Telephone @ \$40 x 12 months = \$ 480 \$32,165
- John Doe, Consultant \$40 per hour x 220 hours for 12-month period = \$ 8,800
- To Be Announced Outreach Coordinator Annual salary \$30,000 x 10% level of effort/12 months = \$ 3,000

CONSTRUCTION

Construction efforts are to be included under this category with the same level of detail as described under the “Other” category below.

OTHER

Costs not fitting under one of the other categories are to be included under this category. The level of detail is to be commensurate with other categories. Subawards should be included in this category. Per 2 CFR Section 200.92, a subaward is an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

Please include a similar level of detail in your subawardee budget narratives as you do for your primary awardee, including all relevant cost categories discussed elsewhere in this section.

Example: Outreach Workshop

- Rental of facilities (\$750/2 days) \$1,500
- Information technology services \$400
- Training packets (approx. 125/\$40 each) \$5,000
- Total \$6,900

Note: Percentage for contingencies is not an allowable cost.

INDIRECT COST

2 CFR Section 200.56 defines indirect (facilities & administrative (F&A)) costs as those costs incurred for a common or joint purpose benefitting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. To facilitate equitable distribution of indirect expenses to the cost objectives served, it may be necessary to establish a number of pools of indirect (F&A) costs. Indirect (F&A) cost pools must be distributed to benefitted cost

objectives on bases that will produce an equitable result in consideration of relative benefits derived.

This cost category guidance includes several components:

- Calculation (This is to be included as part of the budget narrative)
- Indirect Cost Rates
- Negotiated Rate
- 10% De Minimis Rate
- Limitation (i.e., indirect cost cap)
- Unrecovered Indirect Costs for Cost Sharing/Match
- Voluntarily Reduce/Waive

If indirect costs are requested as part of the proposed budget, you must provide details used in determining the indirect costs requested. For instance, provide the calculation specifying the amounts used in applying the base (the base specified in the applicable rate agreement) by the applicable rate (see indirect cost rate info below as well as Limitation section). The calculation can be displayed in different formats but must capture the components (i.e., amounts used in applying the base and the applicable rate).

EXAMPLE 1: For purposes of this example, the recipient uses the 10 percent de minimis indirect cost rate (10 percent of Modified Total Direct Cost (MTDC)). MTDC means all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$25,000 of each subaward. MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each subaward more than \$25,000. Indirect costs may only be recovered if the non-federal entity has one of the following indirect cost rates.

Item	Budget	Indirect Eligible Amounts
Salaries and wages	\$50,000	\$50,000
Materials and supplies	\$3,000	\$3,000
Equipment	\$5,500	\$0
Subaward	\$30,000	\$25,000
		\$78,000 x 10% = \$7,800 Indirect Costs

EXAMPLE 2: For purposes of this example, the recipient has a Negotiated Indirect Cost Rate Agreement (NICRA) of 20 percent with a base of salaries and fringe benefits.

Item	Budget	Indirect Eligible Amounts
Salaries and wages	\$50,000	\$50,000
Fringe Benefits	\$10,000	\$10,000
Materials and supplies	\$3,000	\$0
Equipment	\$5,500	\$0
Subaward	\$30,000	\$0
		\$60,000 x 20% = \$12,000 Indirect Costs

Negotiated Rate: If the organization has a current NICRA established with the cognizant federal agency (the agency that provides the most funds to the organization), then provide a copy of the NICRA; expired rates are not acceptable. If unable to obtain a current negotiated rate from the cognizant agency, you are permitted to opt to use the 10 percent de minimis cost rate (you may only be reimbursed for allowable direct cost). Violation of cost accounting principles is not permitted when rebudgeting or charging costs to awards. Rather, costs must be consistently charged as either indirect or direct costs. Along with a copy of the NICRA, include the rate and base as part of the budget narrative.

Example: Rate 24.87% of MTDC - 24.87% applied to the following items: \$97,300 of Personnel, \$23,352 of Fringe, \$110,000 of other, and the first \$25,000 of three (3) subawards = \$76,015.65 indirect costs

10 Percent De Minimis Cost Rate: In accordance with 2 CFR Section 200.414(f), any non-federal entities, unless excepted, may elect to forgo calculation of an indirect cost rate and request a 10 percent de minimis indirect cost rate. The 10 percent de minimis rate is applied to modified total direct costs (MTDC). For this purpose, MTDC means total direct costs related to the award, such as direct labor, fringe benefits, materials and supplies, publications, consultant services and travel costs. MTDC excludes the following costs: equipment, capital expenditures, participant support costs and the portion of each subaward and subcontract in excess of \$25,000. Violation of cost accounting principles is not permitted when charging costs to awards. Rather, costs must be consistently charged as either indirect or direct costs. If the 10 percent de minimis option is chosen, it must be used consistently for all federal awards until such time you choose to negotiate for a rate, which you may apply to do at any time. If the organization previously opted for the de minimis rate, a copy of the rate agreement must be provided. If the organization is currently electing the de minimis rate, use an indirect cost rate of no more than 10 percent of MTDC when preparing the budget. If selected for award, a de minimis rate agreement will be executed along with the award, as appropriate.

Example: Rate 10% of MTDC – 10% applied to the following items: \$45,000 of Personnel, \$10,800 of Fringe, and \$59,000 of Other = \$11,480 indirect costs

Limitation: Some programs may not allow the recovery of indirect costs. In such instances, the limitation flows down to subcontractors. See the applicable notice of funding opportunity to determine if indirect costs are unallowable. USDA appropriation acts limit indirect costs to 10 percent for cooperative and contribution agreements with nonprofit entities; for purposes of this limitation, “nonprofit entities” includes institutions of higher education. For agreements subject to this limitation, first apply the 10 percent indirect cost rate to the agreement’s total direct costs; this is shown on line 6.i of the SF- 424A. Then calculate indirect costs using the rate and the direct cost application base specified in the recipient’s NICRA. Use whichever rate results in the lower amount. If the organization has a NICRA, both the NICRA calculation and the 10 percent TDC must be

completed to determine the lesser (i.e., maximum allowed indirect costs) for the applicable project.

Calculation instructions: First, multiply the NICRA rate by the base stated in the NICRA to arrive at amount A. Next, multiply the statutory limit of 10 percent by TDC to arrive at amount B. The lower of amount A and B is the maximum amount of allowable indirect cost, therefore include this amount on the budget.

Unrecovered Indirect Costs for Cost sharing/Match: 2 CFR Section 200.306(c) states that unrecovered indirect costs, including indirect costs on cost sharing or matching may be included as part of cost sharing or matching only with the prior approval of the federal awarding agency. Unrecovered indirect cost means the difference between the amount charged to the federal award and the amount which could have been charged to the federal award under the non-federal entity's approved negotiated indirect cost rate. In instances where indirect costs are statutorily limited, unrecovered indirect costs will normally not be accepted as part of required cost sharing or match; it is only allowable if a statute specifically allows it.

Voluntarily Reduce/Waive: A recipient may voluntarily reduce or waive recovery of indirect costs at its sole discretion and must not be encouraged or coerced in any way to do so by the agency. If organizations waive indirect cost recovery and request only direct costs, the organization is required to include in the award budget only those types of costs consistently treated as direct costs by the organization.

APPENDIX D: List of Indicators for OUAIP Grants and Agreements

Directions for Use:

The Office of Urban Agriculture and Innovative Production (OUAIP) has developed the following list of indicators for use within the Urban Agriculture and Innovative Production Grants Program (UAIP) and the Composting and Food Waste Reduction Cooperative Agreement Program (CFWR). These indicators are meant to provide unified metrics for reporting across both programs. This list is meant to be as exhaustive as possible; indicators presented should be able to correspond with wide range of unique activities covered under both programs. These indicators are to be incorporated into your project monitoring and evaluation strategies and will be reported on annually. A final measurement of each indicator will be provided at the end of the period of performance.

Recipients should identify the relevant indicators that correspond to their project objectives while developing their project proposals for UAIP or CFWR. Indicators have been aggregated into thematic categories to facilitate indicator selection. At least one indicator must be selected per project objective or deliverable, though each deliverable is likely to have multiple associated indicators. You are encouraged to read this list carefully: relevant indicators may be found in a variety of categories. Indicators that have an asterisk (*) are required to be reported on by all projects or by all projects within a certain program.

1. **Food Access and Security: To support the availability, accessibility, and utilization of food for all individuals.** Activities may foster new and beginning producers, increase access of fresh food, strengthen supply chains, and promote [food security](#).
 - 1.1. Number of individuals with improved [food security](#).
 - 1.1.1. Number of [historically underserved](#) individuals with improved food access and security
 - 1.2. Number farmers supported or assisted
 - 1.2.1. Number of [beginning farmers](#) supported or assisted
 - 1.2.2. Number of [socially disadvantaged](#) farmers supported or assisted
 - 1.2.3. Number of [limited resource](#) farmers supported or assisted
 - 1.2.4. Number of [veteran farmers](#) supported or assisted
 - 1.3. Amount of food produced (lbs.)
 - 1.4. Number of new farmers entering agriculture
 - 1.4.1. Number of [historically underserved](#) new farmers entering agriculture
 - 1.5. Number of individuals benefitting from food waste reduction initiatives
 - 1.5.1. Number of [historically underserved](#) individuals benefitting from food waste reduction initiatives
2. **Economic Impact and Resilience: To support economic benefits and increase the long-term economic resilience of communities.** Activities may include reducing the economic costs of food loss and waste, generating income through increased revenue, market expansion and capital investment, facilitate job placement, or conserve economic resources.

- 2.1. Number of new urban and/or innovative agricultural operations started.
 - 2.2. Number of existing agricultural operations that expanded because of project activities.
 - 2.3. Number of new jobs created.
 - 2.4. Number of new businesses established.
 - 2.5. Number of businesses supported.
 - 2.6. Cost savings resulting from project activities (USD)
 - 2.7. Cost savings in food waste disposal (USD)
 - 2.8. Number of volunteers engaged with project activities.
 - 2.9. Number of volunteer hours per year.
 - 2.10. Estimated increase in landfill lifetime (years)
 - 2.11. Cost savings from the implementation of new technologies (USD)
 - 2.12. Cost savings from local generation of compost (e.g., reduction in fertilizer and/or logistics cost) (USD)
 - 2.13. Amount of income from sale of compost (USD)
 - 2.14. Amount of water saved due to project activities (US Gallons)
 - 2.15. Amount of electricity saved due to project activities (kw hours)
3. **Community Engagement: To work alongside communities and stakeholders to increase participatory involvement with project activities.** Activities may develop strategic partnerships with local and public groups with engagement and collaboration on community food security and waste reduction initiatives, promote new policies and programs, or facilitate positive behavior change.
- 3.1. Number of individuals participating in project activities*
 - 3.2. Number of businesses participating in project activities
 - 3.3. Number of schools participating in project activities.
 - 3.4. Number of feasibility studies completed
 - 3.5. Number of waste surveys completed
 - 3.6. Number of community surveys complete
 - 3.7. Number of partnerships developed due to project activities
 - 3.8. Number of organizations participating in food scrap recycling education and engagement programs
 - 3.9. Number of conferences or meetings completed
 - 3.10. Number of local government policies identified as barriers to project activities
 - 3.11. Number of community gardens supported
 - 3.12. Number of local government policy changes related to food waste and/or home or commercial food scrap recycling
 - 3.13. Number of new individuals participating in community gardens activities.
 - 3.14. Number of community gardens created
 - 3.15. Number of case studies developed

3.16. Number of Community Advisory Boards (CABs) established

- 4. Food Resource Management: To curb food waste and the amount landfilled while maximizing the use of edible resources.** Activities may include efforts to recover and redistribute edible food, redirect surplus food as animal, or transform food waste into an industrial resource. Activities also include diverting food waste from landfills to direct it towards compost production and composting as practice.

- 4.1. Amount of food waste diverted from landfills (lbs.)* [CFWR]
- 4.2. Amount of food recovered for human consumption (lbs.)
- 4.3. Amount of food waste used for animal feed (lbs.)
- 4.4. Amount of food recovered and repurposed for industrial uses (lbs.)
- 4.5. Amount of food waste used for composting (lbs.)
- 4.6. Amount of food waste used for anaerobic digestion (lbs.)
- 4.7. Number of new individuals that have adopted composting as a household practice.
- 4.8. Number of producers participating in gleaning activities.
- 4.9. Amount of compost produced (lbs.)
- 4.10. Number of food scrap drop-off points established.
- 4.11. Number of producers receiving compost
- 4.12. Number of businesses participating in food waste prevention measures
- 4.13. Number of schools participating in food waste prevention measures
- 4.14. Number of individuals participating in food scrap drop off programs
- 4.15. Number of community composting sites established for collective composting
- 4.16. Number of residential participants in municipal collection of food scraps (curbside)
- 4.17. Number of businesses and institutions participating in composting programs
- 4.18. Amount of compost donated (lbs.)
- 4.19. Amount of compost sold (lbs.)

- 5. Conservation and Climate: Promoting environmental conservation as well as climate resilience, mitigation, and adaptation.** Activities that reduce greenhouse gas emissions, activities that promote soil health assessments on farms and gardens to measure improvement in soil nutrient levels, and activities that utilize innovative technologies to enhance crop productivity.

- 5.1. Number of soil health assessments or tests conducted
- 5.2. Number of individuals implementing innovative production techniques or technologies.
- 5.3. Number of individuals implementing innovative irrigation methods
- 5.4. Number of farms that adopted at least one conservation practice (List of NRCS Conservation Practices)
- 5.5. Number of acres dedicated to sustainable agricultural practices
- 5.6. Number or acres with applied compost
- 5.7. Total reduction in chemical fertilizers used (lbs.)

- 5.8. Estimated total greenhouse gas emissions reduced from project activities (metric tons of carbon dioxide equivalent, CO₂e)
 - 5.9. Number of increased greenspaces because of project activities (meters squared)
 - 5.10. Number of impermeable surfaces eliminated (meters squared)
 - 5.11. Amount of rainwater collected (US gallons)
 - 5.12. Number of additional innovative technologies added to agricultural operations
6. **Training and Education: To increase knowledge, awareness and education on food waste reduction, sustainable agricultural practices, and nutrition.** Activities that give students, individuals, community members and other stakeholders increased understanding on urban agriculture and innovative production.
- 6.1. Number of individuals receiving job training or mentorship
 - 6.2. Number of individuals educated on food waste reduction
 - 6.3. Number of students educated on agricultural knowledge and skills
 - 6.4. Number of individuals educated on sustainable agriculture
 - 6.5. Number of individuals educated on good nutrition
 - 6.6. Number of urban producers educated on agricultural knowledge and skills
 - 6.7. Number of apprenticeships created or supported through project activities
 - 6.8. Number of views/impressions for education materials (online)
 - 6.9. Number of educational materials created (not individual replication)
 - 6.10. Number of education materials distributed
 - 6.11. Number of producers educated on soil health and soil testing



EXPLANATION TO COUNCIL BILL 2024-154 (SIMPSON)

FILED: 07/17/2024

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A resolution granting a Short-Term Rental Type 2 permit for the property generally located at 603 East McGee, for the purpose of allowing the establishment of a Short-Term Rental Type 2 pursuant to Section 36-473 of the Land Development Code.

PURPOSE: Granting a Short-Term Rental Type 2 permit for the property generally located at 603 East McGee, for the purpose of allowing the establishment of a Short-Term Rental Type 2 pursuant to Section 36-473 of the Zoning Ordinance.

BACKGROUND INFORMATION: The property owner has applied for a Short-Term Rental (STR) Type 2 permit to establish a Short-Term Rental Type 2 at 603 E McGee. Section 36-473 of the Zoning Ordinance requires that no STR Type 2 shall be permitted on a block face with fewer than four residential structures unless an appeal is granted by City Council. There are only 3 residential structures located along the block face of the subject property. Block face is defined as one side of a street from one intersection to the next, not including alleys. A residential structures' block face is determined by the mailing address assigned to the residence.

The applicant has conducted the required neighborhood meeting and obtained four signatures from the six adjacent property owners, resulting in sixty seven (67) percent consent as shown on "Exhibit C".

The two adjacent property owner who did not sign the consent form have been notified with a letter of opposition that clearly states that "Failure to return this letter of opposition prior to the City Council meeting indicates that you do not oppose the application for a Short-Term Rental."

Property owners within 500 feet of the proposed Short-Term Rental Type 2 establishment have been notified by regular mail of the August 5th City Council meeting.

The applicant was identified through our software as potentially operating a short-term rental without a license at this location and was sent a cease and desist letter on March 25th, 2024. On April 18th, 2024, the applicant paid the hotel and motel tax for the dates booked from July 2023 through March 2024 for the property located at 603 East McGee Street.

If approved, all other requirements of the Short-Term Rental requirements of Section 36-473 of the Zoning Ordinance must be met.



Submitted By: Corey Stinson, Associate Planner

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

Maurice S. Jones, Deputy City Manager 7/30/2024

- Attachments:**
1. STR2 Appeal - 603 East McGee _ Res
 2. STR 2 Appeal_603 E McGee_exhA
 3. STR 2 Appeal_603 E McGee_exhB
 4. STR 2 Appeal_603 E McGee_exhC

One-rdg. X
P. Hrngs.
Pgs. 18
Filed: 07-30-24

Sponsored by: Simpson

COUNCIL BILL 2024-154 RESOLUTION

A RESOLUTION

1 GRANTING a Short-Term Rental Type 2 permit for the property generally
2 located at 603 East McGee, for the purpose of allowing the
3 establishment of a Short-Term Rental Type 2 pursuant to Section
4 36-473 of the Land Development Code.
5
6

7 WHEREAS, the owner of the property located at 603 East McGee has applied for
8 a Short-Term Rental (“STR”) Type 2 Permit, as shown in “Exhibit A” and “Exhibit B,”
9 attached hereto and incorporated in their entirety; and
10

11 WHEREAS, Section 36-473 of the Land Development Code requires at least four
12 (4) residential structures on a particular block face before allowing a permit to be issued
13 for an STR Type 2; and
14

15 WHEREAS, if there are fewer than four (4) residential structures on a block face,
16 City Council may, by resolution, grant the STR Type 2 Permit upon appeal; and
17

18 WHEREAS, “block face” is defined as one side of a street from one intersection
19 to the next, not including alleys; and
20

21 WHEREAS, the block face containing the property located at 603 East McGee
22 has only three (3) residential structures; and
23

24 WHEREAS, the owner of the property located at 603 East McGee has obtained
25 four (4) of the six (6) signatures of property owners adjacent to and immediately across
26 the street from the property, resulting in sixty-seven percent (67%) consent of the
27 adjacent property owners, as shown in “Exhibit C,” attached hereto and incorporated in
28 its entirety; and
29

30 WHEREAS, property owners within 500 feet of the proposed STR Type 2
31 establishment were notified by regular mail of the August 5, 2024, City Council meeting.
32

33 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
34 SPRINGFIELD, MISSOURI, as follows, that:
35

36 Section 1 – City Council hereby grants the applicant an STR Type 2 Permit for
37 the property located at 603 East McGee. The granting of the Permit is expressly subject
38 to compliance with Section 36-473 of the Land Development Code, and any other
39 applicable provisions of City Code.

40
41 Section 2 – This Resolution shall be in effect immediately upon adoption and
42 passage.

43
44 Passed at meeting: _____

45
46 _____
47 Mayor
48

49 Attest: _____, City Clerk
50

51 Filed as Resolution: _____
52

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

56
57 Approved for Council action: Jason A. Hage, City Manager

EXHIBIT A

To relevant parties,

I request a hearing before the city council related to my Type-2 Short Term Rental Application. I have been told that I will need a variance because I am on a short block. I appreciate your consideration of this request and appreciate any efforts on my behalf.

Warm regards,

Jason Shepard

Resident and Owner

603 East McGee Street

Springfield, MO 65807



Application for Short-Term Rental Type 2

****eCity INSTRUCTIONS****

****PLEASE FOLLOW STEPS 1 & 2 BEFORE SUBMITTING THIS APPLICATION****

1. Fill out the Short-Term Rental Intake Form and apply on eCity.
2. Wait for Planning staff to review and send a follow-up email requesting payment of fees.

Case No.	
Date Filed	
Received By	
Receipt No.	

*Fee Amount Paid: \$ _____
See Fee Schedule

The signers of this application ask the City Council of the City of Springfield, Missouri to approve an application for the use of a short-term rental at the following address:

Property Address: 603 E. McGee St., Springfield, MO 65807

We, the signers of this application, do attest to the truth and correctness of all facts and information presented with this application as required by the Zoning Ordinance of the City of Springfield.

PROPERTY OWNER'S INFORMATION:

Name of current property owner: Jason Anthony Shepard

If corporation: Corporate Official: _____

Mailing Address: 603 E. McGee St., Springfield, MO

Zip Code: 65807 Phone: 417 234 7544

E-mail: ozarks.jason@gmail.com

PROPERTY OWNER'S SIGNATURE: _____

Application Timeframe by

Department

Planning &
Development
3-6 weeks

Building Development
Services
1-3 weeks

Licensing
2-3 weeks

See checklist on page 2 for additional
information.

OPERATOR'S INFORMATION (if different):

Name: _____

Mailing Address: _____ Zip Code: _____

Phone: _____ E-mail: _____

NOTE: All the items listed on the attached checklist must be submitted during the application process or the application will be denied. The timeframes established in the attached checklist must be followed or the application will be denied.

*Fees are non-refundable

EXHIBIT B

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request to establish a Short-Term Rental Type 2.

2. Meeting Date & Time: 5/20/24, 4:00 PM - 6:30 PM

3. Meeting Location: 603 E. McGee Street, Springfield, MO 65807

4. Number of invitations that were sent: 75

5. Number of neighbors in attendance (attach a sign-in sheet): 5

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

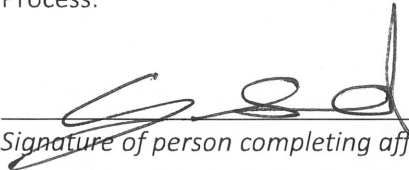
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the owner/operator must explain why the issues cannot be resolved.)

no concerns were expressed

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

no anticipated issues

I, Jason Shepard (print name), attest that the neighborhood meeting was held on 5/20/24 (month/date/year), in accordance with the attached "Neighborhood Notification and Meeting Process."


Signature of person completing affidavit

Jason Shepard
Printed name of person completing affidavit

SHORT-TERM RENTAL TYPE 2 ADJACENT OWNER CONSENT AFFIDAVIT

Address of Proposed Short-Term Rental: **603 E MCGEE**STATE OF Missouri)COUNTY OF Greene)

The undersigned hereby states that the undersigned verified the ownership of each residential property adjacent to the above-referenced address as defined in section 36-473(2) and obtained written consent of the proposed short-term rental at the above-referenced address from at least 55% of said owners as shown on Exhibit 1 and attached hereto. The undersigned further states that he or she personally witnessed the signatures contained on Exhibit 1 and that each person signed Exhibit 1 in the undersigned's presence. If the owner(s) signatures cannot be witnessed by the undersigned, then a notarized signature(s) of the adjacent residential property owner(s) must be obtained.

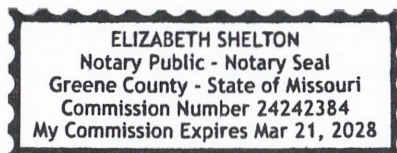
(Corporate Seal**)

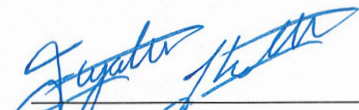


Signature of Owner/Operator
Jason Shepard

Typed or Printed Name

ATTEST:

Title_____
Corporate Secretary
(If no seal)_____
Name of Company or Organization
(If Applicable)Subscribed and sworn to before me a notary public on this 22 day of May, 2024.



Notary Public

My Commission expires: MAR 21, 2028

**City of Springfield Short-Term Rental
ADJACENT OWNER CONSENT FORM**

The undersigned hereby certifies that they are the owners of property referenced below and that they consent to the proposed short-term rental located at: **603 E MCGEE**

If the ownership is under two or more individuals (each individual) must sign this form. Only the owner's signature constitutes consent.

The address and owner of record of all adjacent residential properties must be listed, whether they consent or not.

1. Address of Adjacent Residential Property: 2041 S KIMBROUGH AVE

Bobby Pollock
Owner(s) of Record (Typed or Printed)

Boby Pollock
Signature(s) of Owners

Title

Notary Seal (only required if signature not witnessed by applicant)

SEAL

2. Address of Adjacent Residential Property: 2035 S KIMBROUGH AVE

MARK BERTALOTT
Owner(s) of Record (Typed or Printed)

Mark Bertalott
Signature(s) of Owners

Title

Notary Seal (only required if signature not witnessed by applicant)

SEAL

3. Address of Adjacent Residential Property: 611 E MCGEE ST

Owner(s) of Record (Typed or Printed)

Signature(s) of Owners

Title

Notary Seal (only required if signature not witnessed by applicant)

SEAL

**City of Springfield Short-Term Rental
ADJACENT OWNER CONSENT FORM**

The undersigned hereby certifies that they are the owners of property referenced below and that they consent to the proposed short-term rental located at: **603 E MCGEE**

If the ownership is under two or more individuals (each individual) must sign this form. Only the owner's signature constitutes consent.

The address and owner of record of all adjacent residential properties must be listed, whether they consent or not.

4. Address of Adjacent Residential Property: 602 E CHEROKEE ST

Owner(s) of Record (Typed or Printed)

Notary Seal (only required if signature not witnessed by applicant)

Signature(s) of Owners

SEAL

Title

5. Address of Adjacent Residential Property: 610 E MCGEE ST

Don Butcher
Owner(s) of Record (Typed or Printed)

Notary Seal (only required if signature not witnessed by applicant)

Don Butcher
Signature(s) of Owners

SEAL

Title

6. Address of Adjacent Residential Property: 602 E MCGEE ST

Owner(s) of Record (Typed or Printed)

Notary Seal (only required if signature not witnessed by applicant)

Michael Brufford
Signature(s) of Owners

SEAL

Michael Brufford
Title

AFFIDAVIT OF SIGN POSTING

Attach photo here

(sign lettering must be legible in photo)

I, Jason Shepard (print name of owner, agent, attorney), attest that the above sign was posted 10 days before the public hearing on 5/20/24 (month/day/year) and in accordance with the given posting requirements.

[Signature]
Signature of person completing sign posting

Jason Shepard
Printed name of person completing sign posting



**Neighborhood Meeting
Type 2 Short-Term Rental**

Date of Meeting: May 20, 2024 Time: 4:00pm to 6:30pm

Location of Meeting: 603 E McGee Street

Contact Name: Jason Shepard

Contact Telephone No.: 417-234-7544

Contact E-Mail: qzark@jason@gmail.com

Type 2 Short-Term Rental uses require applicant(s) to have a neighborhood meeting and invite property owners within 400' of their property along with any registered neighborhood organizations.



Kimbrough Ave 2000 S

**Neighborhood Meeting
Type 2 Short-Term Rental**

Date of Meeting: May 20, 2024 Time: 4:00pm to 6:30pm

Location of Meeting: 603 E McGee

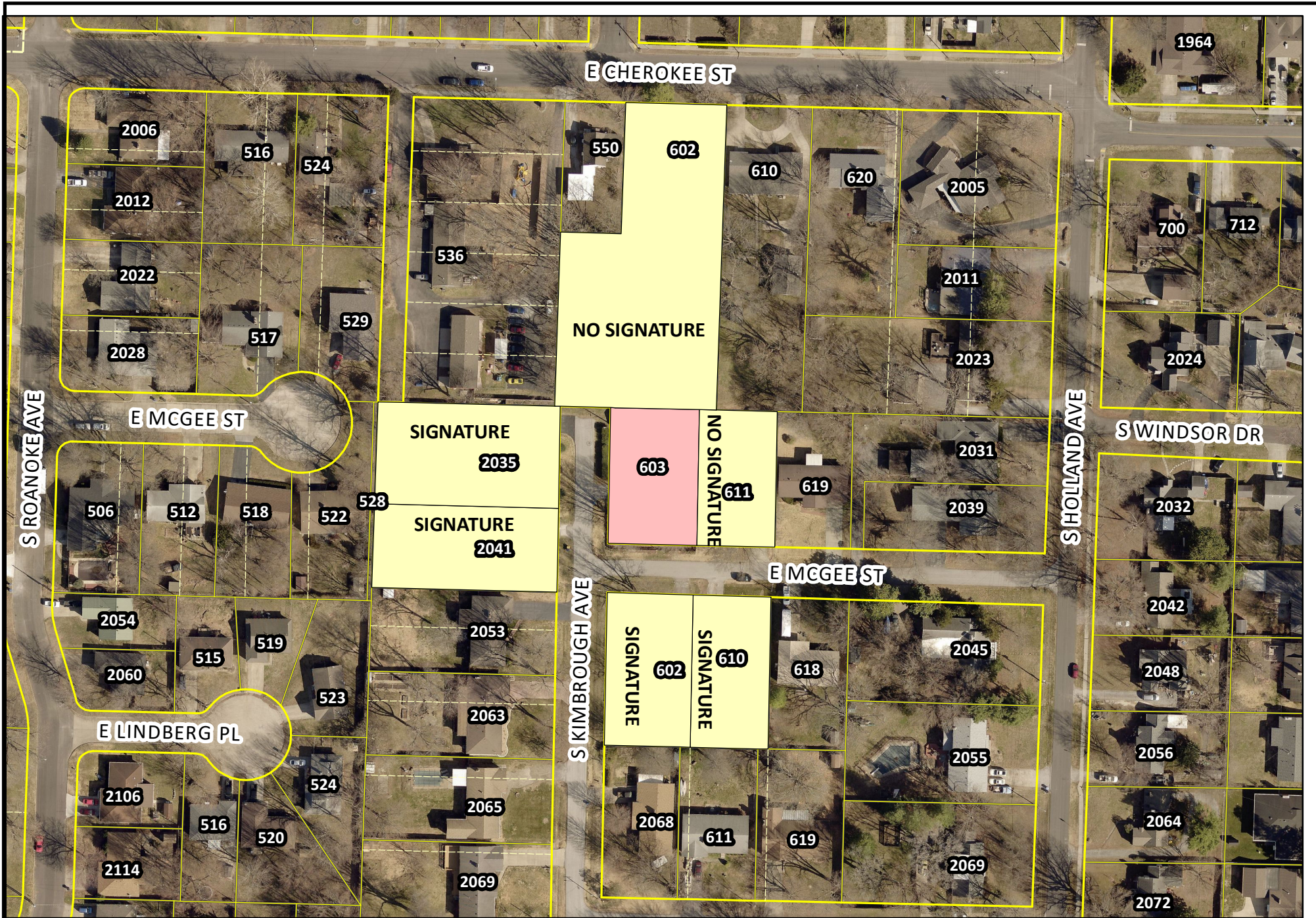
Contact Name: Jason Shepard

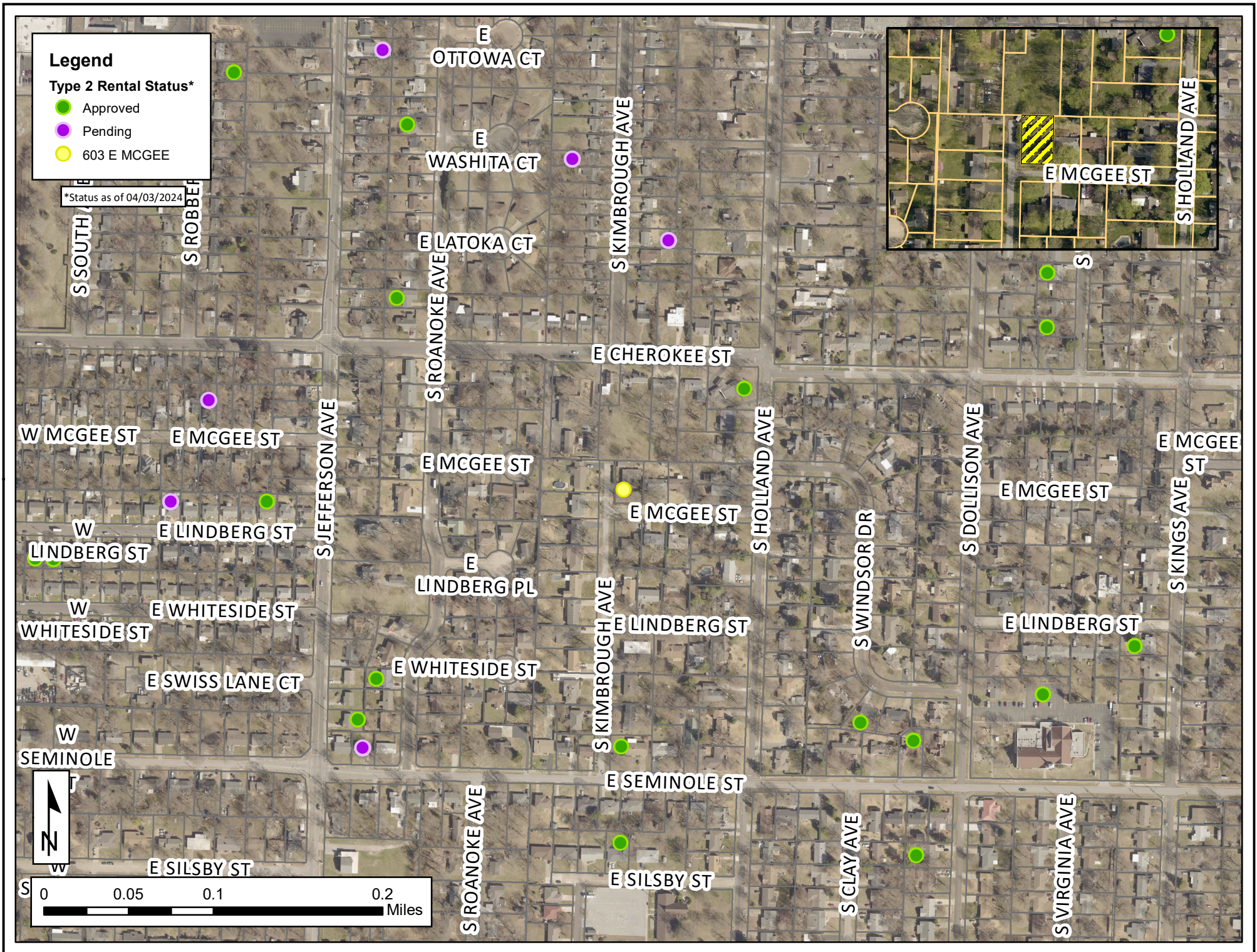
Contact Telephone No.: (417) 234-7544

Contact E-Mail: DZACKS.JASON@gmail.com

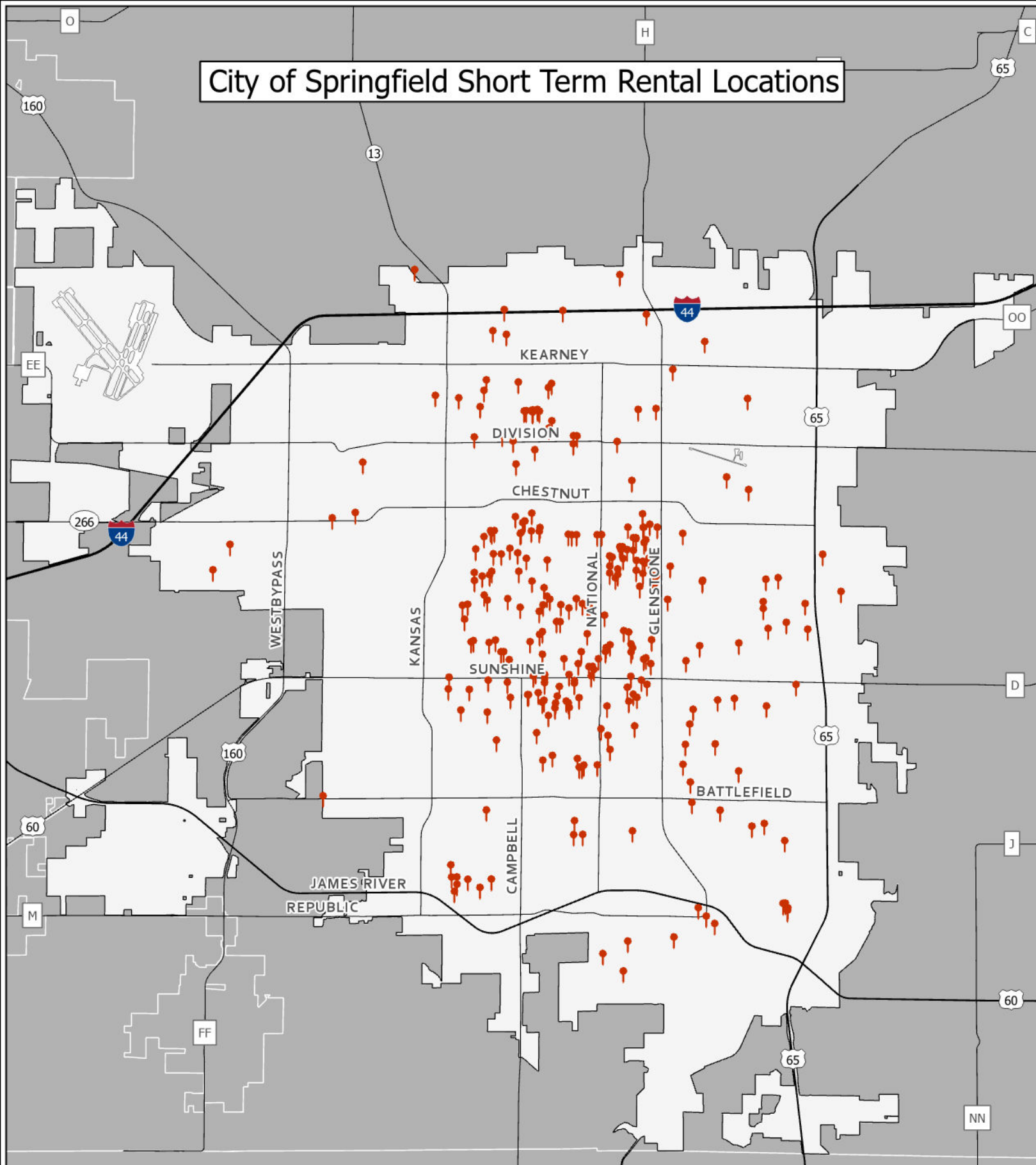
Type 2 Short-Term Rental uses require applicant(s) to have a neighborhood meeting and invite property owners within 500' of their property along with any registered neighborhood organizations.







City of Springfield Short Term Rental Locations



As of February 9, 2024, the Finance Department of the City of Springfield has successfully completed the registration process for a total of 280 short-term rentals, as depicted on this map, created on February 12th 2024

DISCLAIMER: All information included on this map or digital file is provided "as-is" for general information purposes only. The City of Springfield, and all other contributing data suppliers, make no warranties, expressed or implied, concerning the accuracy, completeness, reliability, or suitability of the data for any particular use. Furthermore, the City of Springfield, and all other contributing data suppliers, assume no liability whatsoever associated with the use or misuse of the data.

City of Springfield, Missouri

Short-Term Rental Intake Form

1. Business Name (if applicable): _____
Operator(s) Name: Jason Shepard
Operator(s) Address: 603 East McGee Street Springfield MO 65807
Phone: (417) 234-7544 E-Mail: ozarksjason@gmail.com
Short-Term Rental Address: 603 East McGee Street Springfield MO 65807

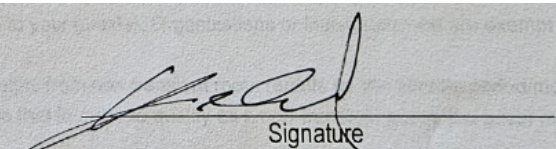
2. Property owner name, address, e-mail, and phone (if different):

3. Does the Short-Term Rental operator reside at the residential dwelling? ☒ Yes ☐ No

4. ☐ Type 1 (operator occupied; all zoning districts). ☒ Type 2 (non-operator occupied, zoned R-SF or R-TH). ☐ Type 3 (non-operator occupied, all other districts except R-SF or R-TH; no more than 2 units per premise).
Unit _____ Unit _____

5. Are guests housed in a primary structure or a historic carriage house (built before January 1, 1940)?
☒ Primary Structure ☐ Historic Carriage House
6. Is the dwelling unit currently being renovated or are there plans for renovation prior to completion of this application?
☐ Yes ☒ No
7. Have renovations to the dwelling occurred in recent history? ☐ Yes ☒ No If so, was a building permit issued by the City? ☐ Yes ☐ No

Jason Shepard
Business Owner/Operator


Signature

Property Owner
only if different

Signature

APPLICANT FILL OUT TO THIS POINT

PLANNING and DEVELOPMENT

1. Proposed location is zoned: R-SF 3. Verification of Historic Carriage House: NA
2. Verification of rental type: TYPE 2 4. Verification of Density Requirements: COUNCIL ACT REQUIRED.
PLN: PLN2024-00081 Personnel: CSTINSON Date Reviewed: April 9, 2024
Comments: _____



EXPLANATION TO COUNCIL BILL 2024-155 (JENSON)

FILED: 07/17/2024

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A resolution granting a Short-Term Rental Type 2 permit for the property generally located at 1131 West Whiteside Street, for the purpose of allowing the establishment of a Short-Term Rental Type 2 pursuant to Section 36-473 of the Land Development Code.

PURPOSE: Granting a Short-Term Rental Type 2 permit for the property generally located at 1131 West Whiteside Street, for the purpose of allowing the establishment of a Short-Term Rental Type 2 pursuant to Section 36-473 of the Zoning Ordinance.

BACKGROUND INFORMATION: The property owner has applied for a Short-Term Rental (STR) Type 2 permit to establish a Short-Term Rental Type 2 at 1131 West Whiteside Street. Section 36-473 of the Zoning Ordinance requires that Type 2 applicants conduct a neighborhood meeting and obtain signatures from fifty-five percent or more of property owners adjacent to and immediately across the street from the proposed STR. If the signatures of at least fifty-five percent of neighboring property owners cannot be secured the applicant may apply to the City Council to obtain a resolution granting the STR Type 2 permit.

The applicant has obtained one valid signature and one invalid signatures from the four adjacent property owners, resulting in 25% percent consent as shown on "Exhibit C". The applicant also obtained a signature from the property owner located at 1138 W Whiteside Street which does not share a property line and is not considered an immediately adjacent property owner.

The three adjacent property owners who did not sign the consent form have been notified with letters of opposition that clearly state that "Failure to return this letter of opposition prior to the City Council meeting indicates that you do not oppose the application for a Short-Term Rental."

Property owners within 500 feet of the proposed Short-Term Rental Type 2 establishment have been notified by regular mail of the August 5th City Council meeting.

The applicant was identified through our software as potentially operating a short-term rental without a license at this location and was sent a cease and desist letter on March 25th, 2024. On April 19th, 2024, the applicant paid the hotel and motel tax for the dates booked from July 2023 through March 2024 for the property located at 1131 West Whiteside Street.



If approved, all other requirements of the Short-Term Rental requirements of Section 36-473 of the Zoning Ordinance must be met.

Submitted By: Corey Stinson, Associate Planner

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

Maurice S. Jones, Deputy City Manager 7/30/2024

- Attachments:**
1. STR2 Appeal - 1131 West Whiteside_Res
 2. STR Appeal 1131 W Whiteside_exhA
 3. STR Appeal 1131 W Whiteside_exhB
 4. STR Appeal 1131 W Whiteside_exhC
 5. STR Appeal 1131 W Whiteside_exhD

One-rdg. X
P. Hrngs.
Pgs. 23
Filed: 07-30-24

Sponsored by: Jenson

COUNCIL BILL 2024-155 RESOLUTION

A RESOLUTION

1 GRANTING a Short-Term Rental Type 2 permit for the property generally
2 located at 1131 West Whiteside Street, for the purpose of allowing
3 the establishment of a Short-Term Rental Type 2 pursuant to
4 Section 36-473 of the Land Development Code.
5
6

7 WHEREAS, the owner of the property located at 1131 West Whiteside Street has
8 applied for a Short-Term Rental (“STR”) Type 2 Permit and attempted to complete all
9 necessary steps pursuant to Springfield City Code Section 36-473, attached hereto and
10 incorporated herein as “Exhibit A,” “Exhibit B,” and “Exhibit D”; and
11

12 WHEREAS, Section 36-473 of the Land Development Code requires STR Type 2
13 applicants to obtain signatures from 55 percent or more of property owners adjacent to
14 and immediately across the street from the proposed property to be permitted as an
15 STR; and
16

17 WHEREAS, if the signatures of 55 percent of the neighboring property owners
18 cannot be secured, City Council may, by resolution, grant the STR Type 2 Permit; and
19

20 WHEREAS, the owner of the property located at 1131 West Whiteside Street has
21 obtained one valid signature and one invalid signature from the four property owners
22 adjacent to and immediately across the street from the property, resulting in 25 percent
23 consent of the neighboring property owners, attached hereto and incorporated herein as
24 “Exhibit C”; and
25

26 WHEREAS, property owners within 500 feet of the proposed STR Type 2
27 establishment were notified by regular mail of the August 5, 2024, City Council meeting.
28

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

32 Section 1 – City Council hereby grants the applicant a STR Type 2 Permit for the
33 property located at 1131 West Whiteside Street. The granting of the Permit is expressly
34 subject to compliance with Section 36-473 of the Land Development Code, and any
35 other applicable provisions of City Code.

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

38
39 Passed at meeting: _____

40
41 _____
42 Mayor

43
44 Attest: _____, City Clerk

45
46 Filed as Resolution: _____

47
48 Approved as to form: Laura Vales, Assistant City Attorney

49
50
51 Approved for Council action: Jason A. Hage, City Manager
52

EXHIBIT A

Short Term Rental License Type 2 Appeal
Property Address: 1131 W Whiteside St. Springfield, MO 65807

June 24th, 2024

Fabian Goyes
Property Owner
4016 S Belvedere Ct.
Springfield MO, 65807

To Whom It May Concern:

Please, receive this as my formal appeal to the city council for obtaining short term rental license type 2 ([PLN2024-00086](#)) for 1131 W Whiteside St.

On May 19th, of 2024, a neighborhood meeting was held from 4:00-6:30pm. Since then, I have continuously made several attempts to get in contact with the adjacent property owners. I'm a resident of Springfield and personally went to knocked on the property doors several times, mailed letters, contacted the suppose owners via phone, social media, and tried everyone humanly possible way. Unfortunately, I was not able to get in contact with two of the property owners. Bellow is a detailed description of where we are so far.

1134 W Linberg St: Property is own by Voong Tseng. Went to his house several times. On my 6th attempt, Mr. Tseng opened the door and I tried to explain the purpose of my visit. Mr. Tseng doesn't speak English. I tried writing and using google translate but wasn't unable to communicate. I left him a copy of the affidavit and provided my cell number. I also tried finding a relative that might be able to help translate for him. I have not received a response to this date.

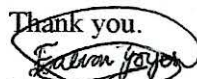
1130 W Whiteside St: Property is occupied by tenants. I asked if they could share the property owners' number but declined. The house is owned by Jack Hoke with mailing address of 1545 E Primrose. Such address belongs to an empty office building that is vacant without a contact number. After doing extensive research, I found an individual by the name of Noah McCarty in social media. He appears to be his grandson. I provided my contact information and asked that he shares my message with Jack. He stated that he has not been in contact with him in years and that he might be out of country. I have not received any further response.

1125 W Whiteside St: Signature obtained.

1139 W Whiteside St: Signature obtained.

I have made every single possible attempt to get in contact with said property owners. I am an honest, hardworking citizen that would like to offer short term housing to people that need a secure, and clean place to stay during their short term visit in Springfield. As the head of my household, this is part of my income that helps support my family.

I really hope that you could approve and consider my appeal. Your cooperation is highly appreciated. For any inquiries, please contact at (347)809-0638.

Thank you.

Fabian Goyes



Application for Short-Term Rental Type 2

eCity INSTRUCTIONS

PLEASE FOLLOW STEPS 1 & 2 BEFORE SUBMITTING THIS APPLICATION

1. Fill out the Short-Term Rental Intake Form and apply on eCity.
2. Wait for Planning staff to review and send a follow-up email requesting payment of fees.

Case No.	
Date Filed	
Received By	
Receipt No.	

*Fee Amount Paid: \$ _____
See Fee Schedule

The signers of this application ask the City Council of the City of Springfield, Missouri to approve an application for the use of a short-term rental at the following address:

Property Address: 1131 W Whiteside, Springfield MO 65807

We, the signers of this application, do attest to the truth and correctness of all facts and information presented with this application as required by the Zoning Ordinance of the City of Springfield.

Application Timeframe by Department

PROPERTY OWNER'S INFORMATION:

Name of current property owner: Fabian I Goyes

If corporation: Corporate Official: _____

Mailing Address: 4016 S Belvedere Ct, Springfield MO

Zip Code: 65807 Phone: 718-704-9021

E-mail: davogoyes_bmx@hotmail.com

PROPERTY OWNER'S SIGNATURE: _____

Fabian Goyes

Planning & Development
3-6 weeks

Building Development Services
1-3 weeks

Licensing
2-3 weeks

See checklist on page 2 for additional information.

OPERATOR'S INFORMATION (if different):

Name: _____

Mailing Address: _____ Zip Code: _____

Phone: _____ E-mail: _____

NOTE: All the items listed on the attached checklist must be submitted during the application process or the application will be denied. The timeframes established in the attached checklist must be followed or the application will be denied.

*Fees are non-refundable

EXHIBIT B

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request to establish a Short-Term Rental Type 2.

2. Meeting Date & Time: 5-19-2024, from 4pm to 6:30pm

3. Meeting Location: 1131 W Whiteside St. Springfield, MO 65807

4. Number of invitations that were sent: 82

5. Number of neighbors in attendance (attach a sign-in sheet): 9

6. 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 owner/operator must explain why the issues cannot be resolved.)

1. There was one person that had the concern to have rental properties in the neighborhood. He wanted for owner to live in the house. We explained that the rental housing in the area is big & that we are always available for our neighbors.

More on a separate sheet

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

- We provided our contacts for the neighbors to communicate with as at anytime with their concerns.
- We will continue paying attention to who rent. We strictly follow

policies for safety & security.

I, Ana Ortiz (print name), attest that the neighborhood meeting was held on

7/9/2024 (month/date/year), in accordance with the attached "Neighborhood Notification and Meeting Process."



Signature of person completing affidavit

Ana L. Ortiz

Printed name of person completing affidavit

NEIGHBORHOOD MEETING SIGN-IN SHEET

Project: Short-Term Rental Type 2

Meeting Date:

Owner/Operator:

Location of Meeting:

Name	Address	Phone	E-Mail
------	---------	-------	--------

417
225
2755

SIGN IN SHEET

5/18/2024

Address: 1131 W. Whiteside St Springfield MO, 65807

NAME

ADDRESS

PHONE#

Marcie Cooley	1139 W. Whiteside	417-849-7577
Mike Bruce	1139 W. Whiteside	417-507-3314
(LTD Management Incorporated)		

Brenda Barber	1138 W. Whiteside	417-848-6685
---------------	-------------------	--------------

Alex Parmelee	1042 W. Whiteside	417-379-0900
---------------	-------------------	--------------

Bonnie Hawkins	1028 W. Whiteside	417-350-1439
----------------	-------------------	--------------

Trick Salmore	1105 W. Seminary	417-861-0881
---------------	------------------	--------------

Larry Gorth	1712 W. Whiteside St	417-573-5285
-------------	----------------------	--------------

Maureen Guillot	1125 W. Whiteside St	985-703-0888
-----------------	----------------------	--------------

Josie Properties George Paez	1036 W. McFees St.	417-619-5616
---------------------------------	--------------------	--------------

got a phone number of his daughter; and
We are rewriting her answer.

"Hello, we are pretty busy and won't be
able to make it to meet you.

I have had talked to dad, he said he
is not interested of signing anything
whether for it or not for it. He won't
be interested in attending any meeting for
discussion.

Good luck with whatever you are doing.
Please don't contact us again, Thanks.

6. and 7.

2. Another attendee expressed her concern about having different people at the house ~~she~~ mentioned that she has a renter next to her house, who are dirty and noisy and that she would prefer to have owners who care about the neighborhood. She was concerned ~~about~~ the value of the house. There was the renter of the house, next ~~to~~ our property (on the right side) that explained the lady about the benefit of having a short term rental, ~~since~~. The person said that if a renter is not a good one it will be short term and not, at least for a year. The ~~neighbor~~ same neighbor said that our property has been kept, clean and not loud all the time. ~~then~~

We added that there was one time, we had people from a building company and they parked on the yard, and ~~we~~ immediately discussed with the person who rented that that was not possible and they removed the cars.

3. There was another attendee that clearly stated that "you, should not be here.". We explained that we want to have a business to support our family. We take the business, with high respect to all the neighbors ~~and we this~~

be our home to live

We offered to keep the house clean as always and ~~also~~ gave the contact information.

One of the attendees was the owner of the adjacent home (1125 W Whiteside St) and provided her signature.

One of the attendees was the renter of the adjacent home. provide information of the Property Management of the house; and we were able to get the signature.

The house on 1130 W Whiteside is a rented house. We have tried to communicate with the owner you (the city) has provided and we have not been able to contact the owner. It is uncertain, where, who and what else we can do to find the owner.

The Owner of the house one 1134 W Lindberg St. does not speak English. We searched and finally

SHORT-TERM RENTAL TYPE 2 ADJACENT OWNER CONSENT AFFIDAVIT

Address of Proposed Short-Term Rental: **1131 West Whiteside Street**

STATE OF Missouri)

COUNTY OF Greene)

The undersigned hereby states that the undersigned verified the ownership of each residential property adjacent to the above-referenced address as defined in section 36-473(2) and obtained written consent of the proposed short-term rental at the above-referenced address from at least 55% of said owners as shown on Exhibit 1 and attached hereto. The undersigned further states that he or she personally witnessed the signatures contained on Exhibit 1 and that each person signed Exhibit 1 in the undersigned's presence. If the owner(s) signatures cannot be witnessed by the undersigned, then a notarized signature(s) of the adjacent residential property owner(s) must be obtained.

(Corporate Seal**)

Fabian Goyes *Fabian Goyes*
Signature of Owner/Operator

Fabian Goyes - Esteban Goyes
Typed or Printed Name

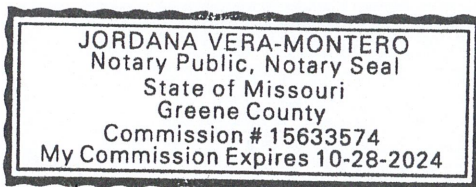
Owner ; sibling co.
Title

ATTEST:

Corporate Secretary
(If no seal)

Name of Company or Organization
(If Applicable)

Subscribed and sworn to before me a notary public on this July 3rd day of July, 20 24.



Jordana M. Vera-Montero
Notary Public

My Commission expires: _____

**City of Springfield Short-Term Rental
ADJACENT OWNER CONSENT FORM**

The undersigned hereby certifies that they are the owners of property referenced below and that they consent to the proposed short-term rental located at: **1131 West Whiteside Street**

If the ownership is under two or more individuals (each individual) must sign this form. Only the owner's signature constitutes consent.

The address and owner of record of all adjacent residential properties must be listed, whether they consent or not.

1.	Address of Adjacent Residential Property: <u>1134 W LINDBERG ST (417) 225-2755</u> Owner(s) of Record (Typed or Printed) _____ Signature(s) of Owners _____ Title _____	Notary Seal (only required if signature not witnessed by applicant) SEAL
2.	Address of Adjacent Residential Property: <u>1130 W WHITESIDE ST</u> Owner(s) of Record (Typed or Printed) _____ Signature(s) of Owners _____ Title _____	Notary Seal (only required if signature not witnessed by applicant) SEAL
3.	Address of Adjacent Residential Property: <u>1125 W WHITESIDE ST</u> Owner(s) of Record (Typed or Printed) <u>Maureen Guillot</u> Signature(s) of Owners <u><i>Maureen Guillot</i></u> Title <u>Owner</u>	Notary Seal (only required if signature not witnessed by applicant) SEAL 

**City of Springfield Short-Term Rental
ADJACENT OWNER CONSENT FORM**

The undersigned hereby certifies that they are the owners of property referenced below and that they consent to the proposed short-term rental located at: **1131 West Whiteside Street**

If the ownership is under two or more individuals (each individual) must sign this form. Only the owner's signature constitutes consent.

The address and owner of record of all adjacent residential properties must be listed, whether they consent or not.

4. Address of Adjacent Residential Property: 1139 W WHITESIDE ST

TDME

Owner(s) of Record (Typed or Printed)

Melinda Larson

Signature(s) of Owners

**TD MANAGEMENT, INC
304 W ERIE ST
SPRINGFIELD MO 65807**

Title Office Manager

INVALID SIGNATURE

Notary Seal (only required if signature not witnessed by applicant)

SEAL

5. Address of Adjacent Residential Property: 1138 W. Whiteside St.

Brenda L. Barber

Owner(s) of Record (Typed or Printed)

Brenda L. Barber

Signature(s) of Owners

Owner

Title

INVALID SIGNATURE

Notary Seal (only required if signature not witnessed by applicant)

SEAL

6. Address of Adjacent Residential Property: _____

Owner(s) of Record (Typed or Printed)

Signature(s) of Owners

Title

Notary Seal (only required if signature not witnessed by applicant)

SEAL

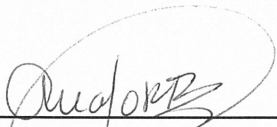
AFFIDAVIT OF SIGN POSTING

Attach photo here

SEE NEXT PAGE

(sign lettering must be legible in photo)

I, Fabian I. Goyes (print name of owner, agent, attorney), attest that the above sign was posted 10 days before the public hearing on 5/8/2024 (month/day/year) and in accordance with the given posting requirements.



Signature of person completing sign posting

Ana Ortiz

Printed name of person completing sign posting

Neighborhood Meeting Type 2 Short-Term Rental

Date of Meeting: May 19th 2024 Time: 4:00pm to 6:30pm

Location of Meeting: 1131 E Whiteside

Contact Name: Fabian I Goyes

Contact Telephone No.: (718) 704-9021

Contact E-Mail: davogoyes_bmx@hotmail.com

Type 2 Short-Term Rental uses require applicant(s) to have a neighborhood meeting and invite property owners within 500' of their property along with any registered neighborhood organizations.

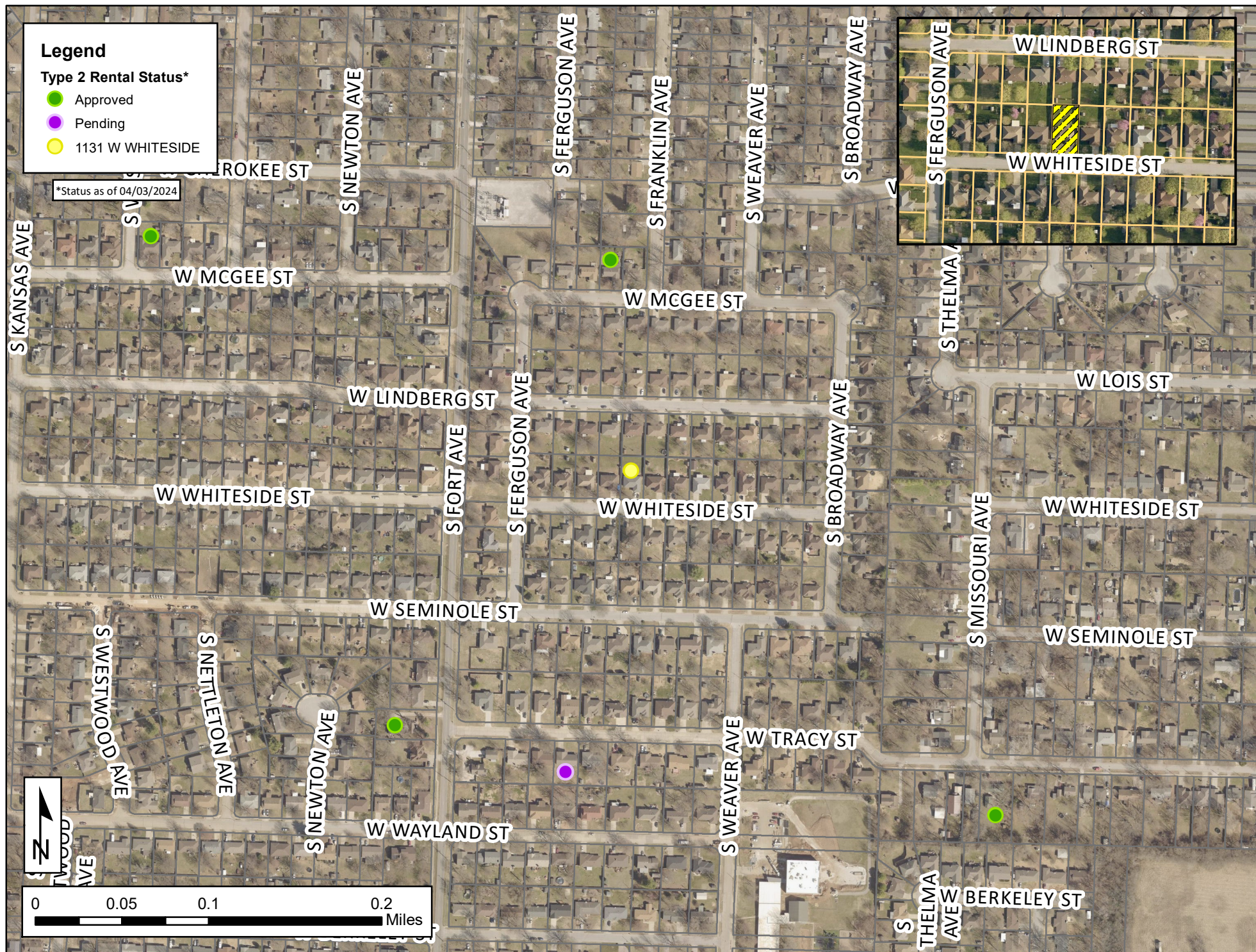

CITY OF
Springfield

Legend

Type 2 Rental Status*

- Approved
- Pending
- 1131 W WHITESIDE

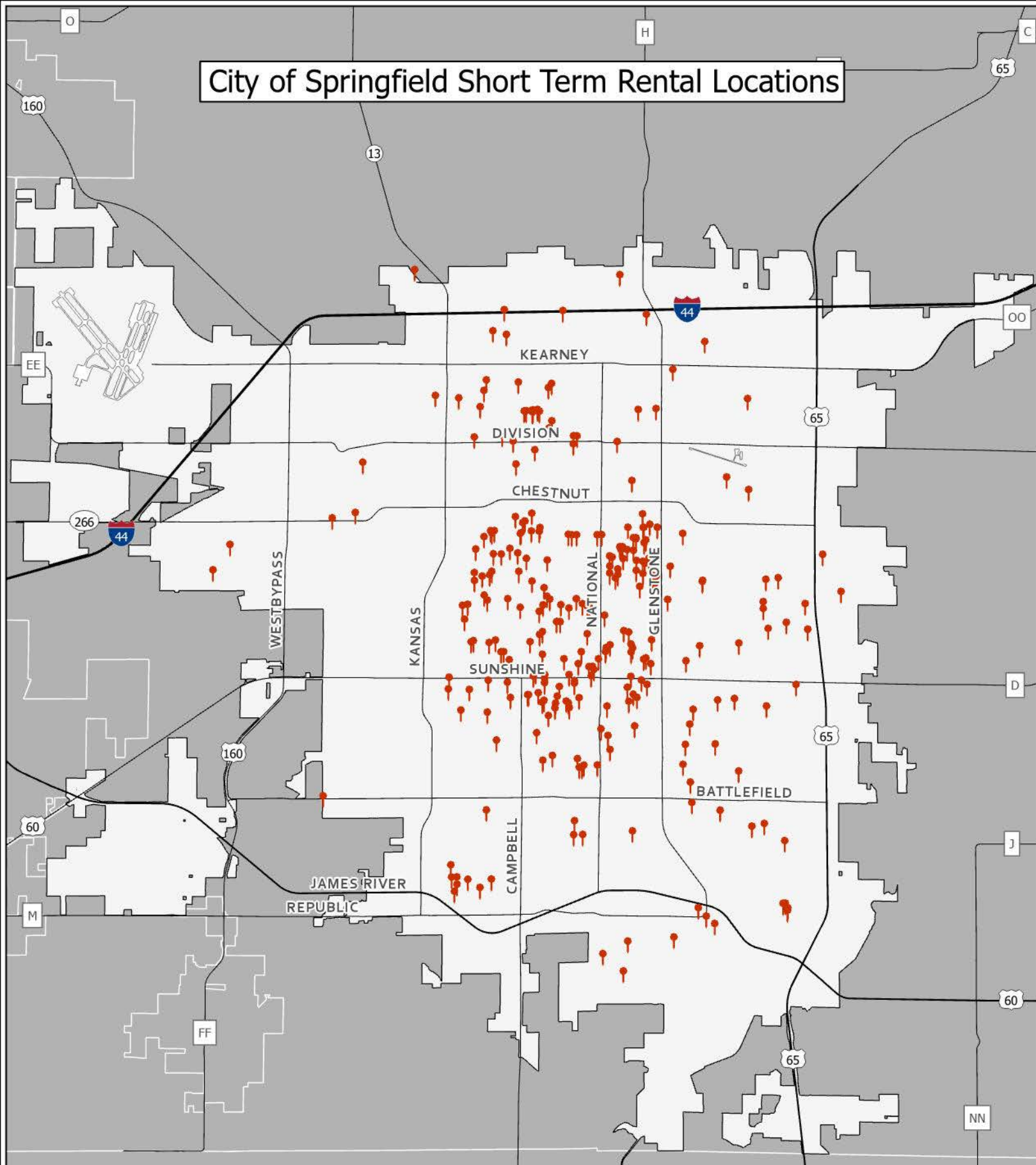
*Status as of 04/03/2024



PROPERTIES WITHIN 500'



City of Springfield Short Term Rental Locations



As of February 9, 2024, the Finance Department of the City of Springfield has successfully completed the registration process for a total of 280 short-term rentals, as depicted on this map, created on February 12th 2024

DISCLAIMER: All information included on this map or digital file is provided "as-is" for general information purposes only. The City of Springfield, and all other contributing data suppliers, make no warranties, expressed or implied, concerning the accuracy, completeness, reliability, or suitability of the data for any particular use. Furthermore, the City of Springfield, and all other contributing data suppliers, assume no liability whatsoever associated with the use or misuse of the data.

**City of Springfield, Missouri
Short-Term Rental Intake Form**

1. Business Name (if applicable): _____
Operator(s) Name: Fabian I. Goyes
Operator(s) Address: 4016 S. Belvedere Ct. Springfield, MO 65807
Phone: 347-809-0638 E-Mail: davogoyes-bmx@hotmail.com
Short-Term Rental Address: 1131 W. Whiteside St. Springfield, MO 65807
2. Property owner name, address, e-mail, and phone (if different):

3. Does the Short-Term Rental operator reside at the residential dwelling? ☐ Yes ☒ No
4. ☐ Type 1 (operator occupied; all zoning districts). ☒ Type 2 (non-operator occupied, zoned R-SF or R-TH). ☐ Type 3 (non-operator occupied, all other districts except R-SF or R-TH; no more than 2 units per premise).
Unit _____ Unit _____
5. Are guests housed in a primary structure or a historic carriage house (built before January 1, 1940)?
☒ Primary Structure ☐ Historic Carriage House
6. Is the dwelling unit currently being renovated or are there plans for renovation prior to completion of this application?
☐ Yes ☒ No
7. Have renovations to the dwelling occurred in recent history? ☐ Yes ☒ No If so, was a building permit issued by the City? ☐ Yes ☐ No

Fabian I. Goyes
Business Owner/Operator


Signature

Property Owner
only if different

Signature

APPLICANT FILL OUT TO THIS POINT

PLANNING and DEVELOPMENT

1. Proposed location is zoned: R-SF 3. Verification of Historic Carriage House: N/A
2. Verification of rental type: TYPE 2 4. Verification of Density Requirements: APPROVED

PLN: PLN2024-00086 Personnel: CSTINSON Date Reviewed: 04/26/2024

Comments: _____

EXHIBIT D

COMMENT CARD/NOTICE

Enclosed you have received a notice of a "Neighborhood Meeting" submitted by the applicant to discuss a Short-Term Rental Type 2 in your neighborhood. City Council requires owners/operators of Short-Term Rental Type 2's to hold a neighborhood meeting to invite the property owners within 500 feet of the property and to invite the officers of neighborhood association on file with the Department.

A "Neighborhood Meeting" is held early enough to provide adequate time for the owner/operator to negotiate with the neighborhood in order to resolve any issues.

If the owner/operator submits an application for a Short-Term Rental Type 2, the property will be posted and notification by mail to the property owners within 500 feet of the STR property.

Short-Term Rental Type 2 Process:

1. Application
2. Neighborhood Meeting (500 feet notification and posting of subject property)
3. Neighborhood Meeting Summary and Sign-In Sheet
4. Fifty-five percent Adjacent Owner Consent Affidavit
5. If appealed, submit request to Planning and Development Department for City Council review and decision.

City staff is available to meet with you or your neighborhood association representative(s) to discuss the Short-Term Rental Type 2 and answer questions at 417-864-1611.

You can provide comments on the "Comment Card" by mail or by email at zoning@springfieldmo.gov. Please include your name, address and telephone number as well as the address of the project in your correspondence.

Bob Hosmer, AICP Planning Manager
City of Springfield Development Review Office
840 Boonville Ave, Springfield Missouri 65802

Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	5-19-24	Telephone No.	417-350-1439
YOUR NAME:	Bonnie Hawkins		
YOUR ADDRESS:	1028 W. Whiteside - Springfield, Mo-65807		
STR ADDRESS:	1131 W. Whiteside - Springfield, Mo-65807		
COMMENTS:			

I am against a Short Term Rental in my neighborhood. I purchased my home a year ago and I fear that a Short Term Rental will lower the value of my home. With a long term rental or lease, at least the renter is in the home long enough to become part of the neighborhood. Whereas, a Short-Term Renter would have no interest in the neighborhood or the other properties or owners. That situation would not be good!

COMMENT CARD/NOTICE

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Bob Hosmer, AICP Planning Manager
City of Springfield Development Review Office
840 Boonville Ave, Springfield Missouri 65802

Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	6-19-2024	Telephone No.	417-425-5011
YOUR NAME:	Mrs. James Carson		
YOUR ADDRESS:	1111 W. Whiteside Street		
STR ADDRESS:			
COMMENTS:	I am very concerned as to what this could possibly do to our neighborhood. Last summer was a sample of what we can expect. Construction crews with lots of equipment etc. men standing outside smoking & using phone. Just not a good looking atmosphere for a nice quiet neighborhood. I regret that I missed the mtg.		

DATE:		Telephone No.	417 7190232
YOUR NAME:	Susan Binderter		
YOUR ADDRESS:	1021 W. Whiteside st		
STR ADDRESS:	1131 W. Whiteside, st		

COMMENTS: not in favor of this! Mainly bc it could affect property values of surrounding properties who would want to buy a house next to a short term rental property? Its only going to drive down property values, which in turn drive down all values in this neighborhood resulting in more rentals

We are trying to SAVE our neighborhood!
;-



EXPLANATION TO COUNCIL BILL 2024-156 (MCGULL)

FILED: 07/17/2024

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A resolution granting a Short-Term Rental Type 2 permit for the property generally located at 2649 East Loren Street, for the purpose of allowing the establishment of a Short-Term Rental Type 2 pursuant to Section 36-473 of the Land Development Code.

PURPOSE: Granting a Short-Term Rental Type 2 permit for the property generally located at 2649 East Loren Street, for the purpose of allowing the establishment of a Short-Term Rental Type 2 pursuant to Section 36-473 of the Zoning Ordinance.

BACKGROUND INFORMATION: The property owner has applied for a Short-Term Rental (STR) Type 2 permit to establish a Short-Term Rental Type 2 at 2649 East Loren Street. Section 36-473 of the Zoning Ordinance requires that Type 2 applicants conduct a neighborhood meeting and obtain signatures from fifty-five percent or more of property owners adjacent to and immediately across the street from the proposed STR. If the signatures of at least fifty-five percent of neighboring property owners cannot be secured, the applicant may apply to the City Council to obtain a resolution granting the STR Type 2 permit.

The applicant has obtained one valid signature and three invalid signatures from the four adjacent property owners, resulting in 25% percent consent as shown on "Exhibit C".

The three adjacent property owners who did not sign the consent form have been notified with letters of opposition that clearly state that "Failure to return this letter of opposition prior to the City Council meeting indicates that you do not oppose the application for a Short-Term Rental."

Property owners within 500 feet of the proposed Short-Term Rental Type 2 establishment have been notified by regular mail of the August 5th City Council meeting.

The applicant was identified through our software as potentially operating a short-term rental without a license at this location and was sent a cease and desist letter on March 25th, 2024. On April 23rd, 2024, the applicant paid the hotel and motel tax for the dates booked from July 2023 through March 2024 for the property located at 2649 East Loren Street.



If approved, all other requirements of the Short-Term Rental requirements of Section 36-473 of the Zoning Ordinance must be met.

Submitted By: Corey Stinson, Associate Planner

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

Maurice S. Jones, Deputy City Manager 7/30/2024

- Attachments:**
1. STR2 Appeal - 2649 East Loren Street_Res
 2. STR 2 Appeal_2649 E LOREN_exhA
 3. STR 2 Appeal_2649 E LOREN_exhB
 4. STR 2 Appeal_2649 E LOREN_exhC
 5. STR 2 Appeal_2649 E LOREN_exhD

One-rdg. X
P. Hrngs.
Pgs. 19
Filed: 07-30-24

Sponsored by: McGull

COUNCIL BILL 2024-156 RESOLUTION

A RESOLUTION

1 GRANTING a Short-Term Rental Type 2 permit for the property generally
2 located at 2649 East Loren Street, for the purpose of allowing the
3 establishment of a Short-Term Rental Type 2 pursuant to Section
4 36-473 of the Land Development Code.
5
6

7 WHEREAS, the owner of the property located at 2649 East Loren Street has
8 applied for a Short-Term Rental ("STR") Type 2 Permit and attempted to complete all
9 necessary steps pursuant to Springfield City Code Section 36-473, attached hereto and
10 incorporated herein as "Exhibit A," "Exhibit B," and "Exhibit D"; and
11

12 WHEREAS, Section 36-473 of the Land Development Code requires STR Type 2
13 applicants to obtain signatures from 55 percent or more of property owners adjacent to
14 and immediately across the street from the proposed property to be permitted as an
15 STR; and
16

17 WHEREAS, if the signatures of 55 percent of the neighboring property owners
18 cannot be secured, City Council may, by resolution, grant the STR Type 2 Permit; and
19

20 WHEREAS, the owner of the property located at 2649 East Loren Street has
21 obtained one valid signature and three invalid signatures from the four property owners
22 adjacent to and immediately across the street from the property, resulting in 25 percent
23 consent of the neighboring property owners, attached hereto and incorporated herein as
24 "Exhibit C"; and
25

26 WHEREAS, property owners within 500 feet of the proposed STR Type 2
27 establishment were notified by regular mail of the August 5, 2024, City Council meeting.
28

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

32 Section 1 – City Council hereby grants the applicant a STR Type 2 Permit for the
33 property located at 2649 East Loren Street. The granting of the Permit is expressly
34 subject to compliance with Section 36-473 of the Land Development Code, and any
35 other applicable provisions of City Code.

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

38
39 Passed at meeting: _____

40
41 _____
42 Mayor

43
44 Attest: _____, City Clerk

45
46 Filed as Resolution: _____

47
48 Approved as to form: Laura Vales, Assistant City Attorney

49
50
51 Approved for Council action: Jason A. Page, City Manager
52

EXHIBIT A

Short Term Rental License Type 2 Appeal Property Address: 2649 E Loren St. Springfield, Mo 65804

June 24th, 2024

Esteban Goyes
Property Owner
17280 S Lichtenauer Dr
Olathe, KS 66061

To Whom It May Concern:

Please, receive this as my formal appeal to the city council for obtaining short term rental license type 2 ([PLN2024-00089](#)) for 2649 E Loren St.

On May 18th, of 2024, a neighborhood meeting was held from 4:00-6:30pm. Since then, I have made several honest attempts to get in contact with the adjacent property owners. I made multiple trips to Springfield, knocked on their door multiple times during different time, mailed letters and contacted the suppose owners via social media outlets. Unfortunately, I was not able to get in contact with two of the property owners. Bellow is a detailed description of where we are so far.

1132 S Ventura Ave: Currently with tenants and property is owned by 4RZ LLC (property management company). Tenants never responded to any of our contact attempts. 4RZ LLC mailing address (per Greene County assessor website) is a private mailbox in a UPS store. Made several attempts to also contact the property management company through Facebook, called their contact number several times and left multiple voicemails. No response.

2638 E Delmar St: Property is vacant, and no one appears to be residing in the home. There are signs of eviction summons by Greene County Court posted all over the house. Jennifer Carter (property owner) does not reside in the property. According to city records, mailing address is in Mansfield, MO. Drove there multiple times, attempted to contact Jennifer via phone and social media outlets. No response.

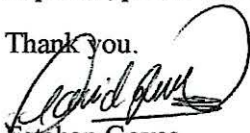
2643 E Loren St: Signature obtained.

2655 E Loren St: Signature obtained.

I have made every single possible attempt to get in contact with said property owners. I am an honest, hardworking citizen that would like to offer short term housing to people that need a secure, and clean place to stay during their short term visit in Springfield. As the head of my household, this is part of my income that helps support my family.

I really hope that you could approve and consider my appeal. Your cooperation is highly appreciated. For any inquiries, please contact at (660)234-5355.

Thank you.



Esteban Goyes



Application for Short-Term Rental Type 2

eCity INSTRUCTIONS

PLEASE FOLLOW STEPS 1 & 2 BEFORE SUBMITTING THIS APPLICATION

1. Fill out the Short-Term Rental Intake Form and apply on eCity.
2. Wait for Planning staff to review and send a follow-up email requesting payment of fees.

Case No.	
Date Filed	
Received By	
Receipt No.	

*Fee Amount Paid: \$ _____
See Fee Schedule

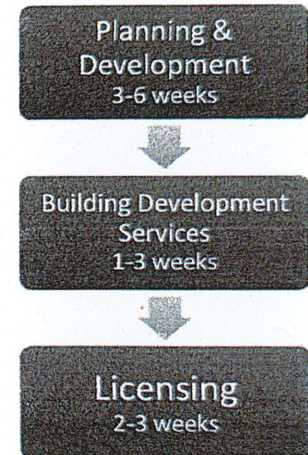
The signers of this application ask the City Council of the City of Springfield, Missouri to approve an application for the use of a short-term rental at the following address:

Property Address: 2649 E. Loren St. Springfield, MO 65804

We, the signers of this application, do attest to the truth and correctness of all facts and information presented with this application as required by the Zoning Ordinance of the City of Springfield.

Application Timeframe by

Department



PROPERTY OWNER'S INFORMATION:

Name of current property owner: Esteban Goyes

If corporation: Corporate Official: _____

Mailing Address: 17280 S. Lichtenauer Dr. Olathe, KS

Zip Code: 66062 Phone: 660-234-5355

E-mail: edgoyesortiz@gmail.com

PROPERTY OWNER'S SIGNATURE:

[Handwritten Signature]

See checklist on page 2 for additional information.

OPERATOR'S INFORMATION (if different):

Name: _____

Mailing Address: _____ Zip Code: _____

Phone: _____ E-mail: _____

NOTE: All the items listed on the attached checklist must be submitted during the application process or the application will be denied. The timeframes established in the attached checklist must be followed or the application will be denied.

*Fees are non-refundable

EXHIBIT B

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request to establish a Short-Term Rental Type 2.

2. Meeting Date & Time: 5.18.2024, from 4 to 6:30pm.

3. Meeting Location: 2649 E Loren St, Springfield MO 65804

4. Number of invitations that were sent: 113

5. Number of neighbors in attendance (attach a sign-in sheet): 4

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

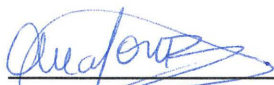
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the owner/operator must explain why the issues cannot be resolved.)

Four neighbors attended to the meeting, including the owners of one of the adjacent houses. Esteban & his wife explained who they are & the reasons for the meeting. One attendee inquired about how often the guests change & they explained that depends on bookings. They explained that guests have to pass a background check through AIRBNB before any booking occurs. The owners agreed to sign and one of the attendees as well.

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

We discussed about safety and keeping the house in good standards. We compromised to keep the house clean in and out. We compromised and agree on ensure safety. We do have visits to the house.

I, Ana Ortiz (print name), attest that the neighborhood meeting was held on 5.18.2024 (month/date/year), in accordance with the attached "Neighborhood Notification and Meeting Process."



Signature of person completing affidavit

Ana L. Ortiz

Printed name of person completing affidavit

NEI

Proj

Own

Nam

SIGN-IN SHEET

5/18/2024

Address: 2649 E. Loren St, Springfield, MO 65804

NAME	ADDRESS	PHONE #
Stephanie Mosky	1139 S. Ventura, Spfld, mo 64	417-379-1970
Visited Fuemmeler	2655 S Loren Spfld, MO	
Gene Asuley	2647 E Loren Springfield, mo	(508) 718-7876
Allie Cook	2655 E Loren Springfield, Mo	573 842-8294

EXHIBIT C



SHORT-TERM RENTAL TYPE 2 ADJACENT OWNER CONSENT AFFIDAVIT

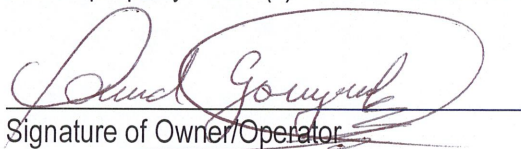
Address of Proposed Short-Term Rental: **2649 E LOREN**

STATE OF Missouri)

COUNTY OF Greene)

The undersigned hereby states that the undersigned verified the ownership of each residential property adjacent to the above-referenced address as defined in section 36-473(2) and obtained written consent of the proposed short-term rental at the above-referenced address from at least 55% of said owners as shown on Exhibit 1 and attached hereto. The undersigned further states that he or she personally witnessed the signatures contained on Exhibit 1 and that each person signed Exhibit 1 in the undersigned's presence. If the owner(s) signatures cannot be witnessed by the undersigned, then a notarized signature(s) of the adjacent residential property owner(s) must be obtained.

(Corporate Seal**)


Signature of Owner/Operator

Typed or Printed Name

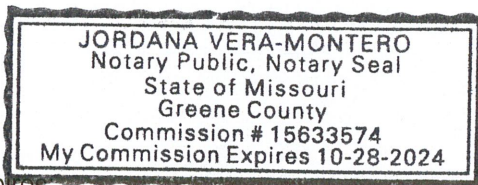
Title

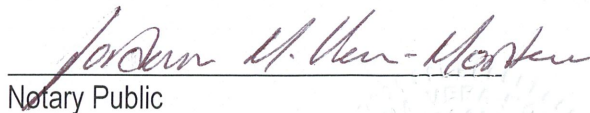
Name of Company or Organization
(If Applicable)

ATTEST:

Corporate Secretary
(If no seal)

Subscribed and sworn to before me a notary public on this 27 day of June, 20 24.




Notary Public

My Commission expires. _____

City of Springfield Short-Term Rental
ADJACENT OWNER CONSENT FORM

The undersigned hereby certifies that they are the owners of property referenced below and that they consent to the proposed short-term rental located at: **2649 E LOREN**

If the ownership is under two or more individuals (each individual) must sign this form. Only the owner's signature constitutes consent.

The address and owner of record of all adjacent residential properties must be listed, whether they consent or not.

1.	Address of Adjacent Residential Property: <u>1132 S VENTURA AVE</u>	
	Owner(s) of Record (Typed or Printed)	Notary Seal (only required if signature not witnessed by applicant)
	Signature(s) of Owners	SEAL
	Title	
2.	Address of Adjacent Residential Property: <u>2643 E LOREN ST</u>	
	<u>Russ Burke</u> Owner(s) of Record (Typed or Printed)	INVALID SIGNATURE
	<u>[Signature]</u> Signature(s) of Owners	SEAL
	<u>Property Manager</u> Title	X
3.	Address of Adjacent Residential Property: <u>2655 E LOREN ST</u>	
	<u>Alexandria L. Cook Blake Akers</u> Owner(s) of Record (Typed or Printed)	INVALID SIGNATURE
	<u>Alexandria Cook Blake Akers</u> Signature(s) of Owners	SEAL
	Title	X

City of Springfield Short-Term Rental
ADJACENT OWNER CONSENT FORM

The undersigned hereby certifies that they are the owners of property referenced below and that they consent to the proposed short-term rental located at: **2649 E LOREN**

If the ownership is under two or more individuals (each individual) must sign this form. Only the owner's signature constitutes consent.

The address and owner of record of all adjacent residential properties must be listed, whether they consent or not.

4.	Address of Adjacent Residential Property: <u>2638 E DELMAR ST</u> <u>Jennifer Carter</u> Owner(s) of Record (Typed or Printed) <u>Jennifer Carter</u> Signature(s) of Owners Title	Notary Seal (only required if signature not witnessed by applicant) SEAL 
5.	Address of Adjacent Residential Property: <u>1139 S Ventura Ave</u> <u>Bill & Stephanie Mosley</u> Owner(s) of Record (Typed or Printed) <u>Bill & Stephanie Mosley</u> Signature(s) of Owners Title	INVALID SIGNATURE Notary Seal (only required if signature not witnessed by applicant) SEAL
6.	Address of Adjacent Residential Property: _____ Owner(s) of Record (Typed or Printed) Signature(s) of Owners Title	Notary Seal (only required if signature not witnessed by applicant) SEAL

AFFIDAVIT OF SIGN POSTING

Attach photo here

SEE NEXT PAGE

(sign lettering must be legible in photo)

I, Esteban Goyes (print name of owner, agent, attorney), attest that the above sign was posted 10 days before the public hearing on 5-3-2024 (month/day/year) and in accordance with the given posting requirements.



Signature of person completing sign posting

Ana L Ortiz

Printed name of person completing sign posting

Neighborhood Meeting Type 2 Short-Term Rental

Date of Meeting: May 18th, 2024 Time: 4:00pm to 6:30pm

Location of Meeting: 2649 E Loren

Contact Name: Fabian Goyes

Contact Telephone No.: (718) 704-9021

Contact E-Mail: davogoyes-bmx@hotmail.com

Type 2 Short-Term Rental uses require applicant(s) to have a neighborhood meeting and invite property owners within 500' of their property along with any registered neighborhood organizations.

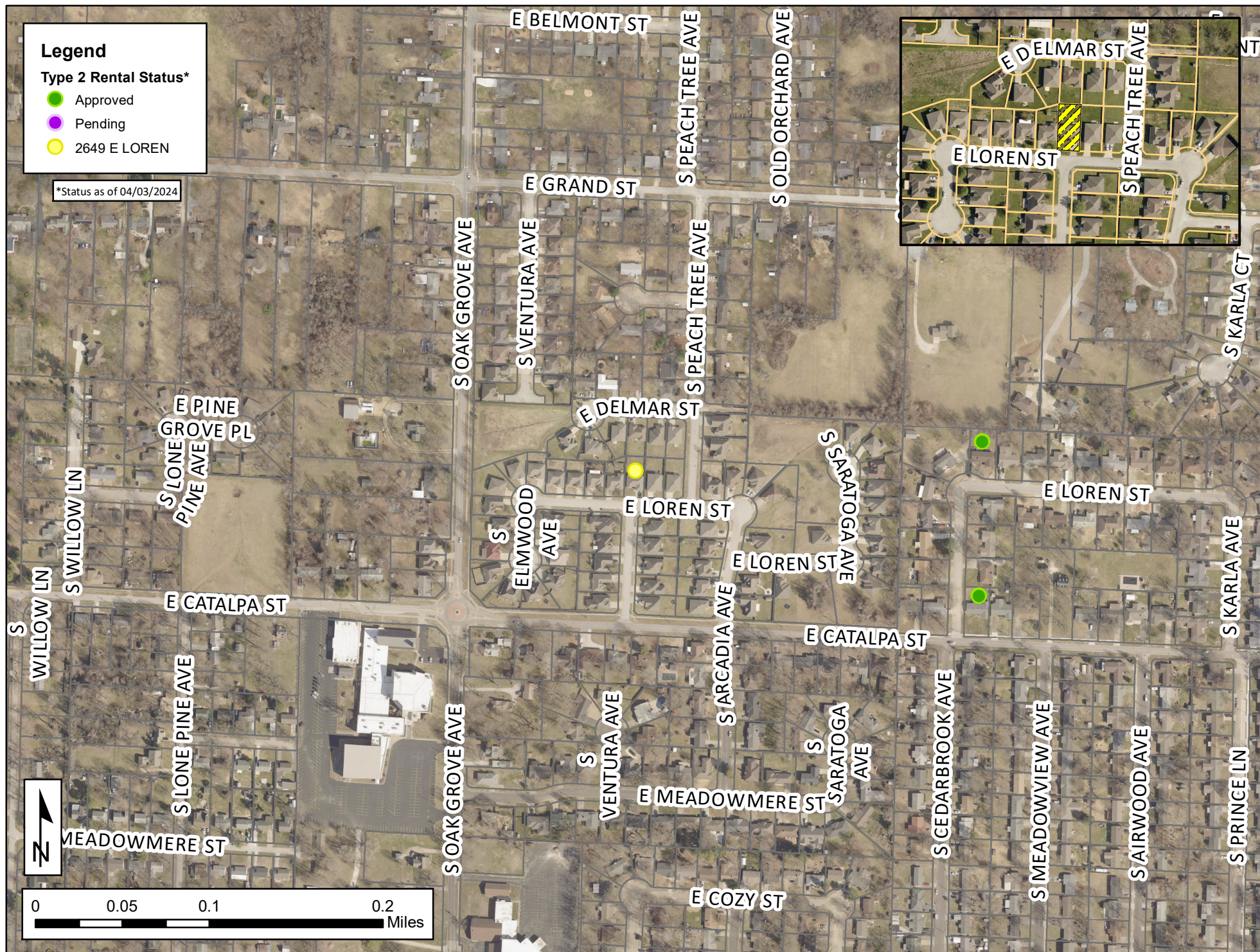


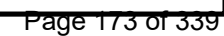
Legend

Type 2 Rental Status*

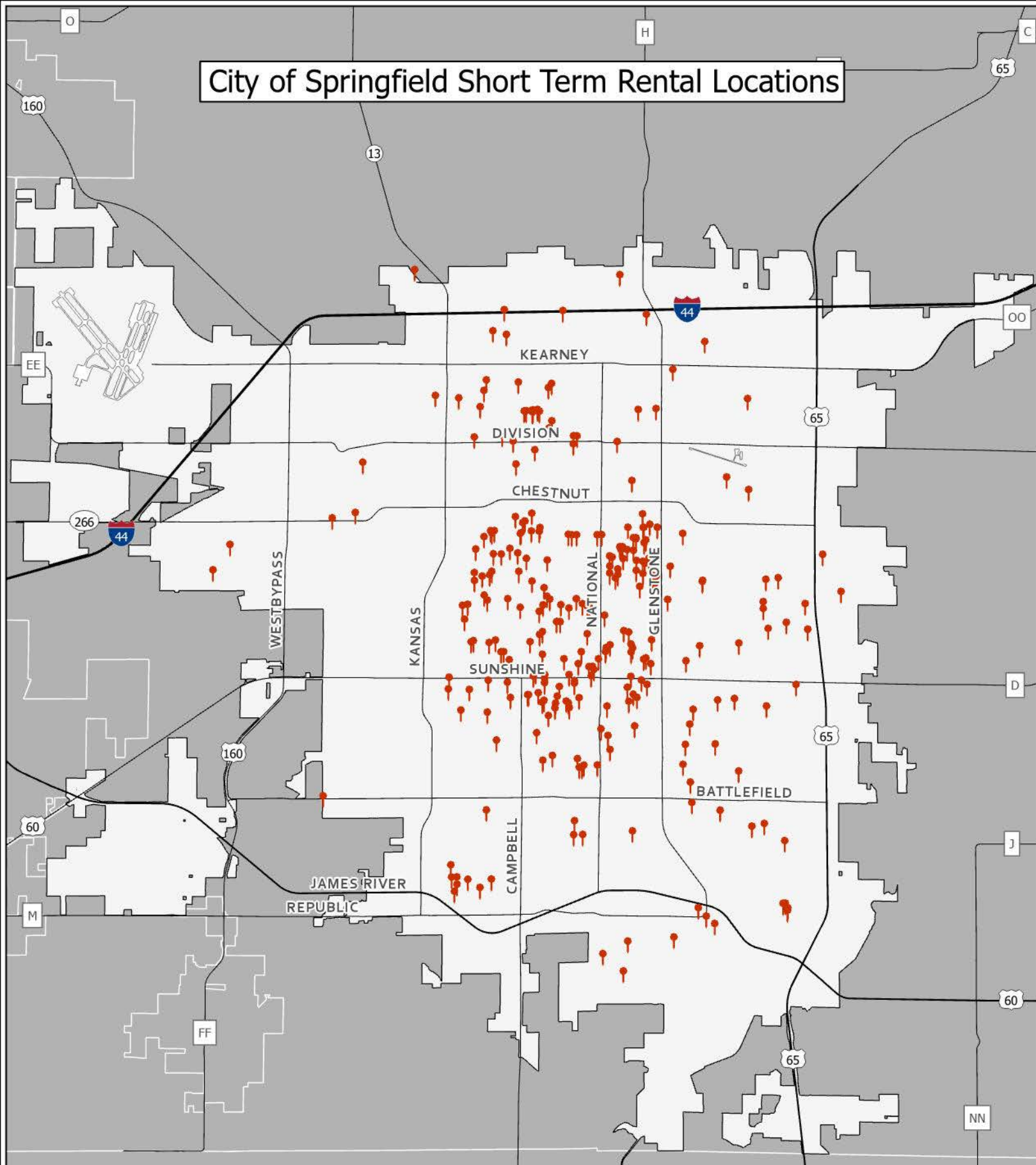
- Approved
- Pending
- 2649 E LOREN

*Status as of 04/03/2024





City of Springfield Short Term Rental Locations



As of February 9, 2024, the Finance Department of the City of Springfield has successfully completed the registration process for a total of 280 short-term rentals, as depicted on this map, created on February 12th 2024

DISCLAIMER: All information included on this map or digital file is provided "as-is" for general information purposes only. The City of Springfield, and all other contributing data suppliers, make no warranties, expressed or implied, concerning the accuracy, completeness, reliability, or suitability of the data for any particular use. Furthermore, the City of Springfield, and all other contributing data suppliers, assume no liability whatsoever associated with the use or misuse of the data.

City of Springfield, Missouri
Short-Term Rental Intake Form

1. Business Name (if applicable): _____
Operator(s) Name: Esteban Goyes
Operator(s) Address: 17280 S. Lichtenauer Dr. Olathe, KS 66062
Phone: 660-234-5355 E-Mail: edgoyesortiz@gmail.com
Short-Term Rental Address: 2649 E. Loren St. Springfield, MO 65804
2. Property owner name, address, e-mail, and phone (if different): _____
3. Does the Short-Term Rental operator reside at the residential dwelling? ☐ Yes ☒ No
4. ☐ Type 1 (operator occupied; all zoning districts). ☒ Type 2 (non-operator occupied, zoned R-SF or R-TH). ☐ Type 3 (non-operator occupied, all other districts except R-SF or R-TH; no more than 2 units per premise).
Unit _____ Unit _____
5. Are guests housed in a primary structure or a historic carriage house (built before January 1, 1940)?
☒ Primary Structure ☐ Historic Carriage House
6. Is the dwelling unit currently being renovated or are there plans for renovation prior to completion of this application?
☐ Yes ☒ No
7. Have renovations to the dwelling occurred in recent history? ☐ Yes ☒ No If so, was a building permit issued by the City? ☐ Yes ☐ No

Esteban Goyes
Business Owner/Operator


Signature

Property Owner
only if different

Signature

APPLICANT FILL OUT TO THIS POINT

PLANNING and DEVELOPMENT

1. Proposed location is zoned: R-SF 3. Verification of Historic Carriage House: N/A
2. Verification of rental type: TYPE 2 4. Verification of Density Requirements: APPROVED

PLN: PLN2024-00089 Personnel: CSTINSON Date Reviewed: 04/15/2024

Comments: _____

For assistance contact Development Review at 417-864-1613 or amenke@springfieldmo.gov

EXHIBIT D

COMMENT CARD/NOTICE

Enclosed you have received a notice of a "Neighborhood Meeting" submitted by the applicant to discuss a Short-Term Rental Type 2 in your neighborhood. City Council requires owners/operators of Short-Term Rental Type 2's to hold a neighborhood meeting to invite the property owners within 500 feet of the property and to invite the officers of neighborhood association on file with the Department.

A "Neighborhood Meeting" is held early enough to provide adequate time for the owner/operator to negotiate with the neighborhood in order to resolve any issues.

If the owner/operator submits an application for a Short-Term Rental Type 2, the property will be posted and notification by mail to the property owners within 500 feet of the STR property.

Short-Term Rental Type 2 Process:

1. Application
2. Neighborhood Meeting (500 feet notification and posting of subject property)
3. Neighborhood Meeting Summary and Sign-In Sheet
4. Fifty-five percent Adjacent Owner Consent Affidavit
5. If appealed, submit request to Planning and Development Department for City Council review and decision.

City staff is available to meet with you or your neighborhood association representative(s) to discuss the Short-Term Rental Type 2 and answer questions at 417-864-1611.

You can provide comments on the "Comment Card" by mail or by email at zoning@springfieldmo.gov. Please include your name, address and telephone number as well as the address of the project in your correspondence.

Bob Hosmer, AICP Planning Manager
City of Springfield Development Review Office
840 Boonville Ave, Springfield Missouri 65802

Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	5-10-24	Telephone No.	417-210-9004
YOUR NAME:	RICHARD R. ROWELL		
YOUR ADDRESS:	1221 S. ARCADIA AVE. SPFLD. MO. 65804		
STR ADDRESS:	2649 E. LOREN SPFLD MO. 65804		
COMMENTS:	THIS NEIGHBORHOOD IS FAMILY RESIDENTIAL. MANY RESIDENTS ARE YOUNG FAMILIES. THIS IS NOT AN AREA FOR NOMADIC BY NATURE RESIDENTS, WHO BY AND LARGE HAVE NO CONCERN FOR THE SAFETY AND WELFARE OF THE AREA.		

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

We will be unable to attend the meeting on this property:
2649 E Loren St. 65804 on 5-18-24
Regarding short-term rental but we wanted to share our concerns.

We moved to our home at 1136 S Elmwood Ave. in this subdivision in Dec. 2021, and the HOA had just been eliminated. We saw an increasing number of rental not owned homes since then. Many rental homes are not cared for especially with overgrown lawns, untrimmed shrubbery, extra cars parked on streets making it difficult to even get through. The actual owners of the rental houses do not supervise their renters so we have often resorted to calling the city dept. for help.

Now an out-of-state owner wants to have short-term renters at 2649 S Loren St.? We oppose it. What we need are home owners who care about their homes and neighborhood. Who knows what kind of people will be living in this short-term rental? Who runs background checks and follows up with supervision from an out-of-state owner? We don't need that here.

Molly & Dennis Edwards
1136 S Elmwood Ave.
Springfield, MO 65804

417-496-5034

mollyanddennis@gmail.com

Sent from my iPhone



EXPLANATION TO COUNCIL BILL 2024-157 (HORTON)

FILED: 07/16/2024

ORIGINATING DEPARTMENT: Public Works

TITLE: A resolution amending the Major Thoroughfare Plan in the City's Forward SGF Comprehensive Plan, Chapter 9, Transportation & Mobility, by removing a future primary arterial and adding a future collector.

PURPOSE: Amending the Major Thoroughfare Plan ("MTP") in the City of Springfield to remove a future primary arterial ("Exhibit 1-B") and add a future collector ("Exhibit 1-C").

BACKGROUND INFORMATION: The Forward SGF Comprehensive Plan was adopted by City Council on November 14, 2022. Chapter 9, Transportation & Mobility, describes the MTP on Page 102 and depicts the major thoroughfares within the city on Page 104. The MTP provides an overall framework for making decisions on thoroughfare improvements and extensions, identifies approximate locations of future major transportation corridors, and serves as a general guide for securing street rights-of-ways. Future roads are shown in general locations, and the actual locations may vary.

The MTP for the metropolitan area ("Exhibit 1-A") is maintained by the Ozarks Transportation Organization ("OTO") in coordination with member jurisdictions. The proposed amendments are also being considered concurrently by OTO and Greene County.

The Planning and Zoning Commission and City Council have the authority to amend the City's MTP per Section 11.6 of the City Charter.

Staff has determined that the future primary arterial from South Farm Road 115 (Haseltine Road) and extending northwest then north to West Farm Road 124 (West Division) provides cost and approval challenges due to the need for a bridge to span a railroad, access road, and Interstate 44 in close proximity to Exit 72, provides duplication of function and connectivity to that provided at/near Exit 72 and by the West Chestnut Expressway and North Airport Drive arterial corridors, and therefore should be removed from the MTP.

Staff also has determined that a future collector from West Chestnut Expressway at North Deer Lake Avenue and extending north to the future east-west collector (extension of West Farm Road 128) would help provide an adequate system of thoroughfares to ensure logical development and efficient movement of people and goods as the area develops in the future, and therefore should be added to the MTP.



There is no budgetary impact to the city with the adoption of the updated plan.

Supports the following City Council Priorities:

- Economic Vitality
- Fiscal Sustainability and Accountability

RECOMMENDATIONS: The Planning and Zoning Commission held a public hearing on July 11, 2024, and recommended approval by a vote of 7 to 1 (“Exhibit 2”). The departments of Public Works and Planning and Development recommend passage of this Resolution.

Submitted By: Martin Gugel, Assistant Director of Public Works

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

Maurice S. Jones, Deputy City Manager 7/25/2024

- Attachments:**
1. Major Thoroughfare Amend_res
 2. Major Thoroughfare Plan Amendments_Exh1
 3. Major Thoroughfare Plan Amendments_Exh2

One-rdg. X
P. Hrngs.
Pgs. 11
Filed: 07-30-24

Sponsored by: Horton

COUNCIL BILL 2024-157 RESOLUTION

A RESOLUTION

1 AMENDING the Major Thoroughfare Plan in the City's Forward SGF Comprehensive
2 Plan, Chapter 9, Transportation & Mobility, by removing a future primary
3 arterial and adding a future collector.
4 _____
5

6 WHEREAS, City Council adopted the Forward SGF Comprehensive Plan, the
7 master plan for development of the City, on November 14, 2022, which contains a Major
8 Thoroughfare Plan; and
9

10 WHEREAS, the Major Thoroughfare Plan ("MTP"), described in Chapter 9,
11 Transportation & Mobility, depicts the major thoroughfares within the City, provides a
12 framework for making decisions on thoroughfare improvements and extensions,
13 identifies approximate locations of future major transportation corridors, and serves as a
14 general guide for securing street rights-of-ways; and
15

16 WHEREAS, future roads are shown in general locations, and actual locations
17 may vary; and
18

19 WHEREAS, the Major Thoroughfare Plan is maintained by the Ozarks
20 Transportation Organization in coordination with member jurisdictions; and
21

22 WHEREAS, the Planning and Zoning Commission and City Council have the
23 authority to amend the Major Thoroughfare Plan per Section 11.6 in the City Charter;
24 and
25

26 WHEREAS, staff has determined that the future primary arterial from South Farm
27 Road 115 (Haseltine Road) and extending northwest then north to West Farm Road 124
28 (West Division) provides cost and approval challenges due to the need for a bridge to
29 span a railroad, access road, and Interstate 44 in close proximity to Exit 72, and
30 provides duplication of function and connectivity to that provided at/near Exit 72 and by
31 the West Chestnut Expressway and North Airport Drive arterial corridors, and therefore
32 should be removed from the MTP; and
33

34 WHEREAS, staff has determined that a future collector from West Chestnut
35 Expressway at North Deer Lake Avenue and extending north to the future east-west

collector (extension of West Farm Road 128) would help provide an adequate system of thoroughfares to ensure logical development and efficient movement of people and goods as the area develops in the future, and therefore should be added to the MTP; and

WHEREAS, the Planning and Zoning Commission held a public hearing on July 11, 2024, and recommended approval of the MTP revisions by a vote of 7 to 1.

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

Section 1 – City Council hereby amends Chapter 9 of the Forward SGF Comprehensive Plan by removing from the Major Thoroughfare Plan the future primary arterial from South Farm Road 115 and extending northwest then north to West Farm Road 124, as depicted on “Exhibit B,” attached hereto and incorporated herein by reference.

Section 2 – City Council hereby amends Chapter 9 of the Forward SGF Comprehensive Plan by adding to the Major Thoroughfare Plan the future collector extending from West Chestnut Expressway at North Deer Lake Avenue to the future east-west collector (extension of West Farm Road 128), as depicted on “Exhibit C,” which is attached hereto and incorporated by reference.

Section 3 – The Director of Planning and Development and the City Clerk are directed to maintain official copies of the Major Thoroughfare Plan in their offices.

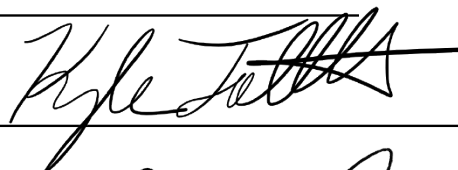
Section 4 – This Resolution shall be in effect immediately upon adoption.

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Resolution: _____

Approved as to form:  _____, Assistant City Attorney

Approved for Council action:  _____, City Manager

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

JULY 11, 2024

August 5, 2024

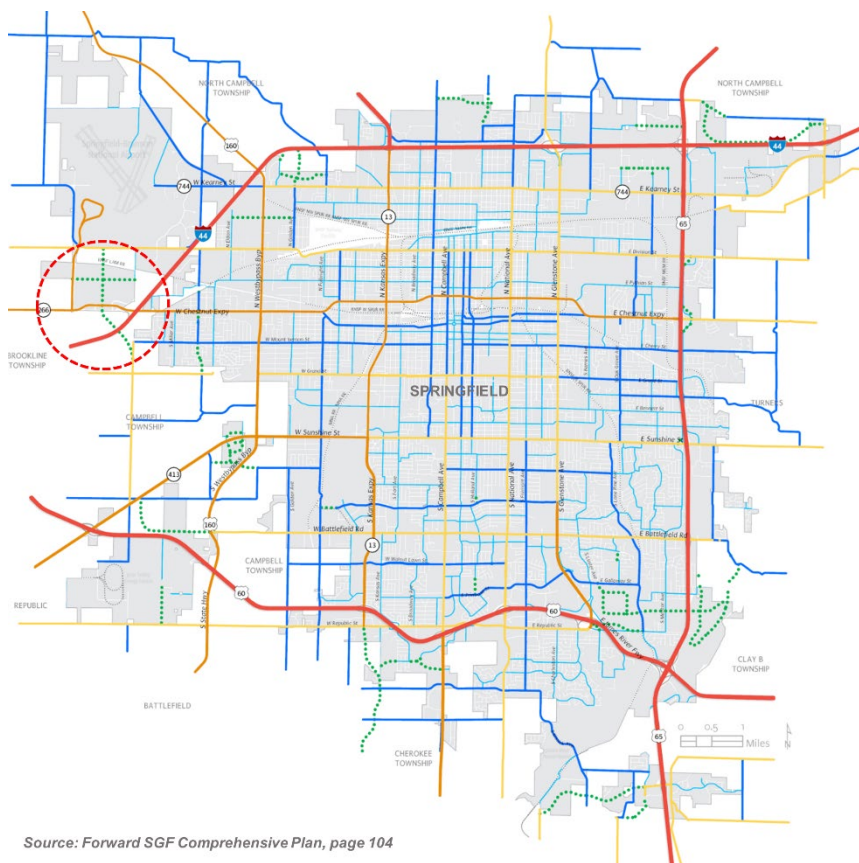
CASE: Major Thoroughfare Plan Amendment

LOCATION: From South Farm Road 115 near West Farm Road 136 and extending northwest then north to West Farm Road 124; from West Chestnut Expressway at North Deer Lake Avenue and extending north to the future collector (extension of West Farm Road 128).

STAFF: Scott Bachman, AICP, 864-1997
[Choose an item.](#)

STAFF RECOMMENDATIONS:
 Approve

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



Source: Forward SGF Comprehensive Plan, page 104

SUMMARY OF REQUEST:

To amend the Major Thoroughfare Plan exhibit on page 104 of the Springfield, Missouri, Forward SGF Comprehensive Plan to (1) remove a future primary arterial from South Farm Road 115 near West Farm Road 136 and extending northwest then north to West Farm Road 124, and (2) add a future collector from West Chestnut Expressway at North Deer Lake Avenue and extending north to the future collector (extension of West Farm Road 128).

FINDINGS FOR STAFF RECOMMENDATIONS:

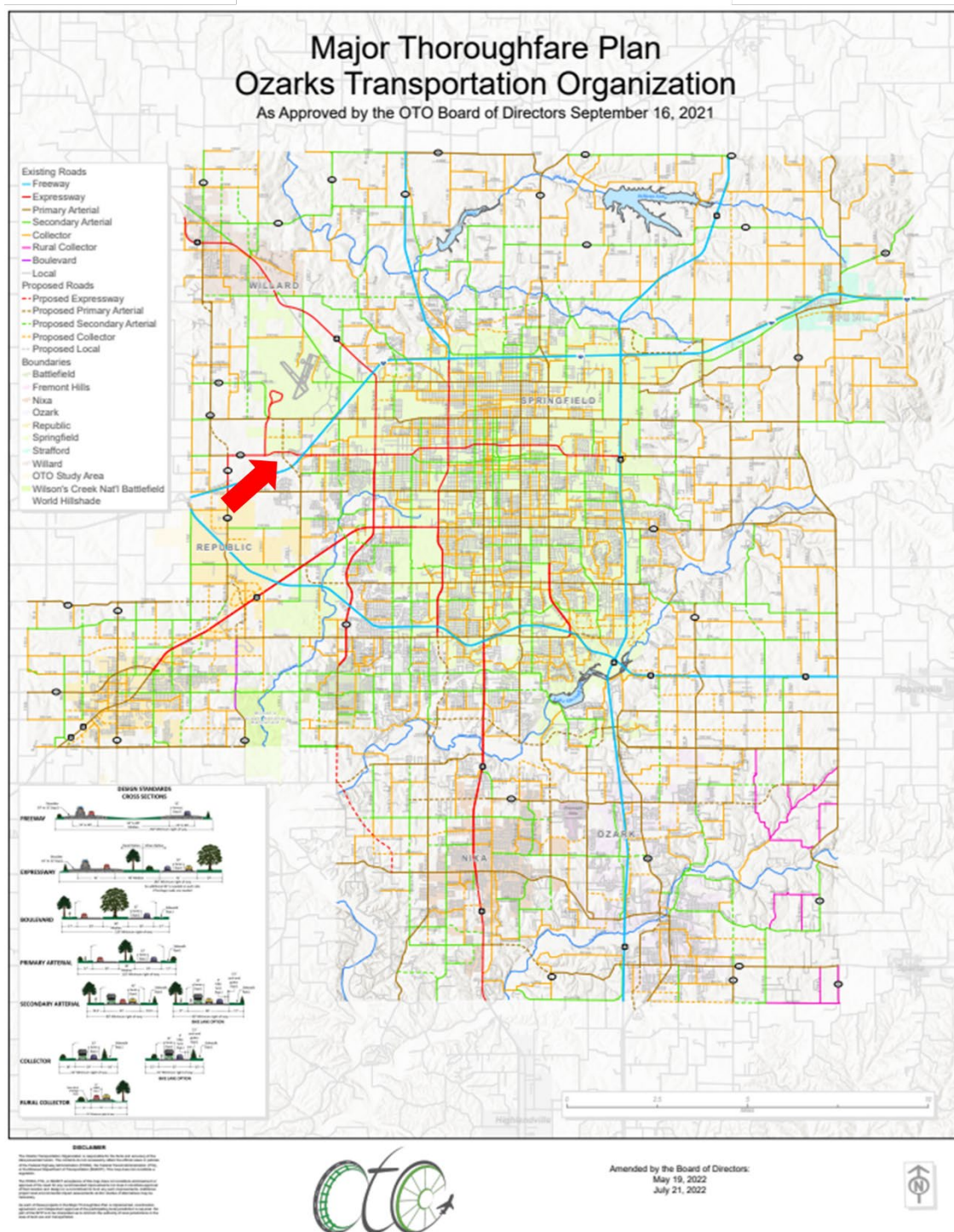
1. The Springfield, Missouri, Forward SGF Comprehensive Plan was adopted by City Council on November 14, 2022. Chapter 9, Transportation & Mobility, describes the Major Thoroughfare Plan on page 102 and depicts the major thoroughfares within the city on page 104.
2. The Major Thoroughfare Plan ("Exhibit A"), as maintained by Ozarks Transportation Organization (OTO) in coordination with member jurisdictions, represents future roadway functions in the region. It provides an overall framework for making decisions on thoroughfare improvements and extensions, identifies approximate locations of future major transportation corridors, and serves as a general guide for securing street rights-of-ways. Future roads are shown in general locations, and the actual locations may vary.
3. The Planning and Zoning Commission and City Council have the authority to amend the Major Thoroughfare Plan per Section 11.6. in the City Charter.
4. Staff has determined that the future primary arterial from South Farm Road 115 near West Farm Road 136 and extending northwest then north to West Farm Road 124 is not a feasible solution due to the need to span a railroad, access road, and Interstate 44 in close proximity to the existing interchange at Exit 72; has been made unnecessary due to the construction of other primary arterials (West Chestnut Expressway and Airport Boulevard) in the same area; and therefore should be removed from the Major Thoroughfare Plan exhibit on page 104 of Forward SGF (refer to "Exhibit B"). Staff also has determined that a future collector from West Chestnut Expressway at North Deer Lake Avenue and extending north to the future collector (extension of West Farm Road 128) would help provide for

Development Review Staff Report

an adequate system of thoroughfares to ensure logical development, ensure efficient movement of people and goods, and therefore should be added to the Major Thoroughfare Plan exhibit on page 104 of Forward SGF (refer to "Exhibit C").

TRANSPORTATION PLAN:

Exhibit A



PLAN AMENDMENTS:

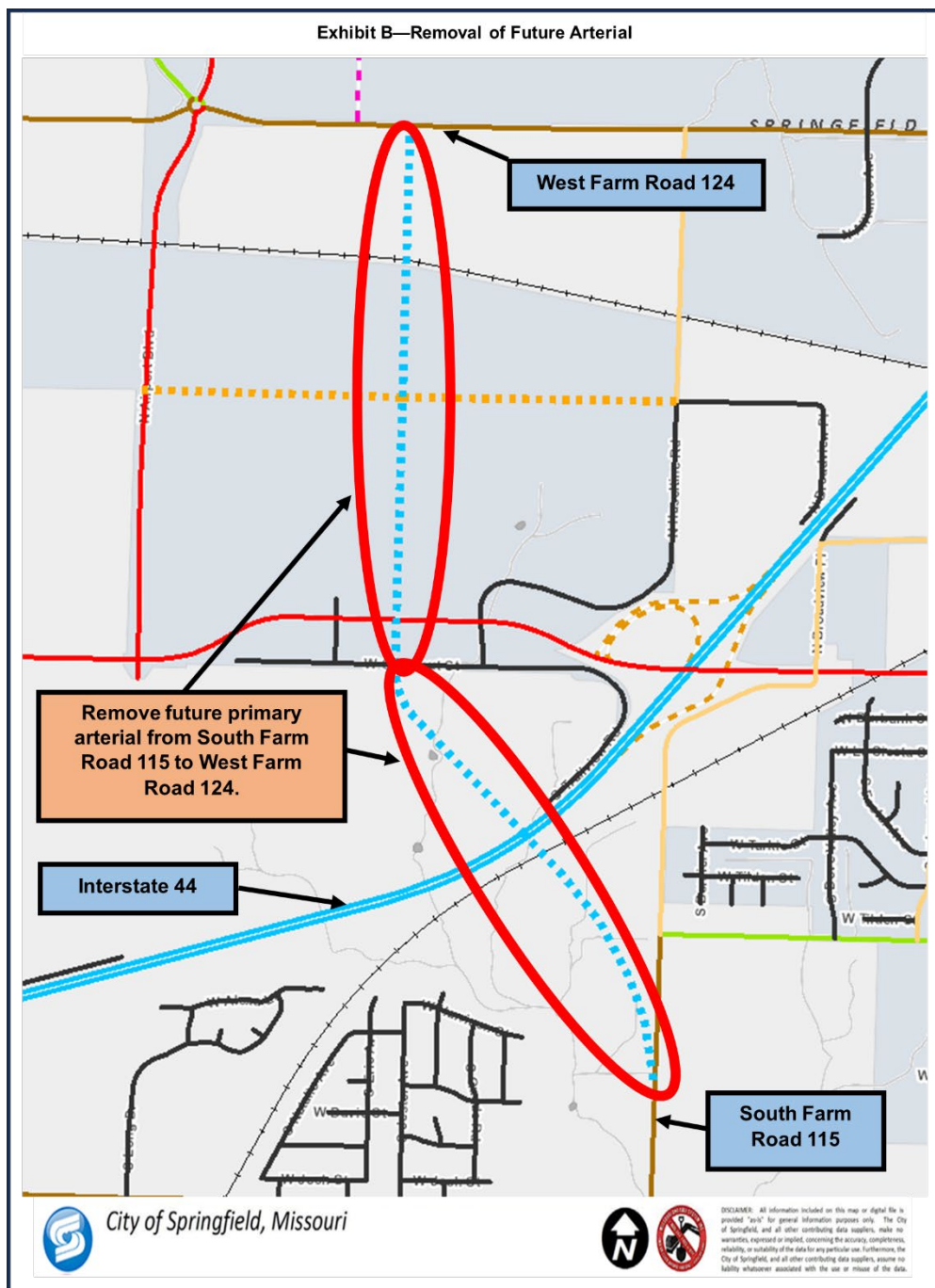
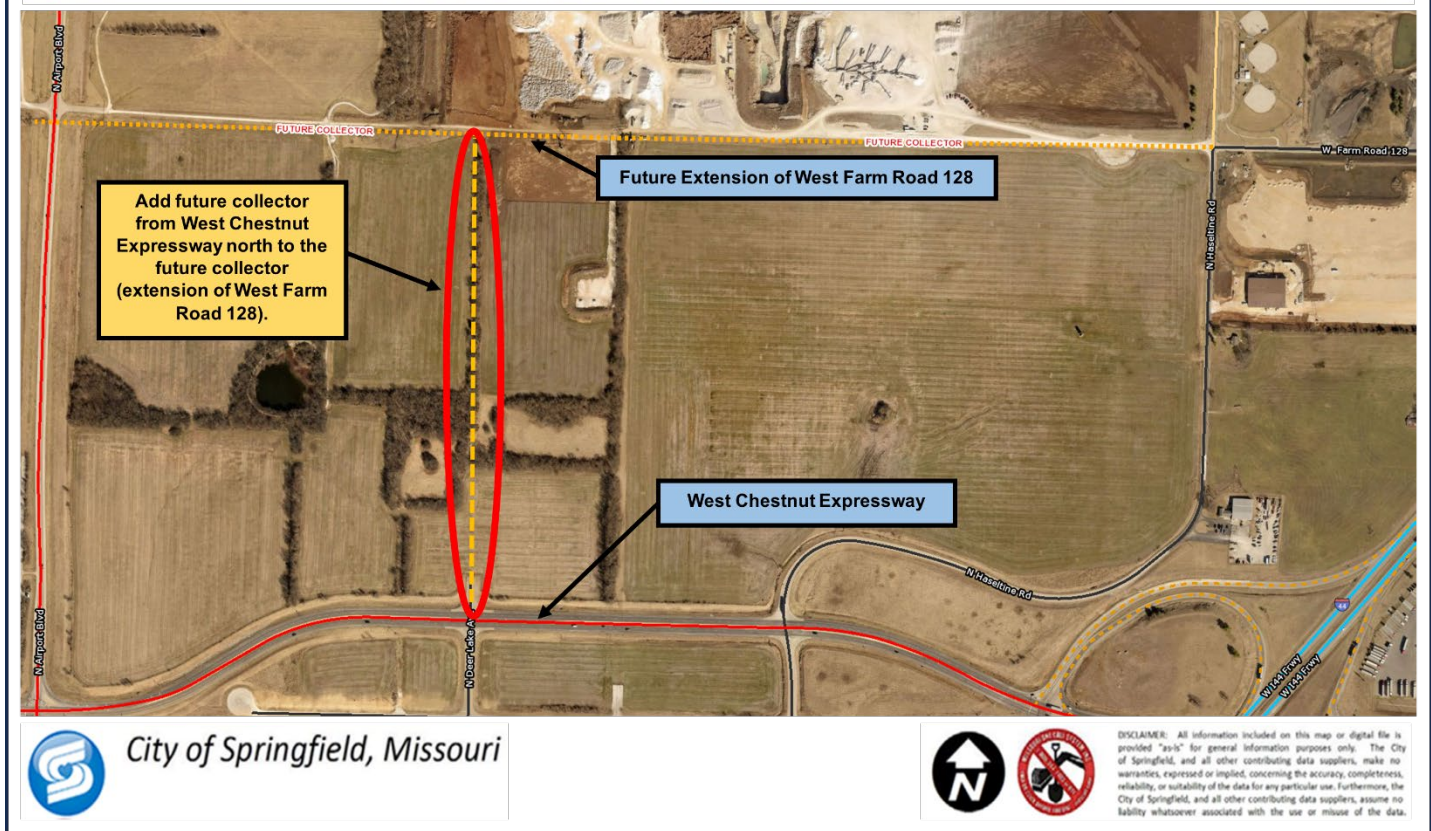


Exhibit C—Addition of Future Collector



COMPREHENSIVE PLAN RECOMENDATIONS:

The Major Thoroughfare Plan should be reviewed at least every five years with amendments adopted by OTO (the designated Metropolitan Planning Organization for the Springfield urbanized area) and the City of Springfield (and other OTO member jurisdictions, as applicable) based on the degree to which the existing and future streets are projected to provide mobility to through traffic and access to adjacent land (page 102).

PLANNING AND ZONING COMMISSION AUTHORITY:

Section 11.2. Planning and zoning commission—Powers and duties.

The city planning and zoning commission shall have the power and shall be required to:

- (1) Prepare and recommend to the city council a master plan, and amendments thereto, for the physical development of the City, as defined in this Article.
- (2) Prepare and recommend regulations pertaining to subdivision and development of land to the city council.
- (3) Review and approve subdivisions and development of land in accordance with the authority and procedures established by the city council.
- (4) Prepare for the city council an official map of the City and make recommendations with respect to proposed changes in such map.
- (5) Review and make recommendations with respect to proposed changes in the zoning ordinance and zoning map.
- (6) Hold public hearings on requests for rezoning, amendments to the zoning ordinance, amendments to the comprehensive plan, and such other planning and zoning matters as may be required by law or the provisions of this Charter. Rules with respect to the conduct of public hearings shall be adopted by the commission.
- (7) Review and recommend proposed capital improvements which in the opinion of the commission are necessary or desirable to be constructed.

- (8) Promote public interest in and understanding of the comprehensive plan and of zoning and planning.
- (9) Perform such other investigations and studies as may be referred to it by the city council or the city manager and make recommendations thereto.
- (10) Meet not less than once each month and keep a public record of its resolutions, findings and determinations.

Section 11.6. Adoption of master plan.

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

Section 11.7. Legal status of master plan.

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

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

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

In the event the commission shall fail to act within thirty days after the date of official submission of a proposal (which date shall be the date that the matter is placed upon the agenda of the commission) to the commission, then the proposal shall be deemed to have been approved by the commission, unless a longer period for review by the

Development Review Staff Report



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.

STAFF COMMENTS:

1. The Springfield, Missouri, Forward SGF Comprehensive Plan was adopted by City Council on November 14, 2022. Chapter 9, Transportation & Mobility, describes the Major Thoroughfare Plan on page 102 and depicts the major thoroughfares within the city on page 104.
2. The Major Thoroughfare Plan ("Exhibit A"), as maintained by Ozarks Transportation Organization (OTO) in coordination with member jurisdictions, represents future roadway functions in the region. It provides an overall framework for making decisions on thoroughfare improvements and extensions, identifies approximate locations of future major transportation corridors, and serves as a general guide for securing street rights-of-ways. Future roads are shown in general locations, and the actual locations may vary.
3. Regarding the properties through which the future primary arterial was generally proposed, those located south of Interstate 44 and immediately north of Interstate 44 are owned by several different property owners and are within the jurisdiction of Greene County.
4. The properties within the area bounded by Chestnut Expressway to the south, Airport Boulevard to the west, the BNSF Railway to the north, and Haseltine Road to the east (as well as those immediately south of Chestnut Expressway and some immediately west of Airport Boulevard) all are owned by one property owner and are zoned Planned Development. These properties have access to other primary arterials (West Chestnut Expressway and North Airport Boulevard), so the future primary arterial would be unnecessarily redundant. However, the proposed future north/south collector, in conjunction with the existing future east/west collector, would help ensure efficient movement of people and goods through the area.
5. Missouri State Statute Chapter 89.400.1 requires a municipality to file a certified copy of any adopted major street plan in the office of the county recorder. The city will file a copy of the Major Thoroughfare Plan with the Greene County Recorder's office upon adoption by the Planning & Zoning Commission and the Springfield City Council.

NEIGHBORHOOD MEETING:

A neighborhood meeting is not required.

PUBLIC NOTIFICATIONS:

The public notice was advertised in the Daily Events at least 15 days prior to the public hearing.

RECORD OF PROCEEDINGS
Planning and Zoning Commission – July 11, 2024

Major Thoroughfare Plan Amendments

From South Farm Road 115 near West Farm Road 136 and proceeding northwest then north to West Farm Road 124 (Missouri Route EE) and from West Chestnut Expressway (Missouri Route 266) at North Deer Lake Avenue and extending north to the future collector (extension of West Farm Road 128).

Applicant: City of Springfield

Mr. Scott Bachman stated that this is a request for two amendments (1) removal of future primary arterial from South Farm Road 115 and proceeding northwest then north to West Farm Road 124, and (2) addition of future collector from West Chestnut Expressway at North Deer Lake Avenue and extending north to the future collector (extension of West Farm Road 128).

Mr. Bachman noted that it will be maintained by Ozarks Transportation Organization (OTO), in coordination with member jurisdictions, and that City of Springfield's portion of MTP contained within Forward SGF Comprehensive Plan. Proposed amendments being considered by both City of Springfield and Greene County. Staff recommends approval.

Mr. Doennig asked about the number of land owners in the north south proposed section of the thoroughfare.

Mr. Bachman noted where there is one owner for one section and several owners of the other section.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to Major Thoroughfare Plan Amendments, Commissioner Pauly seconded the motion. It Passed with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: Commissioner Doennig. Absent: Commissioner Scott. Abstain: None.



Bob Hosmer, AICP
Planning Manager



EXPLANATION TO COUNCIL BILL 2024-169 (JENSON, HARDINGER, AND MCG

FILED: 08/02/2024

ORIGINATING DEPARTMENT: City Clerk

TITLE: A resolution expressing support for the residents of Jenny Lind Hall, encouraging the U.S. Department of Housing and Urban Development (HUD) to investigate Millennia Management for compliance with federal law, and, in the event that HUD discovers violations, urging it to exercise all enforcement options necessary to remediate such violations.

PURPOSE: Based on issues being brought forward to City Council by residents of Jenny Lind Hall, Councilmember Brandon Jenson requested a resolution be created expressing support for the residents of Jenny Lind Hall, encouraging the U.S. Department of Housing and Urban Development (HUD) to investigate Millennia Management for compliance with federal law, and, in the event that HUD discovers violations, urging it to exercise all enforcement options necessary to remediate such violations.

BACKGROUND INFORMATION:

Submitted By: Jordan Paul, City Attorney

Authorized for inclusion on the agenda pursuant to City Code section 2-33:
Jason Gage, City Manager 8/2/2024

Attachments: 1. Res RE Jenny Lind Hall (002)

One-rdg. X
P. Hrngs.
Pgs. 3
Filed: 08/02/24

Sponsored by: Jenson, Hardinger, McGull

COUNCIL BILL 2024-169 RESOLUTION

A RESOLUTION

1 EXPRESSING SUPPORT for the residents of Jenny Lind Hall, encouraging the U.S.
2 Department of Housing and Urban Development (HUD) to investigate
3 Millennia Management for compliance with federal law, and, in the event
4 that HUD discovers violations, urging it to exercise all enforcement options
5 necessary to remediate such violations.
6 _____

7
8 WHEREAS, Jenny Lind Hall is an apartment building located at 711 South
9 Jefferson Avenue and describes itself as “an apartment community for those 62 and
10 older, or those with disabilities”; and
11

12 WHEREAS, Jenny Lind Hall is owned by Jenny Lind MO, LLC, the organizer of
13 which is Frank T. Sinito; and
14

15 WHEREAS, Mr. Sinito owns or controls the companies commonly referred to as
16 Millennia Management and has an ownership interest in over two hundred multifamily
17 properties insured and/or subsidized by the Federal Housing Administration and subject
18 to the Department of Housing and Urban Development (HUD) Regulatory Agreement
19 for Multifamily Projects, which, upon information and belief, includes Jenny Lind Hall;
20 and
21

22 WHEREAS, HUD recently suspended and proposed debarment of Mr. Sinito and
23 Millennia Management from future participation in procurement and nonprocurement
24 transactions as participants or principals with HUD and throughout the Executive
25 Branch of the Federal Government for a five year period; and
26

27 WHEREAS, beginning no later than February 12, 2024, the residents of Jenny
28 Lind Hall and their advocates have consistently expressed concerns with the
29 maintenance of the property, the most significant of which is that both elevators have
30 been non-functional and has resulted in the relocation of residents; and
31

32 WHEREAS, the City has investigated said complaints and identified violations of
33 the City Code, specifically the International Property Maintenance Code. The City has
34 notified Millennia Management of said violations and attempted to work with it to correct
35 the same, including the issuance of a courtesy letter on February 2, 2024 and an

abatement order on June 10, 2024; and

WHEREAS, Millenia Management has failed to correct said violations; and

WHEREAS, during the foregoing process, the City has obtained reason to believe that Millenia Management has failed to comply with applicable federal law, namely regulations specific to HUD-insured and/or subsidized properties. Among other violations, the City is concerned that Millennia Management has not complied with the Uniform Relocation Act; and

WHEREAS, the City has adopted Quality Housing as a priority.

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

Section 1 – The City Council hereby expresses its support for the residents of Jenny Lind Hall and encourages the U.S. Department of Housing and Urban Development (HUD) to investigate Frank T. Sinito, Millennia Management, Jenny Lind MO, LLC, and any other person with ownership or control of Jenny Lind Hall, for compliance with federal law. In the event that HUD discovers violations, City Council urges HUD to exercise all enforcement options necessary to remediate such violations.

Section 2 – The City Manager is hereby authorized and directed to provide a copy of this Resolution to the U.S. Department of Housing and Urban Development. The City Manager is further authorized and directed to include a copy of relevant City documents reflecting the City's code enforcement efforts related to Jenny Lind Hall, the relevancy of which is left to the discretion of the City Manager.

Section 3 – This Resolution shall be in effect from and after passage.

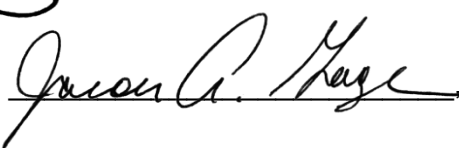
Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Resolution: _____

Approved as to form:  _____, City Attorney

Approved for Council action:  _____, City Manager



EXPLANATION TO COUNCIL BILL 2024-158 (MCGULL)

FILED: 07/17/2024

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 acres of property generally located at 3110 East Cherry Street from GR, General Retail, with Conditional Overlay District 158, to GR, General Retail, with Conditional Overlay District No. 255; and adopting an updated Official Zoning Map. (By: B&T Commercial Properties LLC; 3110 East Cherry Street; Z-19-2024 w/ COD 255.)

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 5 acres of property generally located at 3110 East Cherry Street from GR, General Retail with Conditional Overlay District No. 158 to GR, General Retail with Conditional Overlay District No. 255. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-19-2024/ CONDITIONAL OVERLAY DISTRICT NO. 255

The applicant is requesting to rezone approximately 5 acres of property generally located at 3110 East Cherry Street from GR, General Retail with Conditional Overlay District No. 158 to GR, General Retail with Conditional Overlay District No. 255.

REMARKS: The applicant is requesting to rezone approximately 5 acres of property generally located at 3110 East Cherry Street from GR, General Retail with Conditional Overlay District No. 158 to GR, General Retail with Conditional Overlay District No. 255. The applicant intends to build an expansion of the existing commercial dog park. This addition would exceed the limitation of indoor building square footage of 6,000 square feet required by existing COD No. 158.

The proposed Conditional Overlay District removes the limitation on indoor building square footage while maintaining all other provisions. The base GR district will remain with this application. The Planning and Zoning Commission held a public hearing on July 11, 2024, and recommended approval, 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 5 acres of property generally located at 3110 East Cherry Street from GR, General Retail with Conditional Overlay

District No. 158 to GR, General Retail with Conditional Overlay District No. 255. The applicant intends to build an expansion of the existing commercial dog park. This addition would exceed the limitation of indoor building square footage of 6,000 square feet required by existing COD No. 158.

2. The proposed Conditional Overlay District removes the limitation on indoor building square footage while maintaining all other provisions. The base GR district will remain with this application.

3. This application is consistent with the Business Flex placetype which is intended for 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 GR uses, which would allow more commercial sales and services that is intended to complement the existing uses in the area.

4. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.

5. There are few changing conditions in the area affected that make the proposed rezoning necessary. Minor development of property within the vicinity has been occurring.

6. The range of uses in the proposed GR district is compatible with the uses permitted on other property in the immediate vicinity.

7. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.

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

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

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

STAFF RECOMMENDATION: Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Business Flex 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:

Maurice S. Jones, Deputy City Manager 7/25/2024

- Attachments:**
1. Z-19-2024 COD 255 - 3110 East Cherry Street_Ord
 2. Z-19-2024 COD 255_exhA
 3. Z-19-2024 COD 255_exhB
 4. Z-19-2024 COD 255_exhC
 5. Z-19-2024 COD 255_exhD

One-rdg. _____
P. Hrngs. X
Pgs. 24
Filed: 07-30-24

Sponsored by: McGull

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024- 158

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official
2 zoning map and rules for interpretation,' by rezoning approximately
3 5 acres of property generally located at 3110 East Cherry Street
4 from GR, General Retail, with Conditional Overlay District 158, to
5 GR, General Retail, with Conditional Overlay District No. 255; and
6 adopting an updated Official Zoning Map.
7 _____
8

9 WHEREAS, an application has been filed for a zoning change of the property
10 generally located at 3110 East Cherry Street from GR, General Retail District with
11 Conditional Overlay District 158 to GR, General Retail District, and establishing
12 Conditional Overlay District No. 255; and
13

14 WHEREAS, Conditional Overlay District No. 255 shall modify the requirements of
15 the Springfield Land Development Code Section 36-421, General Retail District, by
16 requiring that the property described in "Exhibit B" comply with the requirements
17 described in "Exhibit A," both attached hereto and incorporated herein by this reference;
18 and
19

20 WHEREAS, following proper notice, the Planning and Zoning Commission held a
21 public hearing on July 11, 2024, a copy of the Record of Proceedings from said public
22 hearing being attached hereto and incorporated herein by this reference as "Exhibit C,"
23 and said Commission made its recommendation; and
24

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

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

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

Section 1 – The property described in "Exhibit B" is hereby rezoned from GR, General Retail District, with Conditional Overlay District No. 158 to GR, General Retail District, with Conditional Overlay District No. 255. 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. 255, which shall contain the requirements and standards provided in “Exhibit A.” The requirements of Conditional Overlay District No. 255 shall modify the requirements of the Springfield Land Development Code Section 36-421, General Retail District, by requiring the property described in “Exhibit B” to comply with the requirements contained in “Exhibit A.”

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

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

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

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance:

Approved as to form: Naura Valdez, Assistant City Attorney

Approved for Council action: Chas. Li Page, City Manager

EXHIBIT A

PROVISIONS FOR CONDITIONAL OVERLAY DISTRICT NO. 255

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

1. Uses – All uses in the GR, General Retail District as per Section 36-421 of the *Springfield Zoning Ordinance*, are prohibited except the following:
 - (a) Accessory uses permitted by section 36-450
 - (f) Churches and other places of worship, including parish houses and Sunday schools but excluding overnight shelters
 - (h) Commercial off-street parking lots and structures.
 - (k) Eating and drinking establishments use group
 - (u) Public and private parks
 - (x) Retail sales use group
 - (gg) Veterinary clinics, animal hospitals, pet daycare services, pet grooming facilities and kennels. Veterinary clinics, animal hospitals, pet daycare services, pet grooming facilities and kennels. No outside activities shall be permitted for kennels. Veterinary clinics, animal hospitals, pet daycare services and pet grooming facilities may have supervised outside activities, which are defined as having a single animal under the physical control of an individual. All outside activity spaces shall be fully enclosed and screened from adjacent residential uses, districts and all public rights-of-way with a six-foot tall barrier that is in conformance with subsection 36-480(3). No outside activity spaces shall be located within 25 feet of any residential use or district, and all animal waste shall be collected and disposed of on a daily basis.

EXHIBIT B
LEGAL DESCRIPTION

ALL OF LOT ONE (1) IN CHERRY HILLS VILLAGE SUBDIVISION, A SUBDIVISION IN
GREENE COUNTY, MISSOURI.

EXHIBIT C
RECORD OF PROCEEDING – July 11, 2024

Z-19-2024 COD 255
3110 East Cherry Street
Applicant: B&T Commercial Properties, LLC

Mr. Michael Sparlin stated that this is a request to rezone approximately 5 acres of property from GR, General Retail with Conditional Overlay District No. 158 to GR, General Retail with Conditional Overlay District No. 255.

Mr. Nathan Adams, 3213 W. Bypass and here to answer any questions.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Z-19-2024 COD 255, Commissioner Doennig seconded the motion. It Passed with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles, Commissioner Doennig. Nays: None. Absent: Commissioner Scott. Abstain: None.



Bob Hosmer, AICP
Planning Manager



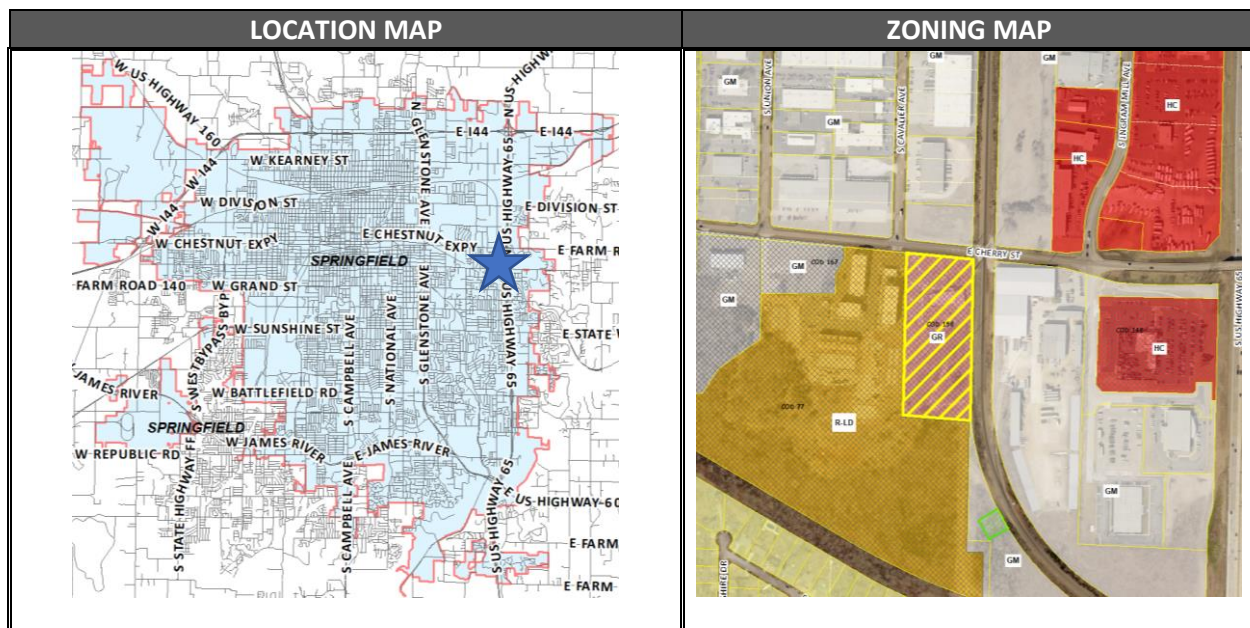
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-19-2024 with Conditional Overlay District No. 255
Location:	3110 East Cherry Street
Total Acres:	5 acres
Applicant:	B & T Commercial Properties LLC
Existing Land Use:	Commercial Dog Park
Neighborhood Meeting:	June 20, 2024
Planning and Zoning Commission:	July 11, 2024
City Council:	August 5, 2024
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-19-2024 with Conditional Overlay District No. 255 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 acres of property generally located at 3110 East Cherry Street from GR, General Retail with Conditional Overlay District No. 158 to GR, General Retail with Conditional Overlay District No. 255.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property was a portion of a larger property and was rezoned to R-LD with COD No. 77 in October 2014. The other areas that were included in the rezoning were zoned to GM and HC with the COD No. 77.

The subject property was rezoned to the existing zoning in November 2018.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

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

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

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR GR DISTRICT
Use Limitations	(a) All outdoor automobile parking areas used for the purpose of retail or wholesale storage or sale of motorized or commercial vehicles shall be prohibited. Other outdoor activities that are not specifically permitted may only be allowed as an accessory use to the permitted uses as provided in subsection 36-421(2), permitted uses, as follows: 1. If any portion of the premises abuts any residential zoning district, the outdoor activities may be permitted, provided they meet the provisions of, and a conditional use permit is issued pursuant to Section 36-363, conditional use permits, of this

DEVELOPMENT REVIEW STAFF REPORT

	article. A building permit(s) showing compliance with all applicable codes and ordinances may be required as determined by the director of building development services. 2. If the premises abuts only nonresidential zoning districts, the outdoor activities may be permitted. A conditional use permit will not be required. A building permit(s) showing compliance with all applicable codes and ordinances may be required as determined by the director of building development services. (b) No outdoor storage except as provided in subsection 36-421(2), permitted uses, and subsection 36-421(3), conditional uses. (c) All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards. (d) No use shall emit an odor that creates a nuisance as determined by Springfield City Code. (e) Uses on parcels not served by public water and public sewer shall meet the requirements of subsection 36-303(22). (f) Streets through an adjacent residential area shall not be used to provide principal access for truck traffic to any nonresidential use in this district except on streets classified as expressways, arterials, or collectors.
Minimum Lot Size	Not applicable to the GR, General Retail District
Maximum Height	Not applicable to the GR, General Retail District
Bulk Plane	All structures shall remain below a 30-degree bulk plane as measured from the boundaries of R-SF or R-TH districts.
Minimum Yard Requirements	Front yards – 25 feet when fronting on a street classified as collector or higher, or as required by Section 36-453, Supplemental open space, and yard regulations. 15 feet when fronting a street classified as local, or as required by Section 36-453. 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 if a preliminary plat is approved in accordance with the City's subdivision regulations. Side yards – None, except as required by Section 36-453 and the bufferyard requirements contained in Section 36-482, Landscaping and bufferyards. Rear yards – None, except as required by the bufferyard requirements contained in Section 36-482.

DEVELOPMENT REVIEW STAFF REPORT

Minimum Open Space	Not less than 20 percent of the gross site 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, storage, loading and other paved areas and internal streets or areas containing plants for display and sale. Open space shall contain living ground cover and other landscaping materials.
Design Requirements	(a) A site plan, meeting the requirements of Section 36-360, Site plan review, shall be submitted and approved. (b) A landscape plan, meeting the requirements of Sections 36-482 and 36-483, Off-street parking and loading design standards, shall be submitted, and approved. (c) Off-street parking and vehicular use areas shall be screened from all residential uses, in accordance with Section 36-480, Screening and fencing. (d) Refuse storage areas shall be screened from view in accordance with Section 36-480. (e) Mechanical and electrical equipment, including air conditioning units, shall be screened from view in accordance with Section 36-480. (f) Lighting shall be designed to reflect away from any adjacent residential area and in accordance with Section 36-484, Lighting standards. (g) Accessory buildings and structures shall meet the requirements of Section 36-450, Accessory structures and uses.
Buffering and Landscaping	Future development must comply with the interior and perimeter landscaping requirements, as applicable to a future site plan, per subsections 36-482 (9) (a) and (b), unless the property owner opts to utilize the point system described in subsection 36-482 (10) instead.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property within the Business Flex placetype.

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property within 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

DEVELOPMENT REVIEW STAFF REPORT

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

DEVELOPMENT REVIEW STAFF REPORT

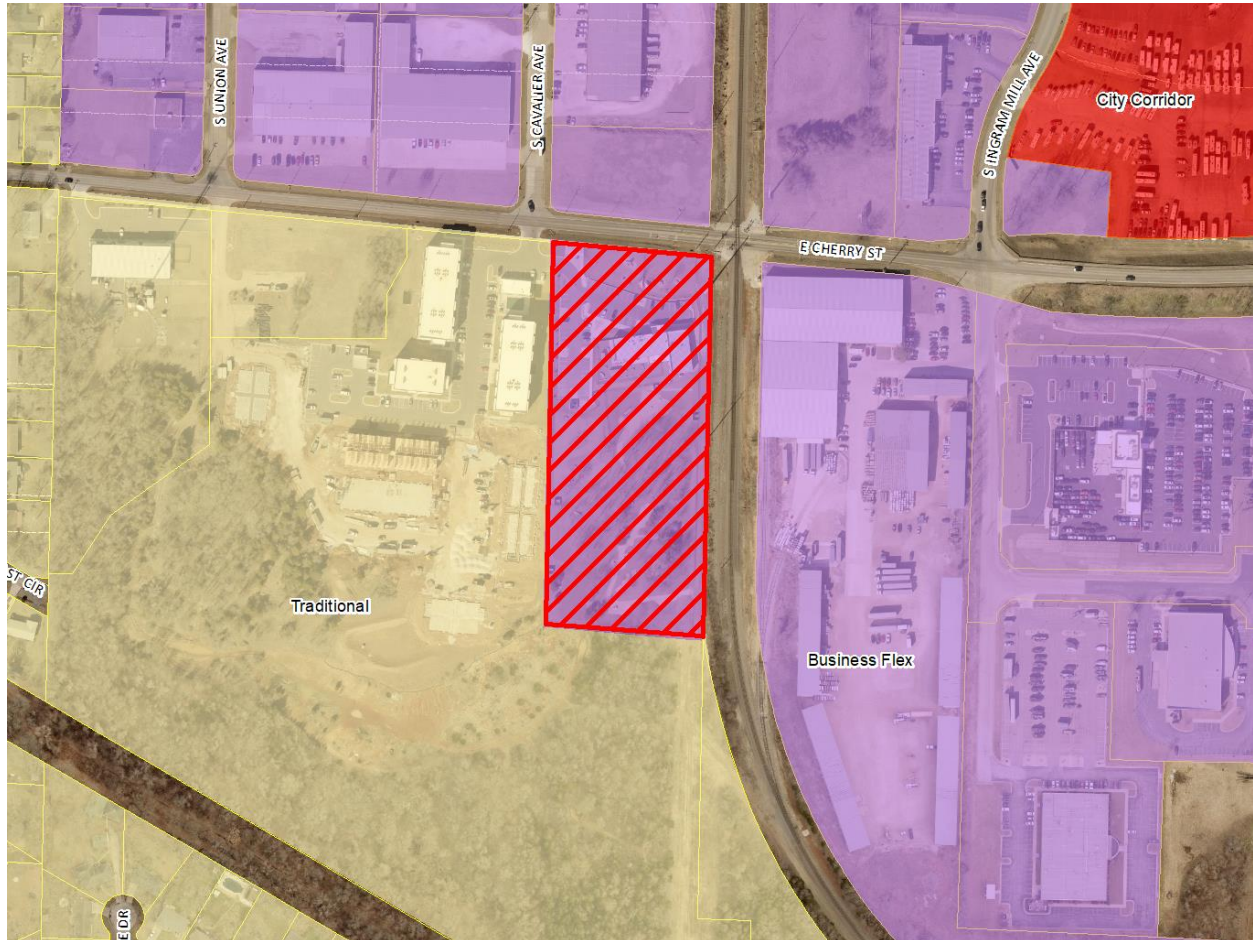
- Perimeter landscaping screens surface parking lots that accommodate the high number of employees, vehicles, delivery, and large truck traffic.
- Outside storage, auto oriented, or light industrial uses are screened from view from the right-of-way.
- Use of quality materials, construction methods, workmanship, 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:



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

- **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype
- **Supporting Land Use:**
Less prevalent and serve to support the primary land use.
- ◇ **Low Intensity Supporting Land Use:**
Less prevalent and serve to support the primary use at neighborhood scale

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	GM	R-LD COD 77	GM	R-LD COD 77
LAND USE	Detention basin, warehouse	Undeveloped land	Railroad right- of-way, warehouse	Multi-family apartments
PLACETYPES	Business Flex	Traditional neighborhood	Business Flex	Traditional neighborhood

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:

	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. Cherry Street	Secondary Arterial	City	35	35	NA	No	Yes	Yes

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 Trails 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.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

The property is in the **Jordan Creek South Branch** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is not** aware of flooding problems in the local or downstream area. The city **is** 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**.

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 site is using the G073 Sinkhole for Flood Control.

WATER QUALITY REQUIREMENTS

1. The existing site uses two Vegetated Filter Strips to provide for the water quality requirements. Future proposed development must maintain the VFS or replace the SCMs with equal or greater valued SCMs.

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

DEVELOPMENT REVIEW STAFF REPORT

N/A

SINKHOLES & KARST FEATURES

1. The South side of the property is within the boundary and base flood elevation of the G073 Sinkhole. The North side of the property is within the boundary and base flood elevation of the G601 Sinkhole. The previous development of the site has mapped and provided a Geotechnical Report for both sinkholes. All future development needs to adhere to the Report's findings.



DEVELOPMENT REVIEW STAFF REPORT

ADDITIONAL STORMWATER REQUIREMENTS

1. Stormwater Control Measures are the responsibility of the property owner or property owners' association to maintain, repair, and update unless the agreement is made with the City to operate. Operation and maintenance agreements are required for any permanent stormwater control measures.

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 5 acres of property generally located at 3110 East Cherry Street from GR, General Retail with Conditional Overlay District No. 158 to GR, General Retail with Conditional Overlay District No. 255. The applicant intends to build an expansion of the existing commercial dog park. This addition would exceed the limitation of indoor building square footage of 6,000 square feet required by existing COD No. 158.
2. The proposed Conditional Overlay District removes the limitation on indoor building square footage while maintaining all other provisions. The base GR district will remain with this application.
3. This application is consistent with the Business Flex placetype which is intended for 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 GR uses which would allow more commercial sales and services that is intended to complement the existing uses in the area.
4. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.
5. There are few changing conditions in the area affected that make the proposed rezoning necessary. Minor development of property within the vicinity has been occurring.
6. The range of uses in the proposed GR district is compatible with the uses permitted on other property in the immediate vicinity.
7. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
8. The impact of the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity.
9. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
10. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

DEVELOPMENT REVIEW STAFF REPORT

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. 255

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

1. Uses – All uses in the GR, General Retail District as per Section 36-421 of the *Springfield Zoning Ordinance*, are prohibited except the following:
 - (a) Accessory uses permitted by section 36-450
 - (f) Churches and other places of worship, including parish houses and Sunday schools but excluding overnight shelters
 - (h) Commercial off-street parking lots and structures.
 - (k) Eating and drinking establishments use group
 - (u) Public and private parks
 - (x) Retail sales use group
 - (gg) Veterinary clinics, animal hospitals, pet daycare services, pet grooming facilities and kennels. Veterinary clinics, animal hospitals, pet daycare services, pet grooming facilities and kennels. No outside activities shall be permitted for kennels. Veterinary clinics, animal hospitals, pet daycare services and pet grooming facilities may have supervised outside activities, which are defined as having a single animal under the physical control of an individual. All outside activity spaces shall be fully enclosed and screened from adjacent residential uses, districts and all public rights-of-way with a six-foot tall barrier that is in conformance with subsection 36-480(3). No outside activity spaces shall be located within 25 feet of any residential use or district, and all animal waste shall be collected and disposed of on a daily basis.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: General Retail with COD No. 158 to General Retail with COD NO 253
(existing zoning) (proposed zoning)
2. Meeting Date & Time: June 2 020244 - 80p
3. Meeting Location: 3110 E Cherry St
4. Number of invitations that were sent: 22
5. How the mailing list was generated: 32
6. Number of neighbors in attendance (attach a sign-in sheet): 1
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

Mr. Roberts was curious about what was being built. He had no concerns with the proposed expansion.

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

None

I, Nathan Adams (print name), attest that the neighborhood meeting was held on June 20, 2024 (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

Nathan A. Adams

Printed name of person completing affidavit



EXPLANATION TO COUNCIL BILL 2024-159 (SIMPSON)

FILED: 07/18/2024

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 0.73 acres of property generally located at 2456 East Sunshine Street from Planned Development 136, to GR, General Retail District; establishing Conditional Overlay District No. 254; and adopting an updated Official Zoning Map. (By: Thomas Edward Gregorski; 2456 East Sunshine Street; Z-18-2024 w/ Conditional Overlay District No. 254.)

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.73 acres of property generally located at 2456 East Sunshine Street from Planned Development 136 amended to GR, General Retail District with Conditional Overlay District No. 254. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-18-2024/ CONDITIONAL OVERLAY DISTRICT NO. 254

The applicant is requesting to rezone approximately 0.73 acres of property generally located at 2456 East Sunshine Street from Planned Development 136 amended to GR, General Retail District with Conditional Overlay District No. 254. The applicant intends to develop an eating and drinking establishment.

REMARKS: The applicant is requesting to rezone approximately 0.73 acres of property generally located at 2456 East Sunshine Street from Planned Development 136 amended to GR, General Retail District with Conditional Overlay District No. 254. The applicant intends to develop an eating and drinking establishment. This application allows for a more streamlined development process than the Planned Development.

The Planning and Zoning Commission held a public hearing on July 11, 2024, and recommended approval, 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 0.73 acres of property generally located at 2456 East Sunshine Street from Planned Development 136 amended to GR, General Retail District with Conditional Overlay District No. 254. The applicant intends

to develop an eating and drinking establishment. This application allows for a more streamlined development process than the Planned Development.

2. This application is consistent with the City Corridor placetype which 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.

3. There is a sinkhole located on the property. The COD requires a sinkhole plan to be approved by the Director of Public Works.

4. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.

5. There are a few changing conditions in the area affected that make the proposed rezoning necessary. Minor development of property within the vicinity has been occurring.

6. The range of uses in the proposed GR district is compatible with the uses permitted on other property in the immediate vicinity.

7. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.

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

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

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

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



Submitted By: Michael Sparlin, Senior City Planner

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

Maurice S. Jones, Deputy City Manager 7/25/2024

- Attachments:**
1. Z-18-2024 COD 254 - 2456 East Sunshine Street_Ord
 2. Z-18-2024 COD 254_exhA
 3. Z-18-2024 COD 254_exhB
 4. Z-18-2024 COD 254_exhC
 5. Z-18-2024 COD 254_exhD

One-rdg. _____
P. Hrngs. X
Pgs. 24
Filed: 07-30-24

Sponsored by: Simpson

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-159

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official
2 zoning map and rules for interpretation,' by rezoning approximately
3 0.73 acres of property generally located at 2456 East Sunshine
4 Street from Planned Development 136, to GR, General Retail
5 District; establishing Conditional Overlay District No. 254; and
6 adopting an updated Official Zoning Map.
7 _____
8

9 WHEREAS, an application has been filed for a zoning change of the property
10 generally located at 2456 East Sunshine Street from Planned Development 136, to GR,
11 General Retail District, and establishing Conditional Overlay District No. 254; and
12

13 WHEREAS, Conditional Overlay District No. 254 shall modify the requirements of
14 the Springfield Land Development Code Section 36-421, General Retail District, by
15 requiring that the property described in "Exhibit B" comply with the requirements
16 described in "Exhibit A," both attached hereto and incorporated herein by this reference;
17 and
18

19 WHEREAS, following proper notice, the Planning and Zoning Commission held a
20 public hearing on July 11, 2024, a copy of the Record of Proceedings from said public
21 hearing being attached hereto and incorporated herein by this reference as "Exhibit C,"
22 and said Commission made its recommendation; and
23

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

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

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

34 Section 1 – The property described in "Exhibit B" is hereby rezoned from
35 Planned Development 136, to GR, General Retail District, with Conditional Overlay
36 District No. 254. Springfield Land Development Code, Section 36-306, 'Official zoning
37 map and rules for interpretation,' is hereby amended, changed, and modified consistent
38 with this Ordinance.

39
40 Section 2 – City Council hereby establishes Conditional Overlay District No. 254,
41 which shall contain the requirements and standards provided in "Exhibit A." The
42 requirements of Conditional Overlay District No. 254 shall modify the requirements of
43 the Springfield Land Development Code Section 36-421, General Retail District, by
44 requiring the property described in "Exhibit B" to comply with the requirements
45 contained in "Exhibit A."

46
47 Section 3 – City Council hereby directs the City Manager, or designee, to update
48 the City's digital zoning map to reflect this rezoning, and City Council adopts the map
49 thereby amended as the Official Zoning Map of Springfield, Missouri, as provided for in
50 the Springfield Land Development Code, Section 36-306, 'Official zoning maps and
51 rules of interpretation.'

52
53 Section 4 – The Official Zoning Map herein adopted shall be maintained and
54 archived in the same digital form in which this Council has approved its adoption.

55
56 Section 5 – This Ordinance shall be in full force and effect from and after
57 passage.

58
59 Passed at meeting: _____

60
61 _____
62 Mayor

63
64 Attest: _____, City Clerk

65
66 Filed as Ordinance: _____

67
68 Approved as to form: Laura Vales, Assistant City Attorney

69
70
71 Approved for Council action: Juan C. Hage, City Manager
72

EXHIBIT A

PROVISIONS FOR CONDITIONAL OVERLAY DISTRICT NO. 254

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

1. A sinkhole plan stating how the site's sinkhole will be treated in any development of the property must be approved by the Director of Public Works.

EXHIBIT B
LEGAL DESCRIPTION

Lot One (1), Except the West 50 feet thereof, in Lone Pine Place, a subdivision in the City of Springfield, Greene County, Missouri according to the recorded plat thereof

EXHIBIT C
RECORD OF PROCEEDING – July 11, 2024

Z-18-2024 COD 254
2456 East Sunshine Street
Applicant: Thomas Edward Gregoroski

Mr. Michael Sparlin stated that this is a request to rezone approximately 0.73 acres of property from Planned Development 136 amended to GR, General Retail District with Conditional Overlay District No. 254.

Mr. Nathan Adams, 3213 W. Bypass and here to answer any questions, noting that they are going to be normal setbacks.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Z-18-2024 COD 254, Commissioner Pauly seconded the motion. It Passed with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles, Commissioner Doennig. Nays: None. Absent: Commissioner Scott. Abstain: None.



Bob Hosmer, AICP
Planning Manager



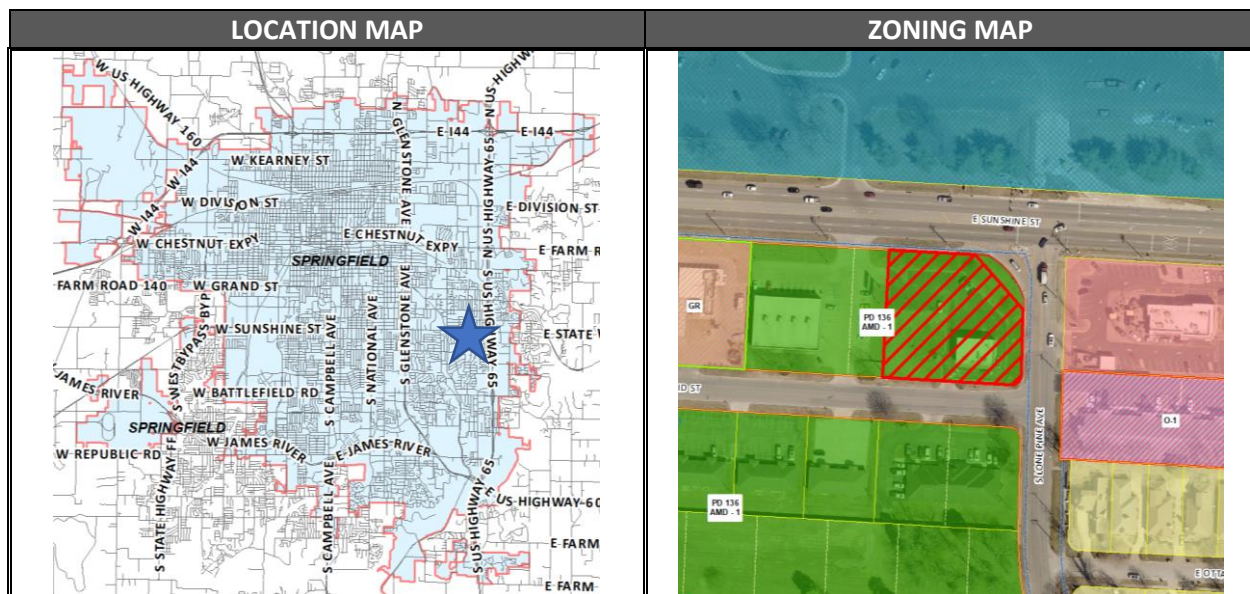
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-18-2024 with Conditional Overlay District No. 254
Location:	2456 East Sunshine Street
Total Acres:	0.73 acres
Applicant:	Thomas Edward Gregoroski
Existing Land Use:	Restaurant
Neighborhood Meeting:	June 20, 2024
Planning and Zoning Commission:	July 11, 2024
City Council:	August 5, 2024
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-19-2024 with Conditional Overlay District No. 254 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).

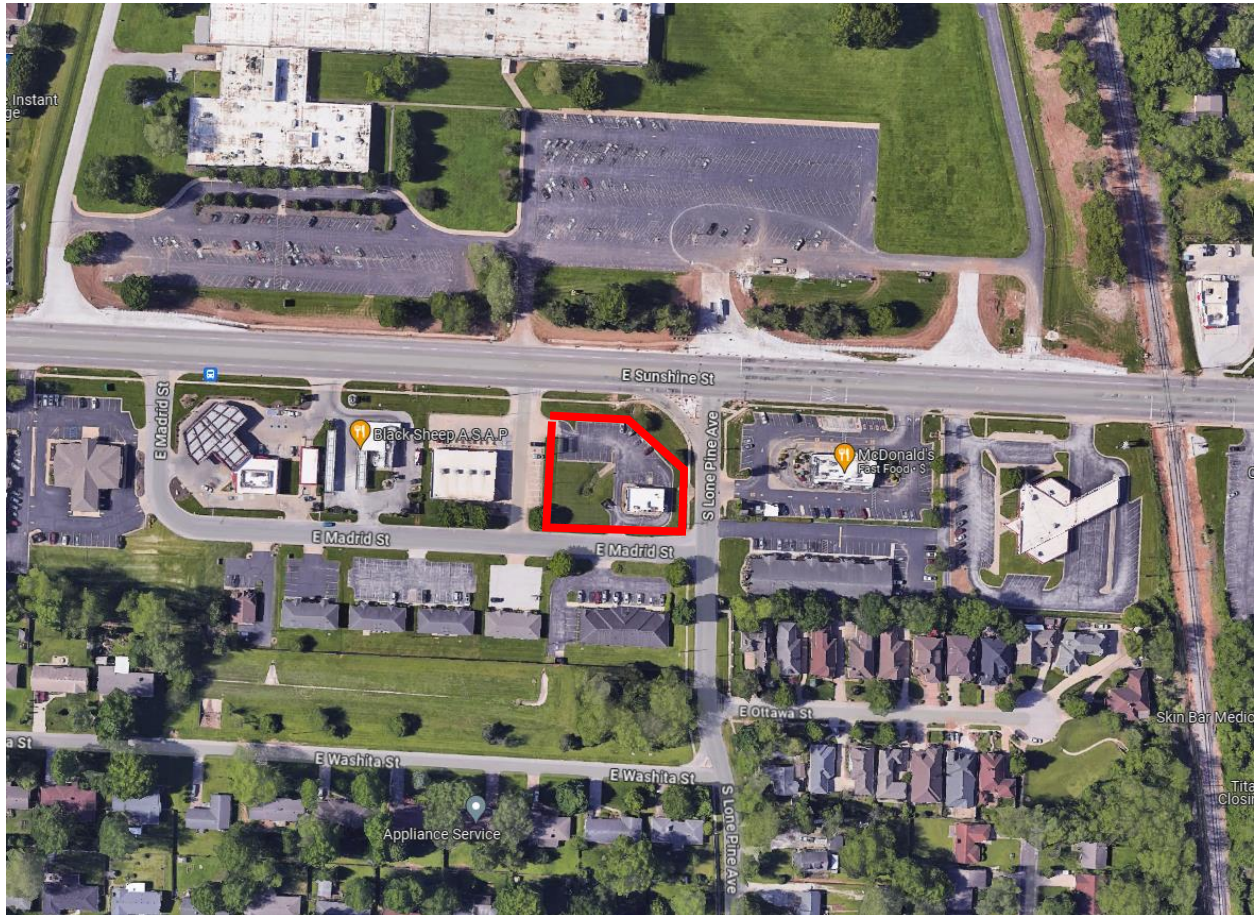
PROJECT SUMMARY:

Request to rezone approximately 0.73 acres of property generally located at 2456 East Sunshine Street from Planned Development 136 amended to GR, General Retail District with Conditional Overlay District No. 254.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property was rezoned to Planned Development 136 amended in February 2001.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

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

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

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR GR DISTRICT
Use Limitations	(a) All outdoor automobile parking areas used for the purpose of retail or wholesale storage or sale of motorized or commercial vehicles shall be prohibited. Other outdoor activities that are not specifically permitted may only be allowed as an accessory use to the permitted uses as provided in subsection 36-421(2), permitted uses, as follows: 1. If any portion of the premises abuts any residential zoning district, the outdoor activities may be permitted, provided they meet the provisions of, and a conditional use permit is issued pursuant to Section 36-363, conditional use permits, of this article. A building permit(s) showing compliance with all applicable codes and ordinances may be

DEVELOPMENT REVIEW STAFF REPORT

	required as determined by the director of building development services. 2. If the premises abuts only nonresidential zoning districts, the outdoor activities may be permitted. A conditional use permit will not be required. A building permit(s) showing compliance with all applicable codes and ordinances may be required as determined by the director of building development services. (b) No outdoor storage except as provided in subsection 36-421(2), permitted uses, and subsection 36-421(3), conditional uses. (c) All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards. (d) No use shall emit an odor that creates a nuisance as determined by Springfield City Code. (e) Uses on parcels not served by public water and public sewer shall meet the requirements of subsection 36-303(22). (f) Streets through an adjacent residential area shall not be used to provide principal access for truck traffic to any nonresidential use in this district except on streets classified as expressways, arterials, or collectors.
Minimum Lot Size	Not applicable to the GR, General Retail District
Maximum Height	Not applicable to the GR, General Retail District
Bulk Plane	All structures shall remain below a 30-degree bulk plane as measured from the boundaries of R-SF or R-TH districts.
Minimum Yard Requirements	Front yards – 25 feet when fronting on a street classified as collector or higher, or as required by Section 36-453, Supplemental open space, and yard regulations. 15 feet when fronting a street classified as local, or as required by Section 36-453. 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 if a preliminary plat is approved in accordance with the City's subdivision regulations. Side yards – None, except as required by Section 36-453 and the bufferyard requirements contained in Section 36-482, Landscaping and bufferyards. Rear yards – None, except as required by the bufferyard requirements contained in Section 36-482.
Minimum Open Space	Not less than 20 percent of the gross site area shall be devoted to open space, including required yards and

DEVELOPMENT REVIEW STAFF REPORT

	bufferyards unless modified in accordance with subsection 36-482 (15). Open space shall not include areas covered by buildings, structures, parking, storage, loading and other paved areas and internal streets or areas containing plants for display and sale. Open space shall contain living ground cover and other landscaping materials.
Design Requirements	(a) A site plan, meeting the requirements of Section 36-360, Site plan review, shall be submitted and approved. (b) A landscape plan, meeting the requirements of Sections 36-482 and 36-483, Off-street parking and loading design standards, shall be submitted, and approved. (c) Off-street parking and vehicular use areas shall be screened from all residential uses, in accordance with Section 36-480, Screening and fencing. (d) Refuse storage areas shall be screened from view in accordance with Section 36-480. (e) Mechanical and electrical equipment, including air conditioning units, shall be screened from view in accordance with Section 36-480. (f) Lighting shall be designed to reflect away from any adjacent residential area and in accordance with Section 36-484, Lighting standards. (g) Accessory buildings and structures shall meet the requirements of Section 36-450, Accessory structures and uses.
Buffering and Landscaping	Future development must comply with the interior and perimeter landscaping requirements, as applicable to a future site plan, per subsections 36-482 (9) (a) and (b), unless the property owner opts to utilize the point system described in subsection 36-482 (10) instead.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property within 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

DEVELOPMENT REVIEW STAFF REPORT

stations, hotels, national retailers, movie theaters, smaller offices, and a variety of support services.

Primary Land Uses:

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

Supporting Land Uses:

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

Characteristics

TRANSPORTATION & 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, pedestrian and bicycle infrastructure, and automated vehicle parking and loading spaces are integrated along major corridors, installed at key destinations, and incorporated into private 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.
- Transit service is expanded along key commercial corridors over the long term with bus stops enhanced with shelters and live timetables.

URBAN DESIGN - BUILDING AND SITE TYPOLOGY:

- Residential development and commercial buildings should be oriented to the street.
- Parking should be located behind or beside the primary buildings with abundant landscaping and screening to encourage greater interest and interaction between the adjoining street and the building, that contributes to community-wide quality of place.
- Pedestrian pathways within large parking lots provide safe access to business entrances.
- A greater focus on site design, parking access, massing, and building orientation are adopted to ensure development that is complementary to adjacent lower density residential development.
- Multi-story buildings designed with active ground floor spaces should be visible and inviting to increase a vibrant pedestrian environment.
- 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.

DEVELOPMENT REVIEW STAFF REPORT

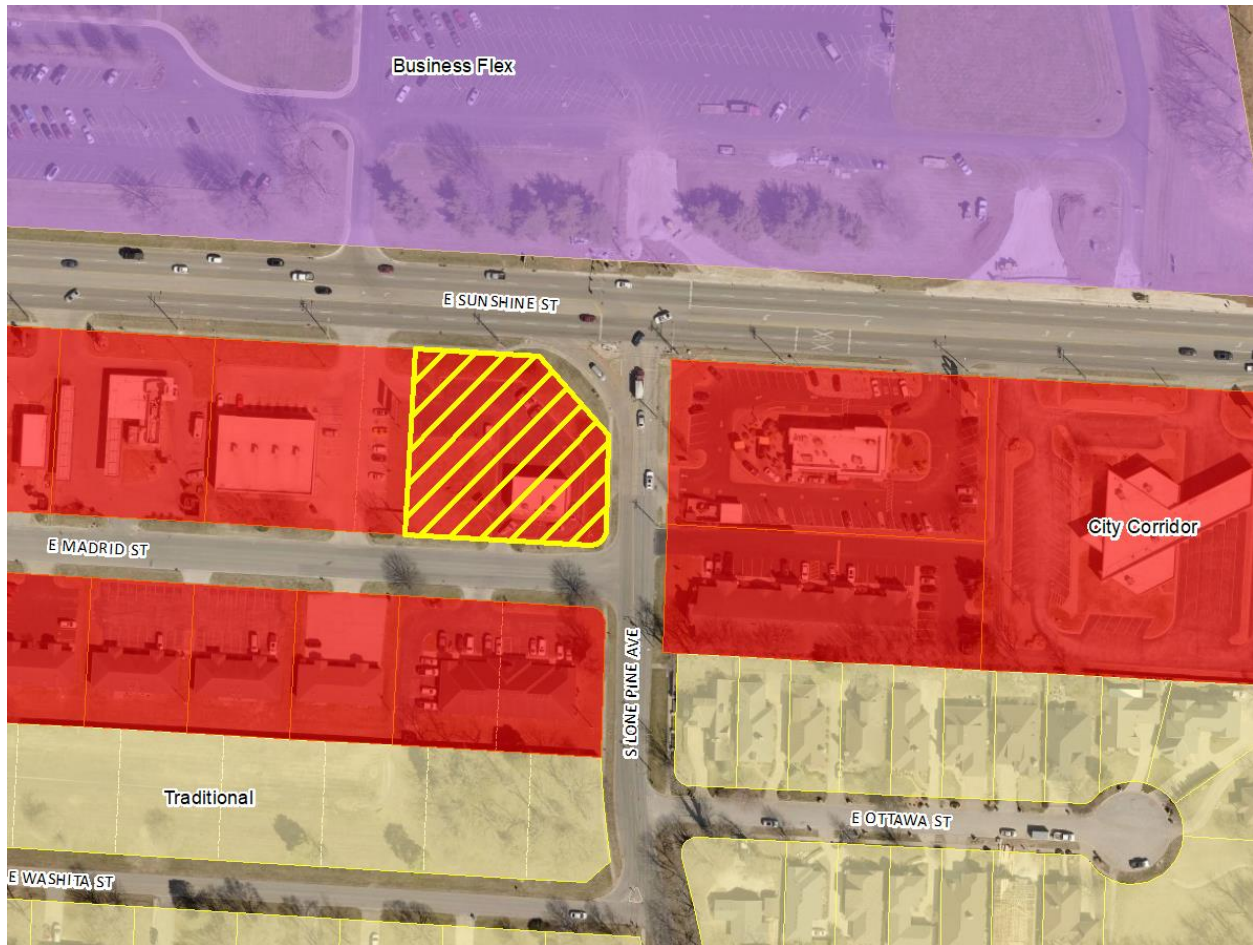
- Lighting, landscaping, signage, mail, and delivery accommodations should also be proactively incorporated into the site design.
- Design should avoid the placement of mechanical equipment along major roadways or should be completely screened, along with adequate spacing for storage of waste receptacles.
- 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.
- Encourage code adjustments regarding parking minimums instead of parking maximums.

TRANSITIONS:

- Office and multifamily uses can be placed on the periphery of the placetype to transition into adjacent lower density residential Placetypes.
- Higher density residential development should be integrated along existing commercial corridors in need of reinvestment, transitioning aging commercial properties to new uses and focusing future commercial development at high activity nodes.
- Commercial and higher density residential is sufficiently screened and buffered between low-density residential development.
- Multi-story buildings should be sited and designed to reduce the impact on adjacent lower intensity residential development.

DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:



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

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

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

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

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	IC COD 184	PD 136 amd	GR	PD 136 amd
LAND USE	Industrial use	Office use	McDonalds	Retail sales
PLACETYPES	Business Flex	City Corridor	City Corridor	City Corridor

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:

	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. Sunshine Street	Primary Arterial	MoDOT	50	50	34,270	No	Yes	Yes
Street 2	S. Lone Pine Avenue	Secondary Arterial	City	35	30	7,480	No	Yes	Yes
Street 3	E. Madrid Street	Local	City	30	30	NA	No	No	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 Trails near the property. There are two (2) bus stops on Sunshine Street near the property.

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

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

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 **is not applicable because detention is already provided**.

PW Stormwater requires the following language added to the COD from the PD136-1A.

"A sinkhole plan, stating how the site's sinkholes will be treated in the upcoming development, must be approved by the Director of Public Works."

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 for Flood Control is provided by the regional basin for the Lone Pine Place Subdivision.

WATER QUALITY REQUIREMENTS

DEVELOPMENT REVIEW STAFF REPORT

N/A

FLOODPLAIN

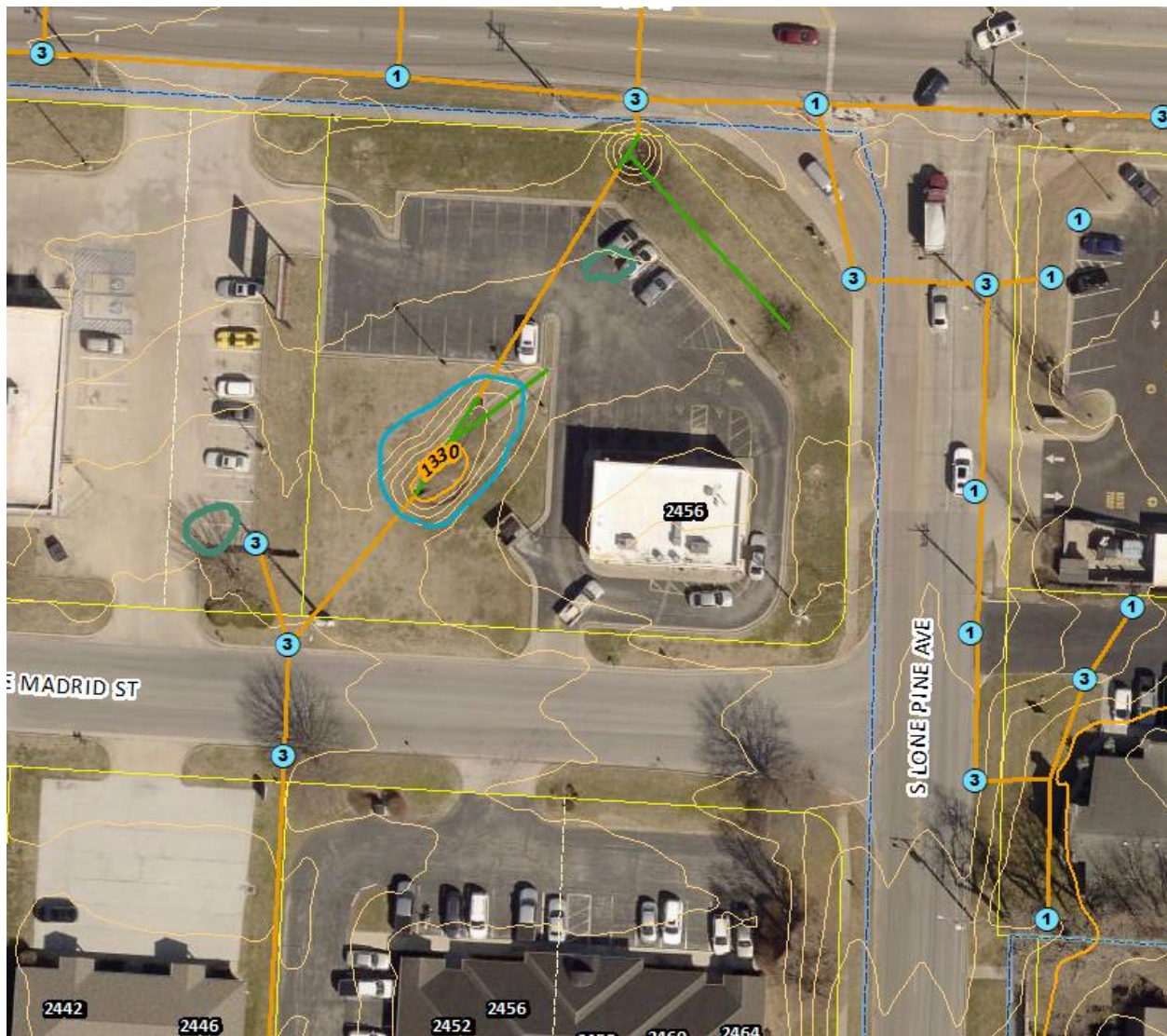
N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

SINKHOLES & KARST FEATURES

1. The original lot contains three sinkholes. Two of the sinkholes were remediated with guidance from Palmerton and Parrish. These sinkholes were covered built over with a parking area but recommended not to have any structures built on top. The third larger sinkhole is serving as a junction point for a connecting the street drainage pipe and the on-site storm sewer to the downstream storm sewer. This area should not be disturbed and needs to be maintained to continue the flow of the runoff.



DEVELOPMENT REVIEW STAFF REPORT

ADDITIONAL STORMWATER REQUIREMENTS

1. Stormwater Control Measures are the responsibility of the property owner or property owners' association to maintain, repair, and update unless the agreement is made with the City to operate. Operation and maintenance agreements are required for any permanent stormwater control measures.

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 0.73 acres of property generally located at 2456 East Sunshine Street from Planned Development 136 amended to GR, General Retail District with Conditional Overlay District No. 254. The applicant intends to develop an eating and drinking establishment. This application allows for a more streamlined development process than the Planned Development.
2. This application is consistent with the City Corridor placetype which 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.
3. There is a sinkhole located on the property. The COD requires a sinkhole plan be approved by the Director of Public Works.
4. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.
5. There are few changing conditions in the area affected that make the proposed rezoning necessary. Minor development of property within the vicinity has been occurring.
6. The range of uses in the proposed GR district is compatible with the uses permitted on other property in the immediate vicinity.
7. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
8. The impact of the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity.
9. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
10. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

STAFF RECOMMENDATION:

DEVELOPMENT REVIEW STAFF REPORT

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

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. 254

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

1. A sinkhole plan stating how the site's sinkhole will be treated in any development of the property must be approved by the Director of Public Works.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

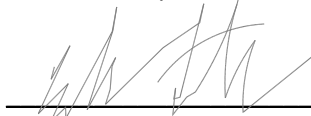
1. Request change to zoning from: PD 136 to General Retail
(existing zoning) (proposed zoning)
2. Meeting Date & Time: June 20, 2024 - 4 - 6:30p
3. Meeting Location: 2747 E Sunshine St, Springfield, MO 65804 - Fellowship Hall, Entrance
4. Number of invitations that were sent: 60
5. How the mailing list was generated: 69
6. Number of neighbors in attendance (attach a sign-in sheet): 2
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 concerns were mentioned.

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

N/A

I, Caleb Freeland (print name), attest that the neighborhood meeting was held on 6/20/2024 (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

Caleb Freeland

Printed name of person completing affidavit



EXPLANATION TO COUNCIL BILL 2024-160 (JENSON)

FILED: 07/17/2024

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 5.4 acres of property generally located at 817 West El Camino Alto Drive from R-LD, Low-Density Multi-Family Residential District, with Conditional Overlay District 214, to O-1, Office District; establishing Conditional Overlay District No. 253; and adopting an updated Official Zoning Map. (By: Ridge HZ55, LLC; 817 West El Camino Alto Drive; Z-17-2024 with Conditional Overlay District No. 253.)

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 5.4 acres of property generally located at 817 West El Camino Alto Drive from R-LD, Low-Density Multi-Family Residential District with COD 214 to O-1, Office District and establishing Conditional Overlay District No. 253. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-17-2024/ CONDITIONAL OVERLAY DISTRICT NO. 253

The applicant is requesting to rezone the subject property, generally located at 817 W. El Camino Alto Drive from R-LD, Low-Density Multi-Family Residential District with COD 214 to O-1, Office District and establishing Conditional Overlay District No. 253. The applicant intends to develop a senior living facility.

REMARKS: The Planning and Zoning Commission held a public hearing on July 11, 2024, 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 within the City Corridor placetype.
2. 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. The proposed office district would permit the proposed senior living facility development which is a support service use in this placetype.

3. The O-1 Office District is intended to be a restrictive district for low intensity office or professional uses which may be located outside the center city adjacent to any of the residential districts, with appropriate buffers and landscaping so as not to create an adverse effect on adjacent residential areas.

4. The proposed Conditional Overlay District will provide additional buffering and height restrictions to the single-family neighborhood to the west. Certain use limitations are also included in the COD. These are similar restrictions that are in the current COD No. 214.

5. The applicant is not proposing any changes to the existing gate between Quail Creek Subdivision and Ward Branch Subdivision. The gate is located in public right-of-way and is controlled and maintained by Public Works.

6. The subject property is located along El Camino Alto and Buena Vista, which are classified as collector roadways.

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

9. The range of uses in the proposed O-1 district and COD are compatible with the uses permitted on other property in the immediate vicinity and in the City Corridor placetype.

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 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. This property and others in the Ward Branch Subdivision have been provided with streets and infrastructure to support the proposed development as required by a traffic study.



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.

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

Submitted By: Daniel Neal, Senior City Planner

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

Maurice S. Jones, Deputy City Manager 7/25/2024

Attachments:

1. Z-17-2024 COD 253 - 817 West El Camino Alto Drive_Ord
2. Z-17-2024 COD 253_exhA
3. Z-17-2024 COD 253_exhB
4. Z-17-2024 COD 253_exhC
5. Z-17-2024 COD 253_exhD

One-rdg. _____
P. Hrngs. X
Pgs. 25
Filed: 07-30-24

Sponsored by: Jenson

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-160

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official
2 zoning map and rules for interpretation,' by rezoning approximately
3 5.4 acres of property generally located at 817 West El Camino Alto
4 Drive from R-LD, Low-Density Multi-Family Residential District, with
5 Conditional Overlay District 214, to O-1, Office District; establishing
6 Conditional Overlay District No. 253; and adopting an updated
7 Official Zoning Map.
8 _____
9

10 WHEREAS, an application has been filed for a zoning change of the property
11 generally located at 817 West El Camino Alto Drive from R-LD, Low-Density Multi-
12 Family Residential District with Conditional Overlay District 214, to O-1, Office District,
13 and establishing Conditional Overlay District No. 253; and
14

15 WHEREAS, Conditional Overlay District No. 253 shall modify the requirements of
16 the Springfield Land Development Code Section 36-400, Office District, by requiring that
17 the property described in "Exhibit B" comply with the requirements described in "Exhibit
18 A," both attached hereto and incorporated herein by this reference; and
19

20 WHEREAS, following proper notice, the Planning and Zoning Commission held a
21 public hearing on July 11, 2024, a copy of the Record of Proceedings from said public
22 hearing being attached hereto and incorporated herein by this reference as "Exhibit C,"
23 and said Commission made its recommendation; and
24

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

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

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

34 Section 1 – The property described in "Exhibit B" is hereby rezoned from R-LD,
35 Low-Density Multi-Family Residential District with Conditional Overlay District 214, to O-
36 1, Office District, with Conditional Overlay District No. 253. Springfield Land
37 Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' is
38 hereby amended, changed, and modified consistent with this Ordinance.
39

40 Section 2 – City Council hereby establishes Conditional Overlay District No. 253,
41 which shall contain the requirements and standards provided in "Exhibit A." The
42 requirements of Conditional Overlay District No. 253 shall modify the requirements of
43 the Springfield Land Development Code Section 36-400, Office District, by requiring the
44 property described in "Exhibit B" to comply with the requirements contained in "Exhibit
45 A."
46

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

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

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

59 Passed at meeting: _____
60

61 _____
62 Mayor
63

64 Attest: _____, City Clerk
65

66 Filed as Ordinance: _____
67

68 *Laura Vales*
69 Approved as to form: _____, Assistant City Attorney
70

71 *Jason A. Hays*
72 Approved for Council action: _____, City Manager

EXHIBIT A
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-17-2024 COD 253

The requirements of Section 36-420. of the Springfield Zoning Ordinance shall be modified herein for development within this district to include the following:

1. A type C bufferyard, following section 36-482, Landscaping and bufferyards, of Zoning Ordinance will be placed on the west property line with a six-foot wood privacy fence. This bufferyard must include an additional six evergreen trees for every 100 feet of bufferyard length, for a total of eight evergreen trees per 100 feet of length.
2. All structures within 400 feet of the west property line shall be limited to a maximum height of one story above finished grade.
3. No community amenities – including but not limited to pools, dog walks, trash dumpsters or other common space – shall be permitted within 100 feet of the west property line.

EXHIBIT B
LEGAL DESCRIPTION

ALL OF LOT THREE (3), FINAL PLAT OF THE RIDGE AT WARD BRANCH-PHASE 2,
A SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI
ACCORDING TO THE FINAL PLAT IN PLAT BOOK AAA, AT PAGE 685, FILED IN
THE RECORDER'S OFFICE, GREENE COUNTY, MISSOURI.

EXHIBIT C
RECORD OF PROCEEDINGS
Planning and Zoning Commission – July11, 2024

Z-17-2024 COD 253
817 West El Camino Alto Drive
Applicant: Ridge HZ55, LLC)

Bruce Colony recused himself.

Mr. Hosmer stated that this is a request to rezone approximately 5.4 acres of property generally from R-LD, Low-Density Multi-Family Residential District with COD 214 to O-1, Office District and establishing Conditional Overlay District No. 253.

Mr. Dave Bodeen, 304 W. Erie Street stated that they are planning on a residential care 55 plus facility and will be designed for the west half of the property and the current owner wants to split the property and sell off the eastern half. At the neighborhood meeting, they seemed to be receptive to the development and no major concerns or problems as this will be a one-story structure and noted they are keeping the buffer yard along the west side.

Ms. Melanie Steck, 4638 S. Quail Creek and is pleased with the proposed development noting that her neighborhood is trending towards being older and that it will be a one-story building and is in support of the development.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commission Board Member Knuckles moved to approve Z-17-2024 COD 253

Commissioner Pauly seconded the motion. It Passed with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Lebeck, Commissioner Knuckles, Commissioner Doennig. Nays: None. Absent: Commissioner Scott. Abstain: None.
Commissioner Colony recused himself.



Bob Hosmer, AICP
Planning Manager

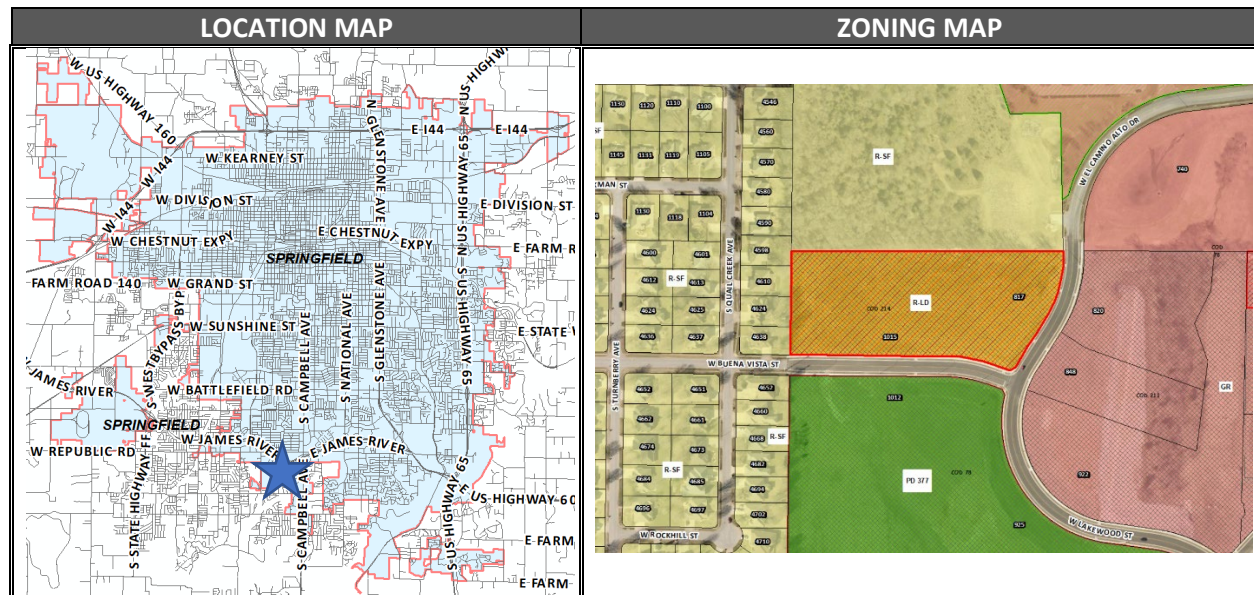


DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION	
Case Number:	Z-17-2024 with Conditional Overlay District No. 253
Location:	817 West El Camino Alto Drive
Total Acres:	5.4 acres
Applicant:	Ridge HZ55, LLC
Existing Land Use:	Vacant/undeveloped
Neighborhood Meeting:	June 18, 2024
Planning and Zoning Commission:	July 11, 2024
City Council:	August 5, 2024
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-17-2024 with Conditional Overlay District No. 253 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 5.4 acres of property generally located at 817 W. El Camino Alto Drive from R-LD, Low-Density Multi-Family Residential District with COD 214 to O-1, Office District and establishing Conditional Overlay District No. 253.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



PROPERTY HISTORY:

This subject property had been zoned O-1, Office District with COD 78 since the property was preliminary platted in 2018; however, it was rezoned to R-LD with COD 200 in 2021 and most recently rezoned to R-LD with COD 214 in 2022.

DEVELOPMENT REVIEW STAFF REPORT

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

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

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

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR O-1 DISTRICT
Use Limitations	(a) All activities and permitted uses except off-street parking and loading facilities, drive-thru facilities and day care activities shall be conducted entirely within a completely enclosed building. (b) All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards. (c) No use shall emit an odor that creates a nuisance as determined by chapter 2A, article X, Springfield City Code. (d) 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 O-1 District
Maximum Height	Thirty-five feet, except that all structures shall remain below a 45-degree bulk plane as measured from the boundary of any R-SF or R-TH district.

DEVELOPMENT REVIEW STAFF REPORT

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. <i>Front yard:</i> 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. <i>Side yards:</i> Ten feet on each side of a lot or as required by section 36-453, supplemental open space and yard regulations, provided that no side yard is required for any building that has a common wall on a lot line. 3. <i>Rear yards:</i> Twenty percent of the lot depth, but may not be less than ten feet nor more than 25 feet be required.
Minimum Open Space	Not less than 20 percent of the total lot area shall be devoted to open space including required yards and bufferyards unless modified in accordance with subsection 36-482(15). Open space shall not include areas covered by buildings, structures, parking, loading and other paved areas and internal streets. Open space shall contain living ground cover and other landscaping materials.
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.

DEVELOPMENT REVIEW STAFF REPORT

	(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 O 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 *Comprehensive Plan's Land Use & Development* chapter identifies the subject property within 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.

Primary Land Uses:

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

Supporting Land Uses:

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

Characteristics

TRANSPORTATION & INFRASTRUCTURE

DEVELOPMENT REVIEW STAFF REPORT

- 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, pedestrian and bicycle infrastructure, and automated vehicle parking and loading spaces are integrated along major corridors, installed at key destinations, and incorporated into private 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.
- Transit service is expanded along key commercial corridors over the long term with bus stops enhanced with shelters and live timetables.

URBAN DESIGN - BUILDING AND SITE TYPOLOGY:

- Residential development and commercial buildings should be oriented to the street.
- Parking should be located behind or beside the primary buildings with abundant landscaping and screening to encourage greater interest and interaction between the adjoining street and the building, that contributes to community-wide quality of place.
- Pedestrian pathways within large parking lots provide safe access to business entrances.
- A greater focus on site design, parking access, massing, and building orientation are adopted to ensure development that is complementary to adjacent lower density residential development.
- Multi-story buildings designed with active ground floor spaces should be visible and inviting to increase a vibrant pedestrian environment.
- 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 avoid the placement of mechanical equipment along major roadways or should be completely screened, along with adequate spacing for storage of waste receptacles.
- 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.
- Encourage code adjustments regarding parking minimums instead of parking maximums.

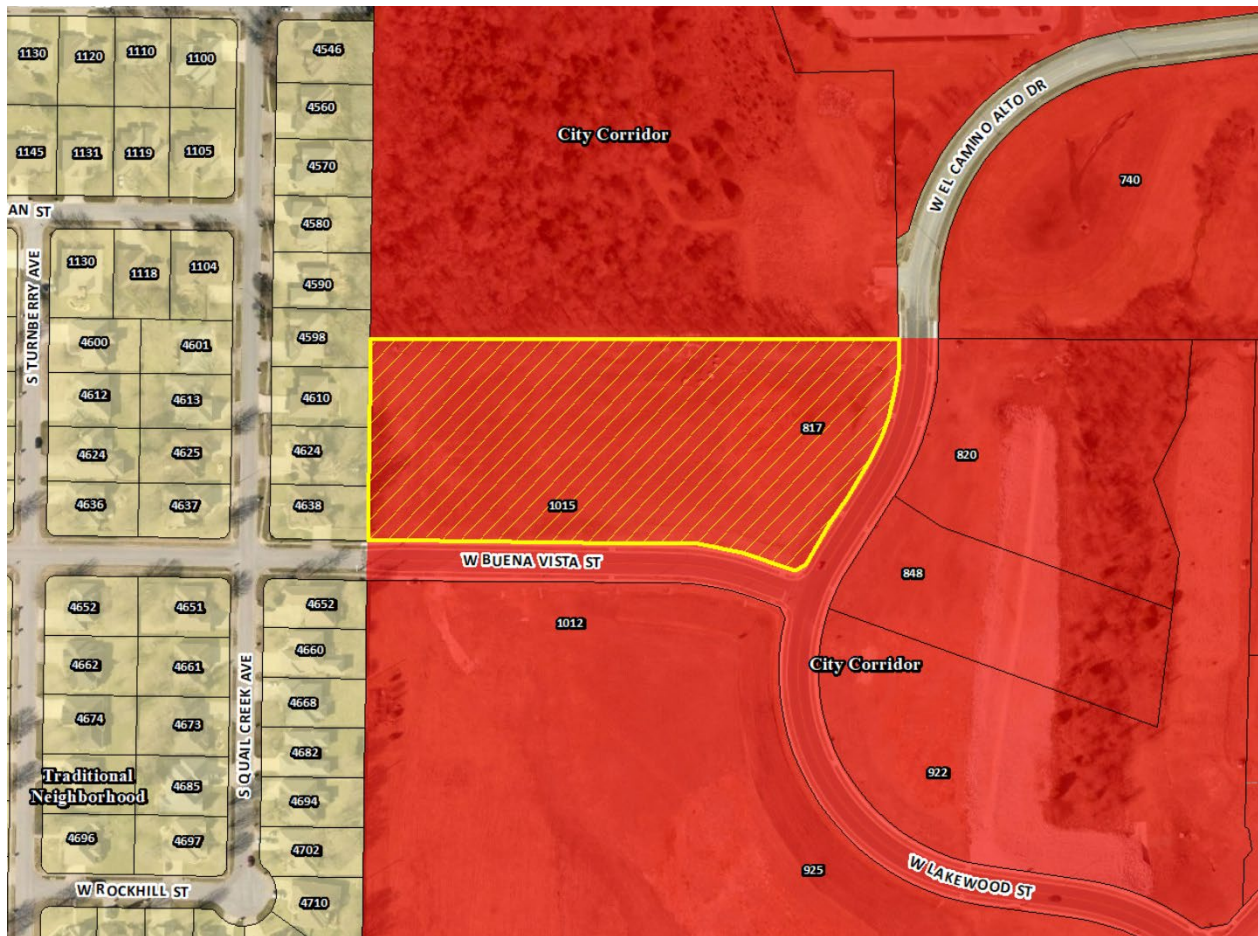
TRANSITIONS:

- Office and multifamily uses can be placed on the periphery of the placetype to transition into adjacent lower density residential Placetypes.
- Higher density residential development should be integrated along existing commercial corridors in need of reinvestment, transitioning aging commercial properties to new uses and focusing future commercial development at high activity nodes.
- Commercial and higher density residential is sufficiently screened and buffered between low-density residential development.

DEVELOPMENT REVIEW STAFF REPORT

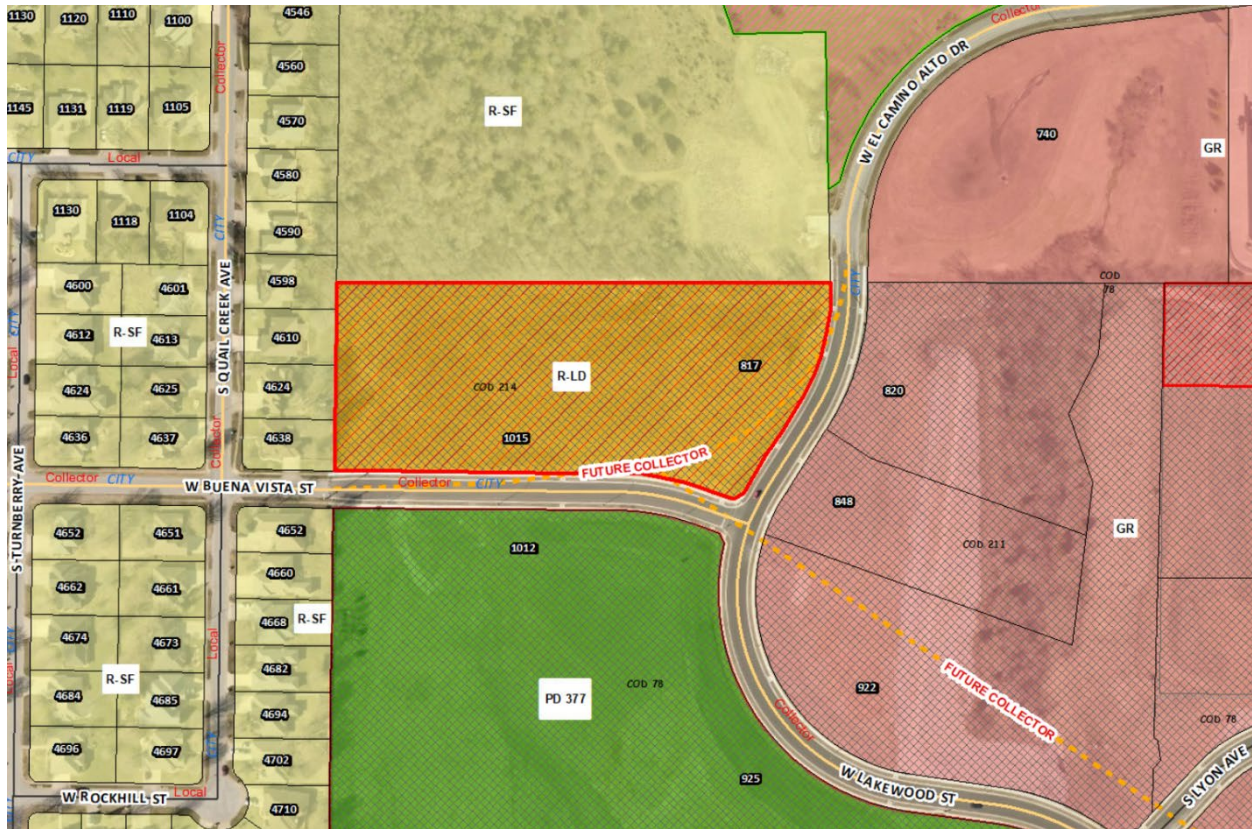
- Multi-story buildings should be sited and designed to reduce the impact on adjacent lower intensity residential development.

FUTURE PLACETYPE MAP:



DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF	PD 377	GR	R-SF
LAND USE	Vacant/undeveloped	Vacant/undeveloped	Personal Service uses	Single-family residential uses
PLACETYPES	City Corridor	City Corridor	City Corridor	Traditional Neighborhood

DEPARTMENT COMMENTS:

1. DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:
No comments.
2. CITY UTILITIES:
No issues with the proposed rezoning.
3. DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

DEVELOPMENT REVIEW STAFF REPORT

- a. No issues with rezoning. Property has access to public sewer.
4. FIRE DEPARTMENT:
No comments.
5. 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**.

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

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

DETENTION AND DISCHARGE REQUIREMENTS

1. A fee in lieu of detention has already been completed as part of the Public Improvement Project for the Third Ridge at Ward Subdivision (2018PW0065).

WATER QUALITY REQUIREMENTS

1. 2018PW0065 did not construct a Water Quality Stormwater Control Measure. At the time of development Water Quality must be constructed.
2. A land disturbance permit will be required with disturbing 1 acre or greater per Chapter 4 Section 5 of the City's Flood Control and Water Quality Protection Manual.
3. Water Quality Credits are available to use in design for preserved trees and new planted trees. Landscaping and Bufferyards trees required by planning cannot be used for the water quality credits unless it is part of a SCM. Chapter 10, Section 3.1.

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

SINKHOLES & KARST FEATURES

N/A

DEVELOPMENT REVIEW STAFF REPORT

ADDITIONAL STORMWATER REQUIREMENTS

1. Stormwater Control Measures are the responsibility of the property owner or property owners' association to maintain, repair, and update unless the agreement is made with the City to operate. Operation and maintenance agreements are required for any permanent stormwater control measures.

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	W. El Camino Alto Drive	Collector	City	30	30	NA	No	Yes	Yes
Street 2	W. Buena Vista Street	Collector	City	30	30	NA	No	Yes	Yes

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 - The Ward Branch Greenway Trail is 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 5.4 acres of property generally located at 817 W. El Camino Alto Drive from R-LD, Low-Density Multi-Family Residential District with COD 214 to O-1, Office District and establishing Conditional Overlay District No. 253. The applicant intends to develop a senior living facility.
2. The O-1 Office District is intended to be a restrictive district for low intensity office or professional uses which may be located outside the center city adjacent to any of the residential districts, with appropriate buffers and landscaping so as not to create an adverse effect on adjacent residential areas.

DEVELOPMENT REVIEW STAFF REPORT

3. The proposed Conditional Overlay District will provide additional buffering and height restrictions to the single-family neighborhood to the west. Certain use limitations are also included in the COD. These are similar restrictions that are in the current COD No. 214.
4. The applicant is not proposing any changes to the existing gate between Quail Creek Subdivision and Ward Branch Subdivision. The gate is located in public right-of-way and is controlled and maintained by Public Works.
5. The subject property is located along El Camino Alto and Buena Vista which are classified as collector roadways.
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 O-1 district and COD are compatible with the uses permitted on other property in the immediate vicinity and in the City Corridor placetype.
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. This property and others in the Ward Branch Subdivision have been provided with streets and infrastructure to support the proposed development as required by a traffic study.
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.
13. The proposed rezoning was reviewed by City departments and comments are contained in the staff report (above).
14. The applicant held a neighborhood meeting on June 18, 2024, regarding the rezoning request. A summary of the meeting is attached (Attachment 2).
15. 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.

DEVELOPMENT REVIEW STAFF REPORT

STAFF RECOMMENDATION:

1. Staff recommends approval of the rezoning request based on its compatibility with the *Comprehensive Plan's* City Corridor 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.

DEVELOPMENT REVIEW STAFF REPORT

ATTACHMENT 1 Conditional Overlay District No. 253

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

1. A type C bufferyard, following section 36-482, Landscaping and bufferyards, of Zoning Ordinance will be placed on the west property line with a six-foot wood privacy fence. This bufferyard must include an additional six evergreen trees for every 100 feet of bufferyard length, for a total of eight evergreen trees per 100 feet of length.
2. All structures within 400 feet of the west property line shall be limited to a maximum height of one story above finished grade.
3. No community amenities – including but not limited to pools, dog walks, trash dumpsters or other common space – shall be permitted within 100 feet of the west property line.

Attachment 2

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: R-LD w/ COD to O1 w/ COD
(existing zoning) (proposed zoning)
2. Meeting Date & Time: 6-18-24 4:00 - 6:30
3. Meeting Location: 817 W. El Camion Alto St.
4. Number of invitations that were sent: 80
5. How the mailing list was generated: Provided by City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 21
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).

1. Are buildings going to be multiple stories? Response- All buildings are planned to be a single story for the west 400' of the site.
2. Where are the proposed entrances? Response - Provided preliminary site plan.
3. What will happen with the fire gate? Response - The fire gate is outside of the scope of this project.
4. What happens to our fence? Response - The owner will work with the property owners to come up with a satisfactory 6' tall fence to all parties.
5. Can the site be mowed in the near future? Response - The owner is making arrangements to have the site mowed

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

None

I, DAVID BODEEN (print name), attest that the neighborhood meeting was held on 6-18-24 (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

DAVID BODEEN

Printed name of person completing affidavit

	NAME	ADDRESS	PHONE
1	DON + LINDY STAINBRANK	4636 S TURNBERRY AVE	508-274-1594
2	David E. Cobb	4651 S. Quail Creek	417 850-0072
3	Lanny Broderick	4637 S. Turnberry Ave	417 839 4998
4	Juan Umbarger	4661 S. Quail Oak	417 8577438
5	PHIL + NANCY RAIDER	4613 S. Quail Creek Ave	417-766-3196
6	Bill + Joyce Kastler	1131 W. Beckman	417-850-1999
7	Jasen + April McIntosh	4270 S. Quail Creek Ave	417-763-4433
8	ANTHONY ASAY	4732 S. Woodpointe Ave	870-754-1934
9	JOHN BARBER	4656 S. Woodpointe Ave	417-353-5131
10	Judith + Mitt Moore	4682 S. Quail Creek Ave	816-294-2343
11	Ross Smith + Becky Kelner	4610 S. Quail Creek Ave	417-844-3093
12	Ryan Steck	4638 S. Quail Creek Ave	417-536-3524
13	Jordan / Austin Gardner	4312 S. Quail Creek Ave.	417-414-1586
14			
15			
16			
17			
18			
19			
20			
21			
22			

From: [Melanie Steck](#)
To: dbodeen@pinnacledc.com; Zoning@springfieldmo.gov
Subject: 817 W. El Camino Alto Development
Date: Wednesday, June 19, 2024 1:28:49 PM
Attachments: [image001.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

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

Good afternoon,

It was very nice to meet David Bodeen at the meeting yesterday evening. Ryan and I live at 4638 S. Quail Creek Ave right next to the fire gate, and I am on the board of the POA in Quail Creek. I am in support of the change in zoning with the proposed modifications to the conditional overlay. My neighbors seem to feel the same about the proposed 55+ build behind us.

Please reach out with any questions you may have.

Thank you,

Melanie Steck | Credit and Collections Analyst

SMC, Our Knowledge is Your Power

msteck@smcelectric.com

Phone: 417.865.2825 | 800.264.5293

Fax: 417.865.3019

Visit us online at: www.smcelectric.com

Join the LinkedIn Conversation: [Manufacturing Tech Talk](#)



.....
Email requests for product information and quotations from SMC and email orders placed by you, constitutes your agreement to transact business electronically, and the address bar of your email is your authorized signature for all purposes. Your acceptance of goods ordered electronically from SMC is your agreement to be bound by SMC's additional terms and conditions of sale, which can be found on our website: www.smcelectric.com.

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DATE:	6-19-24	Telephone No.	417-689-2529
YOUR NAME:	Richard & Joan Umberger		
YOUR ADDRESS:	4661 S. Quail Creek	65810	
PROJECT ADDRESS:	817 W. El Camino Alto	65810	

COMMENTS:

We've experienced a history of "bait & switch" on specs in the past with this project. We have no objection to the 55+ community as presented by PDC IF: all structures within 400' of west property line of Quail Creek are limited to a maximum height of one-story above finished grade. Another primary goal is to keep the fire gate locked and closed.

City of Springfield, Missouri - Development Review Office - 840 Boonville, Springfield, MO 65802 - 417.864.1611

Application for Zoning Map Amendment & Planned Developments

*Fees are non-refundable



EXPLANATION TO COUNCIL BILL 2024-161 (JENSON)

FILED: 07/17/2024

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A general ordinance amending the Official Map of the City of Springfield, Missouri, adopted pursuant to General Ordinance 1478, by changing the street name of the 1700-2000 block of South McCurry Street to South McCurry Avenue.

PURPOSE: Amending the Official Map of Springfield, adopted pursuant to General Ordinance 1478 by changing the street name of the South 1700-2000 block of McCurry Street to McCurry Avenue. (Staff and Planning and Zoning Commission both recommend approval.)

BACKGROUND INFORMATION: STREET NAME CHANGE NO. 82

This is a request by the City of Springfield to re-name the South 1700-2000 block of McCurry Street to McCurry Avenue.

REMARKS: The Planning and Zoning Commission held a public hearing on July 11, 2024, and recommended approval, 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. This change will provide consistency as the suffix for McCurry is "Avenue" along the 2000-2200 south block and the 3600-3800 north block of the roadway.
2. Ordinance 6128, adopted January 28, 1947, specifies that north-south roadways shall be designated as "avenues" and east-west roadways shall be designated as "streets".
3. The City's Transportation Plan identifies McCurry Street as a collector roadway from University Street to Washita Street and a commercial local roadway from Washita Street to the southern terminus of the subject area.

Submitted By: Andrew Menke, Senior Planner

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

Maurice S. Jones, Deputy City Manager 7/25/2024

- Attachments:**
1. Street Name Change 82 - 1700-2000 Block of South McCurry
Street _Ord
 2. StreetNameChange82_exhA
 3. StreetNameChange82_exhB

One-rdg. _____
P. Hrngs. X
Pgs. 11
Filed: 07-30-24

Sponsored by: Jenson

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-161

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Official Map of the City of Springfield, Missouri, adopted
2 pursuant to General Ordinance 1478, by changing the street name
3 of the 1700-2000 block of South McCurry Street to South McCurry
4 Avenue.
5 _____
6

7 WHEREAS, the City of Springfield has filed an application to change the street
8 name of the 1700-2000 block of South McCurry Street to South McCurry Avenue to
9 comply with General Ordinance 6128, adopted January 28, 1947, which specifies that
10 north-south roadways shall be designated as "avenues" and east-west roadways shall
11 be designated as "streets"; and
12

13 WHEREAS, following proper notice, the Planning and Zoning Commission held a
14 public hearing on July 11, 2024, and recommended approval of the request 8-0, a copy
15 of the Record of Proceedings from said public hearing being attached hereto and
16 incorporated herein by this reference as "Exhibit A," and said Commission made its
17 recommendation; and
18

19 WHEREAS, the City has prepared a staff report concerning this application,
20 which is attached hereto and incorporated herein by this reference as "Exhibit B"; and
21

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

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

28 Section 1 – The Official Map of the City of Springfield, Missouri, adopted
29 pursuant to General Ordinance 1478, is hereby amended by changing the name of the
30 1700-2000 block of South McCurry Street to South McCurry Avenue.
31

32 Section 2 – The City Clerk is hereby directed to make the modifications to the
33 Official Map of the City of Springfield as adopted by General Ordinance 1478, as

34 amended, as shown above.

35
36 Section 3 – This Ordinance shall be in full force and effect from and after
37 passage.

38
39 Passed at meeting: _____

40
41 _____
42 Mayor

43
44 Attest: _____, City Clerk

45
46 Filed as Ordinance: _____

47
48 *Laura Vales*
49 Approved as to form: _____, Assistant City Attorney

50
51 *Jason A. Hage*
52 Approved for Council action _____, City Manager

EXHIBIT A
RECORD OF PROCEEDINGS
Planning and Zoning Commission – July 11, 2024

Street Name Change 82
1700-2000 blk of South McCurry Street
Applicant: City of Springfield

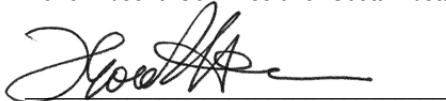
Mr. Andrew Menke stated that this is a request to re-assign the south 1700 block through the south 2000 block of McCurry Street to McCurry Avenue.

No speakers

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Street Name Change 82, Commissioner Doennig seconded the motion. It Passed with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles, Commissioner Doennig. Nays: None. Absent: Commissioner Scott. Abstain: None.

A handwritten signature in black ink, appearing to read 'Bob Hosmer', written over a horizontal line.

Bob Hosmer, AICP
Planning Manager

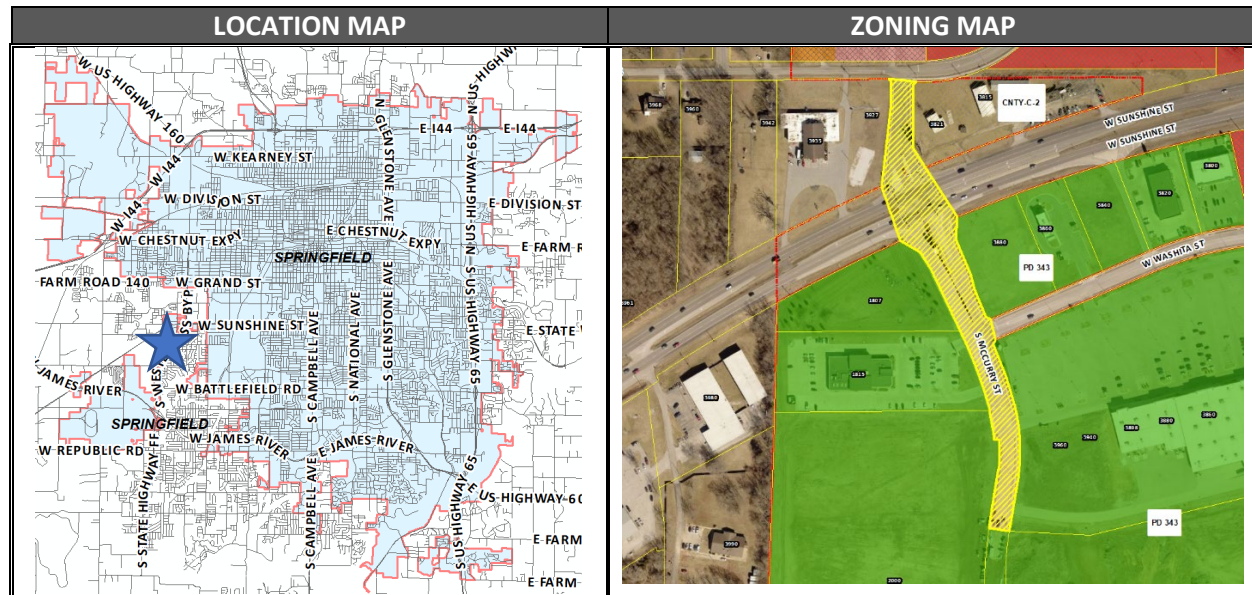
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Street Name Change No. 82
Location:	1700-2000 blk of South McCurry Street
Applicant:	City of Springfield
Existing Land Use:	Collector and commercial local roadway
Neighborhood Meeting:	N/A
Planning and Zoning Commission:	July 11, 2024
City Council:	August 5, 2024
Public Notification:	Mail, posted property, and legal in Daily Events
Staff:	Andrew Menke, Senior Planner – (417) 864-1613
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of Street Name Change No. 82 (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

PROJECT SUMMARY:

Request to re-assign the south 1700 block through the south 2000 block of McCurry Street to McCurry Avenue. (Roughly located between University Street and Seminole Street).



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



PROPERTY HISTORY:

The subject area in which McCurry Street is located was annexed into the City as real property in 2007 (south of Sunshine Street) and 2015 (north of Sunshine Street). The right-of-way for McCurry Street that is south of Sunshine was dedicated via plat in 2014 and 2016. The portion north of Sunshine was dedicated by right-of-way deeds in 2020.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 98-10. - Procedure for changing names of streets.

Before the name of any public street is changed, there shall be public notice of such proposed change and public hearings shall be held in accordance with the following procedures:

- (1) All such changes shall first be considered by the planning and zoning commission at a public hearing.
- (2) Prior to the public hearing before the planning and zoning commission, notices of such hearing shall be posted in the area where the name change is to take place, which notice shall set out the time, date and location of the public hearing, giving at least ten days' notice of the hearing. Such notices shall be conspicuously displayed by posting the notice on the city right-of-way.
- (3) The planning and zoning commission of the city shall hold its public hearing on the name change and shall submit its recommendation to the city council.

DEVELOPMENT REVIEW STAFF REPORT

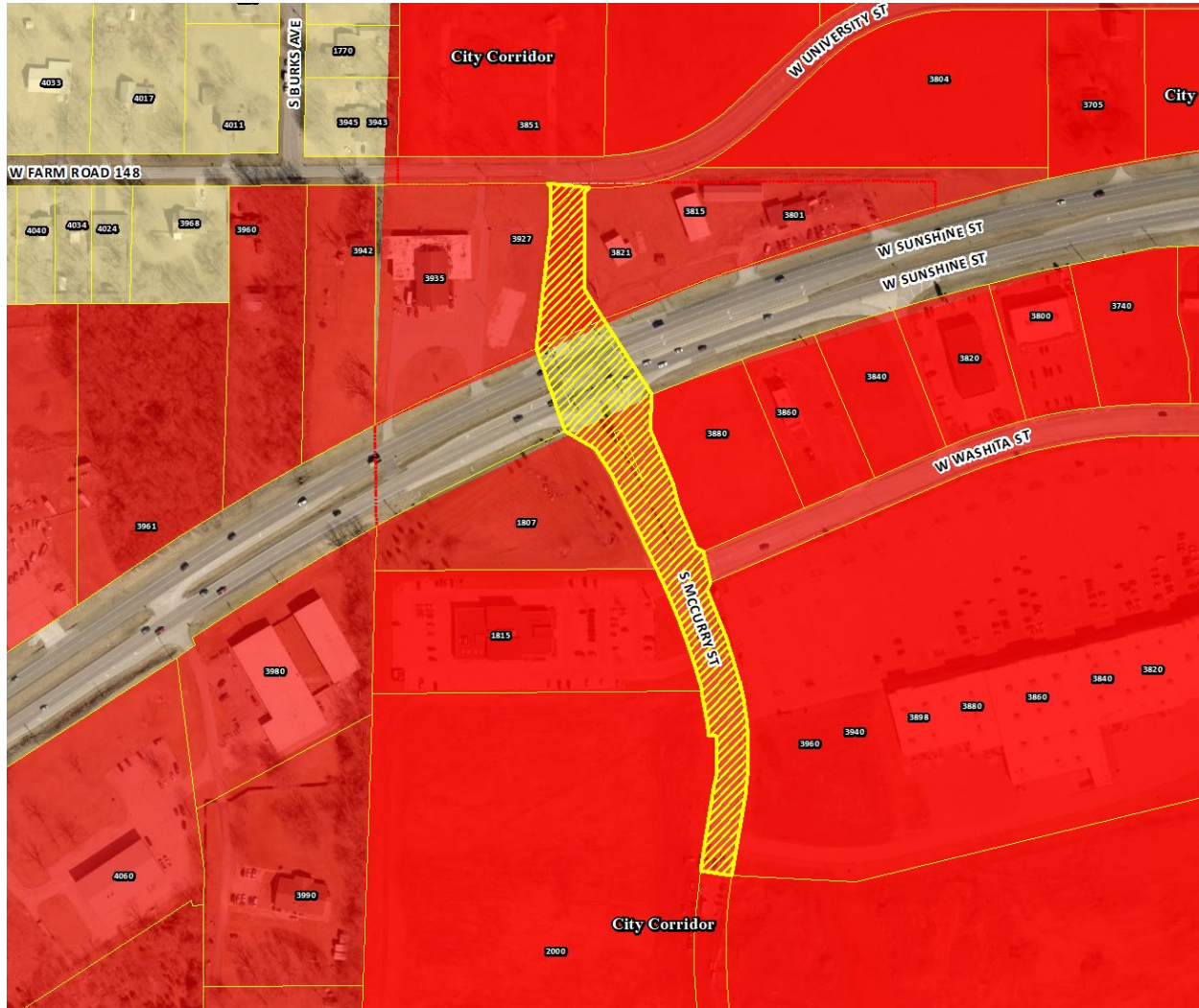
- (4) Thereafter, the city council shall hold a public hearing on the proposed name change, giving at least five days' notice of the public hearing in accordance with the provisions set forth in this section. After holding the public hearing, the city council may, in its discretion, change the name and shall give notice of such change to the post office and other appropriate public officials.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

Not applicable to Street Name Change application.

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	GR w/ COD #166	Right-of-way	PD 343 & County C-2	PD 343 & County R-1
LAND USE	Undeveloped	Right-of-way	Retail & restaurants	Church, office, & undeveloped
PLACETYPES	City Corridor	City Corridor	City Corridor	City Corridor

DEVELOPMENT REVIEW STAFF REPORT

STAFF ANALYSIS AND RECOMMENDATION:

1. This request is to rename the 1700-2000 block of South McCurry "Street" to South McCurry "Avenue".
2. This change will provide consistency as the suffix for McCurry is "Avenue" along the 2000-2200 south block and the 3600-3800 north block of the roadway.
3. Ordinance 6128, adopted January 28, 1947, specifies that north-south roadways shall be designated as "avenues" and east-west roadways shall be designated as "streets".
4. The City's Transportation Plan identifies McCurry Street as a collector roadway from University Street to Washita Street and a commercial local roadway from Washita Street to the southern terminus of the subject area.

STAFF RECOMMENDATION:

1. Staff recommends approval based on the proposal meeting the approval criteria listed in Attachment 1.

PLANNING AND ZONING COMMISSION OPTIONS:

The planning and zoning commission shall make one of the following recommendations in connection with each proposed street name change:

1. Recommend against the proposed street name change, or
2. Recommend approval of the proposed street name change.

PUBLIC NOTIFICATION:

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 adjacent to the proposed street name change.

Notices sent to property owners
adjacent to the proposed street
name change:

Mailed: 7

Returned: 0



DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT COMMENTS:

ATTACHMENT 1

MISSOURI DEPARTMENT OF TRANSPORTATION (MoDOT):

Intersection of Sunshine (MO-413) and McCurry Ave already labeled as such. MoDOT has no concerns.

DEPARTMENT OF PUBLIC WORKS TRANSPORTATION ENGINEERING RIGHT-OF-WAY DIVISION

Approved.

911 EMERGENCY COMMUNICATIONS:

Approved.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

No comment.



EXPLANATION TO COUNCIL BILL 2024-162 (HORTON)

FILED: 07/16/2024

ORIGINATING DEPARTMENT: Public Works

TITLE: A special ordinance authorizing the City Manager, or designee, to enter into a Financial Assistance Agreement with the Missouri Department of Natural Resources for the purpose of accepting American Rescue Plan Act grant funds to support construction of stormwater infrastructure on Nichols Street from Dickerson Avenue to Hutchinson Avenue in the amount of \$205,432; amending the Fiscal Year 2024-2025 budget; and declaring that this Ordinance qualifies for approval in one reading pursuant to Section 2.16(25) of the City Charter.

PURPOSE: To authorize the City Manager, or designee, to enter into an agreement with the Missouri Department of Natural Resources ("Exhibit A"), for the purpose of accepting state American Rescue Plan Act federal grant funds in an amount not to exceed \$205,432 to support stormwater infrastructure construction on Nichols Street from Dickerson Avenue to Hutchinson Avenue; and approving a budget adjustment amending the Fiscal Year 2024-2025 budget of the Department of Public Works in the amount of \$290,918 to appropriate the federal grant funds, 1/4-cent Capital Improvement Sales Tax fund balance reserves and 1/8-cent Transportation Sales Tax fund balance reserves for construction.

BACKGROUND INFORMATION: Resolution 10636 authorized the City to apply for the State American Plan Act Water Infrastructure Community Grant Program on June 13, 2022. The objective of the project is to provide stormwater infrastructure along Nichols Street and provide safe passage for pedestrians and vehicles. The project will upgrade and install stormwater infrastructure featuring concrete curb and gutter, stormwater inlets, and stormwater pipe. Additionally, there will be sidewalk and driveway replacement to enhance accessibility and safety ("Exhibit B").

REMARKS: The requested budget adjustment of \$290,918 will provide funding for the construction, additional materials, and contingency if needed. In addition to the \$205,432 federal grant, to provide full funding of the project based on current estimated costs, including matching funds for the federal grant, the budget adjustment also provides \$42,743 from the 1/4-cent Capital Improvement Sales Tax and \$42,743 from the 1/8-cent Transportation Sales Tax from fund balance reserves of both taxes. As this Council bill is for a state grant contract for federal funds, we request that it be passed as a one-reading bill under City Charter Section 2.16(25).

Supports the following City Council Priorities:



- Quality of Place
- Economic vitality
- Public Safety

RECOMMENDATION: 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:

Maurice S. Jones, Deputy City Manager 7/25/2024

- Attachments:**
1. Nichols ARPA Stormwater_Ord
 2. Nichols ARPA Stormwater Infrastructure Agree_ExhA
 3. Nichols ARPA Stormwater Infrastructure Map_ExhB
 4. Nichols ARPA Stormwater Infrastructure BA_ExhC

One-rdg. X
P. Hrngs.
Pgs. 8
Filed: 07-30-24

Sponsored by: Horton

First Reading:

Second Reading:

COUNCIL BILL 2024-162

SPECIAL ORDINANCE

AN ORDINANCE

1 AUTHORIZING the City Manager, or designee, to enter into a Financial Assistance
2 Agreement with the Missouri Department of Natural Resources for the
3 purpose of accepting American Rescue Plan Act grant funds to support
4 construction of stormwater infrastructure on Nichols Street from
5 Dickerson Avenue to Hutchinson Avenue in the amount of \$205,432;
6 amending the Fiscal Year 2024-2025 budget; and declaring that this
7 Ordinance qualifies for approval in one reading pursuant to Section
8 2.16(25) of the City Charter.
9 _____

10
11 WHEREAS, City Council authorized the City Manager in Resolution 10636,
12 adopted on June 13, 2022, to apply with the Missouri Department of Natural Resources
13 ("MDNR") for American Rescue Plan Act ("ARPA") Water Infrastructure Community
14 Grant Program funds to be used on stormwater and wastewater infrastructure projects;
15 and
16

17 WHEREAS, MDNR has awarded the City \$205,432 in ARPA funds for
18 stormwater improvements depicted on "Exhibit B," attached hereto and incorporated
19 herein by this reference; and
20

21 WHEREAS, matching funds for construction will be provided through the City's
22 1/4-cent Capital Improvements Sales Tax and 1/8-cent Transportation Sales Tax funds
23 budgeted by this Ordinance.
24

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

28 Section 1 – The City Manager, or designee, is hereby authorized to enter into a
29 Financial Assistance Agreement with the Missouri Department of Natural Resources, for
30 the purpose of accepting American Rescue Plan Act grant funds to support construction
31 of stormwater infrastructure on Nichols Street from Dickerson Avenue to Hutchinson
32 Avenue in the amount of \$205,432, a true and accurate copy of said agreement being
33 attached hereto and incorporated as "Exhibit A," and the same is hereby approved.

34 Section 2 – The budget of the City of Springfield for Fiscal Year 2024-2025 is
35 hereby amended in the accounts and in the amounts as shown on Budget Adjustment
36 No. 015, a copy of which is attached hereto and incorporated herein by reference as
37 “Exhibit C.”
38

39 Section 3 – City Council hereby finds that the budget adjustment made above
40 has been recommended by the City Manager.
41

42 Section 4 – The City Manager, or designee, is directed to cause the appropriate
43 accounting entries to be made in the books and records of the City.
44

45 Section 5 – City Council hereby finds and declares that this Ordinance may be
46 passed as a one-reading ordinance under City Charter Section 2.16(25) as it relates to
47 a contract for the acceptance of grant funds from a state or federal agency. This
48 Ordinance shall be in full force and effect from and after passage.
49

50 Passed at meeting: _____
51

52 _____
53 Mayor
54

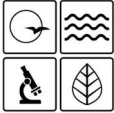
55 Attest: _____, City Clerk
56

57 Filed as Ordinance: _____
58

59 _____
60 Approved as to form: , Assistant City Attorney
61

62 _____
63 Approved for Council action: , City Manager

EXHIBIT A



MISSOURI DEPARTMENT OF NATURAL RESOURCES

FINANCIAL ASSISTANCE AGREEMENT

Assistance as described herein is hereby offered and accepted effective upon signature of authorized officials for the dates indicated in Budget Period and Project Period below.

RECIPIENT INFORMATION

RECIPIENT NAME		RECIPIENT TELEPHONE NUMBER WITH AREA CODE	
ADDRESS		CITY	STATE ZIP CODE
UNIQUE ENTITY ID	AWARD NUMBER	BUDGET PERIOD	PROJECT PERIOD
RECIPIENT PROJECT MANAGER NAME		RECIPIENT PROJECT EMAIL ADDRESS	PROJECT MANAGER TELEPHONE NUMBER WITH AREA CODE
HAVE YOU OR AN IMMEDIATE FAMILY MEMBER EVER SERVED IN THE U.S. ARMED FORCES? YES ☐ NO ☐			
IF YES, WOULD YOU LIKE INFORMATION ABOUT MILITARY-RELATED SERVICES IN MISSOURI? YES ☐ NO ☐			

PROJECT INFORMATION

RECIPIENT PROJECT TITLE AND PROJECT DESCRIPTION (ATTACH ADDITIONAL PAGES AS NECESSARY)			
TYPE OF ASSISTANCE New Award ☐ Amendment ☐	SOURCE OF FUNDING Federal ☒ State ☐ Other ☐	CFDA NUMBER 21.027	CFDA NAME Coronavirus State and Local Fiscal Recovery Funds
STATE PROJECT MANAGER NAME		STATE PROJECT MANAGER TELEPHONE NUMBER WITH AREA CODE	INDIRECT COST RATE FOR RECIPIENT 0%
RESEARCH AND DEVELOPMENT YES ☐ NO ☒	RESEARCH AND DEVELOPMENT COMMENTS IF NEEDED		

PROJECT FUNDING	Original Amount	Original Percentage	Amended Amount	Amended Percentage	Total Amount	Total Percentage
Federal Award:	\$ 205,432	NaN %	\$	NaN %	\$	NaN %
State/Other Award:	\$	NaN %	\$	NaN %	\$	NaN %
Recipient Match:	\$	NaN %	\$	NaN %	\$	NaN %
Total Award:	\$ 0	0 %	\$ 0	0 %	\$ 0	0 %

AGREEMENT ADMINISTRATION

THE ATTACHMENTS IDENTIFIED BELOW ARE INCORPORATED BY REFERENCE AS THOUGH FULLY RESTATED HEREIN. THE RECIPIENT AGREES TO ADMINISTER THIS AGREEMENT IN ACCORDANCE WITH ALL APPLICABLE FEDERAL AND STATE LAWS AND REGULATIONS INCLUDING, BUT NOT LIMITED TO:

APPLICABLE PROGRAM GUIDELINES		APPLICATION NUMBER		RECIPIENT APPLICATION, AS NEGOTIATED, DATED	
BUDGET PLAN Attachment #	DETAILED SCOPE OF WORK Attachment #	SPECIAL CONDITIONS Attachment # 2	GENERAL TERMS AND CONDITIONS Attachment # 1	SUSPENSION/DEBARMENT Attachment #	PUBLIC LAW Attachment #
PUBLICATIONS Attachment #	EPA MBE/WBE UTILIZATION Attachment #	CERTIFICATE REGARDING LOBBYING Attachment #	INVOICE Attachment #	ADDITIONAL ATTACHMENTS Attachment # 3 Attachment # 4	

AMENDMENT INFORMATION

AMENDMENT ID	AMENDMENT DESCRIPTION (ATTACH ADDITIONAL PAGES AS NECESSARY)
--------------	--

FEDERAL AWARD INFORMATION ([ATTACH ADDITIONAL PAGES AS NECESSARY](#))

FEDERAL AWARD PROJECT TITLE AND DESCRIPTION U.S. Department of Treasury, Coronavirus State Fiscal Recovery Fund			
FEDERAL AWARING AGENCY United States Department of Treasury		FEDERAL AWARD ID NUMBER 073134579	PASS THROUGH ENTITY NAME MoDNR, and State of Missouri, Office of Administration
FEDERAL FUNDING YEAR 2022	FEDERAL AWARD DATE 7/28/21	TOTAL AMOUNT OF FEDERAL AWARD \$ 2,685,296,130.80	INDIRECT COST RATE FOR MoDNR 0 %

APPROVAL

I am at least 18 years old, and certify I am duly authorized to accept this award for recipient using electronic signature. The recipient understands and agrees it is a condition precedent to receive reimbursement that recipient comply with and is not in breach or default of all terms and conditions of this award stated above and attached hereto, and that no request for reimbursement will be processed unless it is presented in proper form.

RECIPIENT ORGANIZATION AUTHORIZED OFFICIAL NAME AND TITLE (TYPED)	SIGNATURE	DATE
DEPARTMENT OF NATURAL RESOURCES DIRECTOR OR DESIGNEE NAME (TYPED)	SIGNATURE	DATE

Instructions for MoDNR staff completing Financial Assistance Agreement Form

Recipient Information: complete all fields

- Recipient Name – Must match the registered name in the System for Award Management (SAM). If the recipient is not yet registered in SAM, then they should be provided with information on how to register (<http://www.sam.gov>).
- Unique Identifier – Must match the unique identifier number in SAM. Currently it is the recipient's Data Universal Numbering System (DUNS) number which the recipient must have prior to the award. DUNS numbers may be obtained without charge at <http://fedgov.dnb.com/webform>.

Project Information: complete all fields

- CFDA Number – The Catalog of Federal Domestic Assistance (CFDA) number is found on the Notice of Award.
- CDFA Name – Is found on the Notice of Award.
- Research and Development Comments – Complete field if checking “Yes” in the Research and Development field.
- Project Funding – The Original Amount, Original Percent, Total Amount and Total Percentage fields must be completed. If the original agreement amount is being amended, the Amended Amount and Amended Percentage fields must also be completed.

Agreement Administration: complete all applicable fields.

Attachments included in the agreement packet should all be identified in this section.

Amendment Information: complete all fields if amending the agreement

- Amendment ID – Enter the amendment number (i.e., enter “1” if it is the first amendment, enter “2” if it is the second amendment, etc.).
- Amendment Description – Summarize what is being amended. Example: Original agreement amount is being increased by \$500,000 and the Budget Period and Project Periods are being extended six months.

Federal Award Information: Complete all fields if using federal funds for any part of the award. If the award is being funded by multiple federal grants, information on each grant must be included as an attachment.

- Federal Award Project Title and Description – Refer to the Notice of Award from the federal agency.
- Federal Awarding Agency – Designate from which federal agency MoDNR received pass through funds.
- Federal Award ID Number – Refer to the Notice of Award.
- Pass Through Entity Name – Enter information in this format: *Division, Program*.
- Federal Funding Year – Federal year the funding is provided.
- Federal Award Date – Date the federal award is signed by the authorized official of the Federal awarding agency. Refer to the Notice of Award.
- Total Amount of Federal Award – Enter the total amount awarded by the federal agency to include any amended amounts. Refer to the Notice of Award.
- Indirect Cost Rate for MoDNR – Current MoDNR rates can be found at <http://n-nr1ntra.ads.state.mo.us/das/rates-current.htm>.

Approval: complete fields below

- Department of Natural Resources Director Or Designee – Enter the name of the MoDNR director.
- Recipient Organization Authorized Official Name and Title – Enter the name and title of the person who will be signing on behalf of the recipient organization, if known.

EXHIBIT B

2023PW0093

Nichols Street - Dickerson Ave to Hutchinson Ave



CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit C

Budget Adjustment
015

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
22540	20	73020	416010	103357	00000	\$205,432	American Rescue Plan Act (ARPA) Federal Grant Revenues through Missouri Department of Natural Resources
Net Revenue Adjustment						\$205,432	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
22540	20	73020	509110	103357	00000	\$205,432	Nichols St from Dickerson Ave to Hutchinson Ave
41050	20	73020	509110	103357	00000	42,743	Nichols from Dickerson to Hutchinson - 1/4 Cent
40057	20	73020	509110	103357	00000	42,743	Nichols from Dickerson to Hutchinson - 1/8 Cent
Net Expenditure Adjustment						\$290,918	

Fund Balance Appropriation:

Fund		Title	Amount
41050	20	1/4 Cent Capital Imp. Sales Tax	(42,743)
40057	20	1/8 Cent Transportation Sales Tax	(42,743)

Explanation: To amend the FY2024-25 budget by appropriating \$205,432 of federal ARPA grant funds and \$42,743 of 1/4-Cent Capital Improvement Sales Tax fund balance reserves and \$42,743 of 1/8 Cent Transportation Sales Tax fund balance reserves for the Nichols Street from Dickerson Avenue to Hutchinson Avenue improvement project.

Requested By:

Dan Smith July 30, 2024
Department Head Date

Approved By:

DJ Hill July 30, 2024
Director of Finance Date

Authorization:

Council Bill No. 2024-162
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____

City Manager Date



EXPLANATION TO COUNCIL BILL 2024-163 (HORTON)

FILED: 07/16/2024

ORIGINATING DEPARTMENT: Public Works

TITLE: A special ordinance authorizing the City Manager, or designee, to enter into a Financial Assistance Agreement with the Missouri Department of Natural Resources for the purpose of accepting American Rescue Plan Act grant funds in the amount of \$187,492 to support construction of stormwater infrastructure on Clifton Avenue from Kearney Street to High Street; amending the Fiscal Year 2024-2025 budget; and declaring that this Ordinance qualifies for approval in one reading pursuant to Section 2.16(25) of the City Charter.

PURPOSE: To authorize the City Manager, or designee, to enter into an agreement with the Missouri Department of Natural Resources ("Exhibit A"), for the purpose of accepting state American Rescue Plan Act federal grant funds in an amount not to exceed \$187,492 to support stormwater infrastructure construction on Clifton Avenue from Kearney Street to High Street; and approving a budget adjustment amending the Fiscal Year 2024-2025 budget of the Department of Public Works in the amount of \$275,508 to appropriate the federal grant funds, 1/4-cent Capital Improvement Sales Tax fund balance reserves, and 1/8-cent Transportation Sales Tax fund balance reserves for construction.

BACKGROUND INFORMATION: Resolution 10636 authorized the City to apply for the State American Plan Act Water Infrastructure Community Grant Program on June 13, 2022. The objective of the project is to reduce flooding to properties along Clifton Avenue and provide safe passage for pedestrians. The project will install stormwater infrastructure featuring concrete curb and gutter, stormwater inlets, and stormwater pipe. Additionally, there will be sidewalk and driveway replacement to enhance accessibility and safety ("Exhibit B").

REMARKS: The requested budget adjustment of \$275,508 will provide funding for the construction, additional materials, and contingency if needed. In addition to the \$187,492 federal grant, to provide full funding of the project based on current estimated costs, including matching funds for the federal grant, the budget adjustment also provides \$44,008 from the 1/4-cent Capital Improvement Sales Tax and \$44,008 from the 1/8-cent Transportation Sales Tax from fund balance reserves of both taxes. As this Ordinance is for a state grant contract for federal funds, we request that it be passed as a one-reading bill under City Charter Section 2.16(25).

Supports the following City Council Priorities:



- Quality of Place
- Economic vitality
- Public Safety

RECOMMENDATION: 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:

Maurice S. Jones, Deputy City Manager 7/25/2024

- Attachments:**
1. Clifton ARPA Stormwater_Ord
 2. Clifton ARPA Stormwater Infrastructure Agree_ExhA
 3. Clifton ARPA Stormwater Infrastructure Map_ExhB
 4. Clifton ARPA STormwater Infrastructure BA_ExhC

One-rdg. X
P. Hrngs.
Pgs. 8
Filed: 07-30-24

Sponsored by: Horton

First Reading:

Second Reading:

COUNCIL BILL 2024-163

SPECIAL ORDINANCE

AN ORDINANCE

1 AUTHORIZING the City Manager, or designee, to enter into a Financial Assistance
2 Agreement with the Missouri Department of Natural Resources for the
3 purpose of accepting American Rescue Plan Act grant funds in the
4 amount of \$187,492 to support construction of stormwater
5 infrastructure on Clifton Avenue from Kearney Street to High Street;
6 amending the Fiscal Year 2024-2025 budget; and declaring that this
7 Ordinance qualifies for approval in one reading pursuant to Section
8 2.16(25) of the City Charter.
9 _____

10
11 WHEREAS, City Council authorized the City Manager in Resolution 10636,
12 adopted on June 13, 2022, to apply with the Missouri Department of Natural Resources
13 ("MDNR") for American Rescue Plan Act ("ARPA") Water Infrastructure Community
14 Grant Program funds to be used on stormwater and wastewater infrastructure projects;
15 and
16

17 WHEREAS, MDNR has awarded the City \$187,492 in ARPA funds for
18 stormwater improvements depicted on "Exhibit B," attached hereto and incorporated
19 herein by this reference; and
20

21 WHEREAS, matching funds for construction will be provided through the City's
22 1/4-cent Capital Improvements Sales Tax and 1/8-cent Transportation Sales Tax funds
23 budgeted by this Ordinance.
24

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

28 Section 1 – The City Manager, or designee, is authorized to enter into a Financial
29 Assistance Agreement with the Missouri Department of Natural Resources for the
30 purpose of accepting American Rescue Plan Act grant funds, in the amount of
31 \$187,492, to support construction of stormwater infrastructure on Clifton Avenue from
32 Kearney Street to High Street, a true and accurate copy of said Agreement being
33 attached hereto and incorporated as "Exhibit A," and the same is hereby approved.

34
35 Section 2 – The budget of the City of Springfield for Fiscal Year 2024-2025 is
36 hereby amended in the accounts and in the amounts as shown on Budget Adjustment
37 No. 014, a copy of which is attached hereto and incorporated herein by reference as
38 “Exhibit C.”
39

40 Section 3 – City Council hereby finds that the budget adjustment made above
41 has been recommended by the City Manager.
42

43 Section 4 – The City Manager, or designee, is directed to cause the appropriate
44 accounting entries to be made in the books and records of the City.
45

46 Section 5 – City Council hereby finds and declares that this Ordinance may be
47 passed as a one-reading ordinance under City Charter Section 2.16(25) as it relates to
48 a contract for the acceptance of grant funds from a state or federal agency. This
49 Ordinance shall be in full force and effect from and after passage.
50

51 Passed at meeting: _____
52

53 _____
54 Mayor
55

56 Attest: _____, City Clerk
57

58 Filed as Ordinance: _____
59

60 _____
61 Approved as to form: _____, Assistant City Attorney
62

63 _____
64 Approved for Council action: _____, City Manager

EXHIBIT A



MISSOURI DEPARTMENT OF NATURAL RESOURCES

FINANCIAL ASSISTANCE AGREEMENT

Assistance as described herein is hereby offered and accepted effective upon signature of authorized officials for the dates indicated in Budget Period and Project Period below.

RECIPIENT INFORMATION

RECIPIENT NAME		RECIPIENT TELEPHONE NUMBER WITH AREA CODE	
ADDRESS		CITY	STATE ZIP CODE
UNIQUE ENTITY ID	AWARD NUMBER	BUDGET PERIOD	PROJECT PERIOD
RECIPIENT PROJECT MANAGER NAME		RECIPIENT PROJECT EMAIL ADDRESS	PROJECT MANAGER TELEPHONE NUMBER WITH AREA CODE
HAVE YOU OR AN IMMEDIATE FAMILY MEMBER EVER SERVED IN THE U.S. ARMED FORCES? YES ☐ NO ☐			
IF YES, WOULD YOU LIKE INFORMATION ABOUT MILITARY-RELATED SERVICES IN MISSOURI? YES ☐ NO ☐			

PROJECT INFORMATION

RECIPIENT PROJECT TITLE AND PROJECT DESCRIPTION (ATTACH ADDITIONAL PAGES AS NECESSARY)			
TYPE OF ASSISTANCE New Award ☐ Amendment ☐	SOURCE OF FUNDING Federal ☒ State ☐ Other ☐	CFDA NUMBER 21.027	CFDA NAME Coronavirus State and Local Fiscal Recovery Funds
STATE PROJECT MANAGER NAME		STATE PROJECT MANAGER TELEPHONE NUMBER WITH AREA CODE	INDIRECT COST RATE FOR RECIPIENT 0%
RESEARCH AND DEVELOPMENT YES ☐ NO ☒	RESEARCH AND DEVELOPMENT COMMENTS IF NEEDED		

PROJECT FUNDING	Original Amount	Original Percentage	Amended Amount	Amended Percentage	Total Amount	Total Percentage
Federal Award:	\$ 187,492	NaN %	\$	NaN %	\$	NaN %
State/Other Award:	\$	NaN %	\$	NaN %	\$	NaN %
Recipient Match:	\$	NaN %	\$	NaN %	\$	NaN %
Total Award:	\$ 0	0 %	\$ 0	0 %	\$ 0	0 %

AGREEMENT ADMINISTRATION

THE ATTACHMENTS IDENTIFIED BELOW ARE INCORPORATED BY REFERENCE AS THOUGH FULLY RESTATED HEREIN. THE RECIPIENT AGREES TO ADMINISTER THIS AGREEMENT IN ACCORDANCE WITH ALL APPLICABLE FEDERAL AND STATE LAWS AND REGULATIONS INCLUDING, BUT NOT LIMITED TO:

APPLICABLE PROGRAM GUIDELINES		APPLICATION NUMBER		RECIPIENT APPLICATION, AS NEGOTIATED, DATED	
BUDGET PLAN Attachment #	DETAILED SCOPE OF WORK Attachment #	SPECIAL CONDITIONS Attachment # 2	GENERAL TERMS AND CONDITIONS Attachment # 1	SUSPENSION/DEBARMENT Attachment #	PUBLIC LAW Attachment #
PUBLICATIONS Attachment #	EPA MBE/WBE UTILIZATION Attachment #	CERTIFICATE REGARDING LOBBYING Attachment #	INVOICE Attachment #	ADDITIONAL ATTACHMENTS Attachment # 3	Attachment # 4

AMENDMENT INFORMATION

AMENDMENT ID	AMENDMENT DESCRIPTION (ATTACH ADDITIONAL PAGES AS NECESSARY)
--------------	--

FEDERAL AWARD INFORMATION ([ATTACH ADDITIONAL PAGES AS NECESSARY](#))

FEDERAL AWARD PROJECT TITLE AND DESCRIPTION U.S. Department of Treasury, Coronavirus State Fiscal Recovery Fund			
FEDERAL AWARING AGENCY United States Department of Treasury		FEDERAL AWARD ID NUMBER 073134579	PASS THROUGH ENTITY NAME MoDNR, and State of Missouri, Office of Administration
FEDERAL FUNDING YEAR 2022	FEDERAL AWARD DATE 7/28/21	TOTAL AMOUNT OF FEDERAL AWARD \$ 2,685,296,130.80	INDIRECT COST RATE FOR MoDNR 0 %

APPROVAL

I am at least 18 years old, and certify I am duly authorized to accept this award for recipient using electronic signature. The recipient understands and agrees it is a condition precedent to receive reimbursement that recipient comply with and is not in breach or default of all terms and conditions of this award stated above and attached hereto, and that no request for reimbursement will be processed unless it is presented in proper form.

RECIPIENT ORGANIZATION AUTHORIZED OFFICIAL NAME AND TITLE (TYPED)	SIGNATURE	DATE
DEPARTMENT OF NATURAL RESOURCES DIRECTOR OR DESIGNEE NAME (TYPED)	SIGNATURE	DATE

Instructions for MoDNR staff completing Financial Assistance Agreement Form

Recipient Information: complete all fields

- Recipient Name – Must match the registered name in the System for Award Management (SAM). If the recipient is not yet registered in SAM, then they should be provided with information on how to register (<http://www.sam.gov>).
- Unique Identifier – Must match the unique identifier number in SAM. Currently it is the recipient's Data Universal Numbering System (DUNS) number which the recipient must have prior to the award. DUNS numbers may be obtained without charge at <http://fedgov.dnb.com/webform>.

Project Information: complete all fields

- CFDA Number – The Catalog of Federal Domestic Assistance (CFDA) number is found on the Notice of Award.
- CDFA Name – Is found on the Notice of Award.
- Research and Development Comments – Complete field if checking “Yes” in the Research and Development field.
- Project Funding – The Original Amount, Original Percent, Total Amount and Total Percentage fields must be completed. If the original agreement amount is being amended, the Amended Amount and Amended Percentage fields must also be completed.

Agreement Administration: complete all applicable fields.

Attachments included in the agreement packet should all be identified in this section.

Amendment Information: complete all fields if amending the agreement

- Amendment ID – Enter the amendment number (i.e., enter “1” if it is the first amendment, enter “2” if it is the second amendment, etc.).
- Amendment Description – Summarize what is being amended. Example: Original agreement amount is being increased by \$500,000 and the Budget Period and Project Periods are being extended six months.

Federal Award Information: Complete all fields if using federal funds for any part of the award. If the award is being funded by multiple federal grants, information on each grant must be included as an attachment.

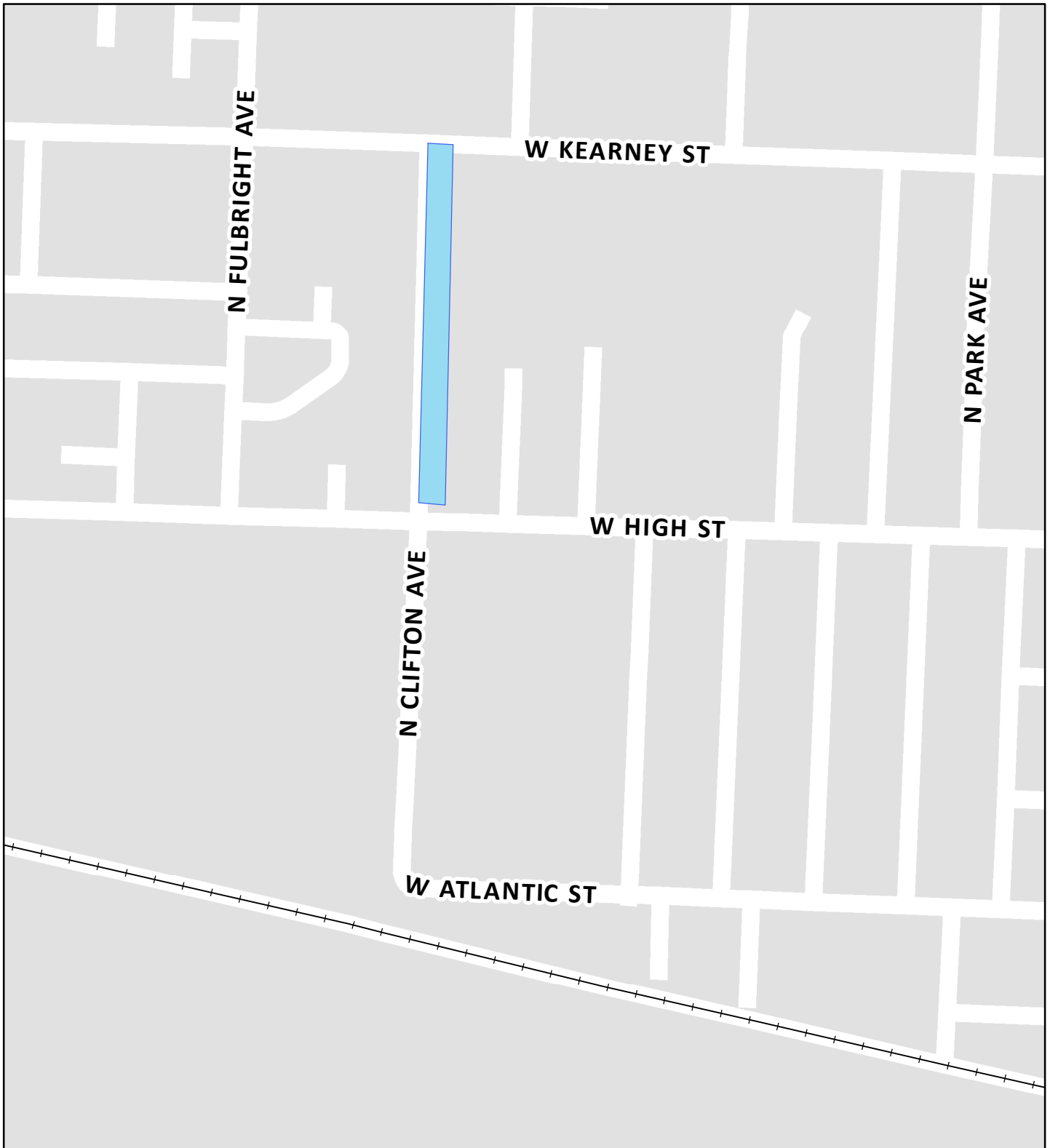
- Federal Award Project Title and Description – Refer to the Notice of Award from the federal agency.
- Federal Awarding Agency – Designate from which federal agency MoDNR received pass through funds.
- Federal Award ID Number – Refer to the Notice of Award.
- Pass Through Entity Name – Enter information in this format: *Division, Program*.
- Federal Funding Year – Federal year the funding is provided.
- Federal Award Date – Date the federal award is signed by the authorized official of the Federal awarding agency. Refer to the Notice of Award.
- Total Amount of Federal Award – Enter the total amount awarded by the federal agency to include any amended amounts. Refer to the Notice of Award.
- Indirect Cost Rate for MoDNR – Current MoDNR rates can be found at <http://n-nr1ntra.ads.state.mo.us/das/rates-current.htm>.

Approval: complete fields below

- Department of Natural Resources Director Or Designee – Enter the name of the MoDNR director.
- Recipient Organization Authorized Official Name and Title – Enter the name and title of the person who will be signing on behalf of the recipient organization, if known.

EXHIBIT B

2023PW0092 Clifton Avenue - Kearney Street to High Street



CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit C

Budget Adjustment
014

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
22540	20	73020	416010	103359	00000	\$187,492	American Rescue Plan Act (ARPA) Federal Grant Revenues through Missouri Department of Natural Resources
Net Revenue Adjustment						\$187,492	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
22540	20	73020	509110	103359	00000	\$187,492	Clifton Ave from Kearney St to High St Improvements
47040	20	73020	509110	103359	00000	21,000	Clifton from Kearney to High Improvements - 1/4 Cent
41040	20	73020	509110	103359	00000	23,008	Clifton from Kearney to High Improvements - 1/4 Cent
40051	20	73020	509110	103359	00000	14,000	Clifton from Kearney to High Improvements - 1/8 Cent
40055	20	73020	509110	103359	00000	19,000	Clifton from Kearney to High Improvements - 1/8 Cent
40056	20	73020	509110	103359	00000	11,008	Clifton from Kearney to High Improvements - 1/8 Cent
Net Expenditure Adjustment						\$275,508	

Fund Balance Appropriation:

Fund		Title	Amount
47040	20	1/4 Cent Capital Imp. Sales Tax	(21,000)
41040	20	1/4 Cent Capital Imp. Sales Tax	(23,008)
40051	20	1/8 Cent Transportation Sales Tax	(14,000)
40055	20	1/8 Cent Transportation Sales Tax	(19,000)
40056	20	1/8 Cent Transportation Sales Tax	(11,008)

Explanation: To amend the FY2024-25 budget by appropriating \$187,492 of federal ARPA grant funds and \$44,008 of 1/4-Cent Capital Improvement Sales Tax fund balance reserves and \$44,008 of 1/8 Cent Transportation Sales Tax fund balance reserves for the Clifton Avenue from Kearney Street to High Street improvement project.

Requested By:

Dan Smith July 30, 2024
Department Head Date

Approved By:

DJ Hill July 30, 2024
Director of Finance Date

Authorization:

Council Bill No. 2024-163
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____

City Manager Date



EXPLANATION TO COUNCIL BILL 2024-164 (MCGULL, JENSON, SIMPSON, HO

FILED: 07/16/2024

ORIGINATING DEPARTMENT: Public Works

TITLE: A special ordinance approving the plans and specifications for the 2024 Federal Resurfacing Project STBG-5900(851); accepting the bid of \$3,840,106.50 from Blevins Asphalt Construction Company, Inc. for construction of the project; authorizing the City Manager, or designee, to enter into a contract with such bidder; and declaring that this Ordinance qualifies for approval in one reading pursuant to Section 2.16(25) of the City Charter.

PURPOSE: Approving the plans and specifications for the 2024 Federal Resurfacing Project STBG-5900 (851), Plan No.2023PW0055; accepting the bid of *Blevins Asphalt Construction Company, Inc.* for the project, and authorizing the City Manager, or designee, to enter into a contract with such bidder.

BACKGROUND INFORMATION: The associated Surface Transportation Block Grant ("STBG") Program Agreement allows for reimbursement of up to 80 percent of the estimated \$4,856,250 cost for project construction and inspection associated with pavement resurfacing improvements on the following roadways:

- Norton Road – Kansas Expressway to Pierce Avenue
- High Street – Clifton Avenue to Kansas Expressway
- Division Street – West Bypass to Kansas Expressway
- Packer Road – Atlantic Street to Kearney Street
- Grand Street – Scenic Avenue to National Avenue
- Campbell Avenue – Grand Street to Swan Street
- Oak Grove Avenue – Cherry Street to Sunshine Street
- Catalpa Avenue – Oak Grove Avenue to Ingram Mill
- Golden Avenue – Erie Street to Sunset Street
- Republic Road – Scenic Avenue to Kansas Expressway
- Fremont Avenue – Lark Street to Briar Street
- Briar Street – National Avenue to Palmer Avenue
- Lone Pine Avenue – Galloway Street to Republic Road

Bids were solicited for this project by advertising in the *Daily Events* from June 14, 2024, through June 21, 2024. Bids were opened on July 16, 2024, at 10:30 AM, with the following bids received:

CONTRACTOR	AMOUNT
Blevins Asphalt Construction Company, Inc.	\$3,840,106.50
Capital Paving & Construction LLC	\$4,640,000.00
APAC-Central, Inc.	\$4,747,051.03
<i>Engineer Estimate</i>	<i>\$4,703,890.00</i>

The cost to be reimbursed by the Missouri Highways and Transportation Commission will be \$3,072,085.20, under the maximum allowable of \$3,885,000. The City's 20 percent share, estimated at \$768,021.30 of a budgeted \$971,250, will be funded by the 1/8-cent Transportation Sales Tax.

Supports the following City Council Priorities:

- Quality of Place
- Economic Vitality
- Public Safety

REMARKS: Public Works recommends acceptance of the bid of *Blevins Asphalt Construction Company, Inc.* as the lowest responsible bid and passage of this Council bill.

Submitted By: Eric Claussen, Assistant Director of Public Works

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

Maurice S. Jones, Deputy City Manager 7/30/2024

Attachments:

1. STBG Asphalt Overlay_ord
2. STBG Asphalt Overlay Map_ExhA
3. STBG Asphalt Overlay Agree_ExhB

34 Section 2 – The City Manager, or designee, is hereby authorized to enter into a
35 contract with said bidder for such work in accordance with the terms of the bid, the
36 plans, and the specifications, said contract to be in substantially similar form to the
37 document attached hereto and incorporated herein by reference as “Exhibit B.”
38

39 Section 3 – All workers performing work under the contract shall be paid a wage
40 of no less than the prevailing hourly rate of wages for work of a similar character in this
41 locality or the public works contracting minimum wage, whichever is applicable. The
42 contractor shall fully comply with the provisions and requirements of the Missouri State
43 Prevailing Wage Law. Contractors and any subcontractor performing work under this
44 contract must provide a 10-hour OSHA construction safety training program, or similar
45 program approved by the Department of Labor, for on-site employees, unless
46 employees demonstrate they previously completed the program.
47

48 Section 4 - City Council hereby finds and declares that this Ordinance may be
49 passed as a one-reading ordinance under City Charter Section 2.16(25) as it relates to
50 a contract for the acceptance of grant funds from a state or federal agency. This
51 Ordinance shall be in full force and effect from and after passage.
52

53 Passed at meeting: _____
54

55 _____
56 Mayor
57

58 Attest: _____, City Clerk
59

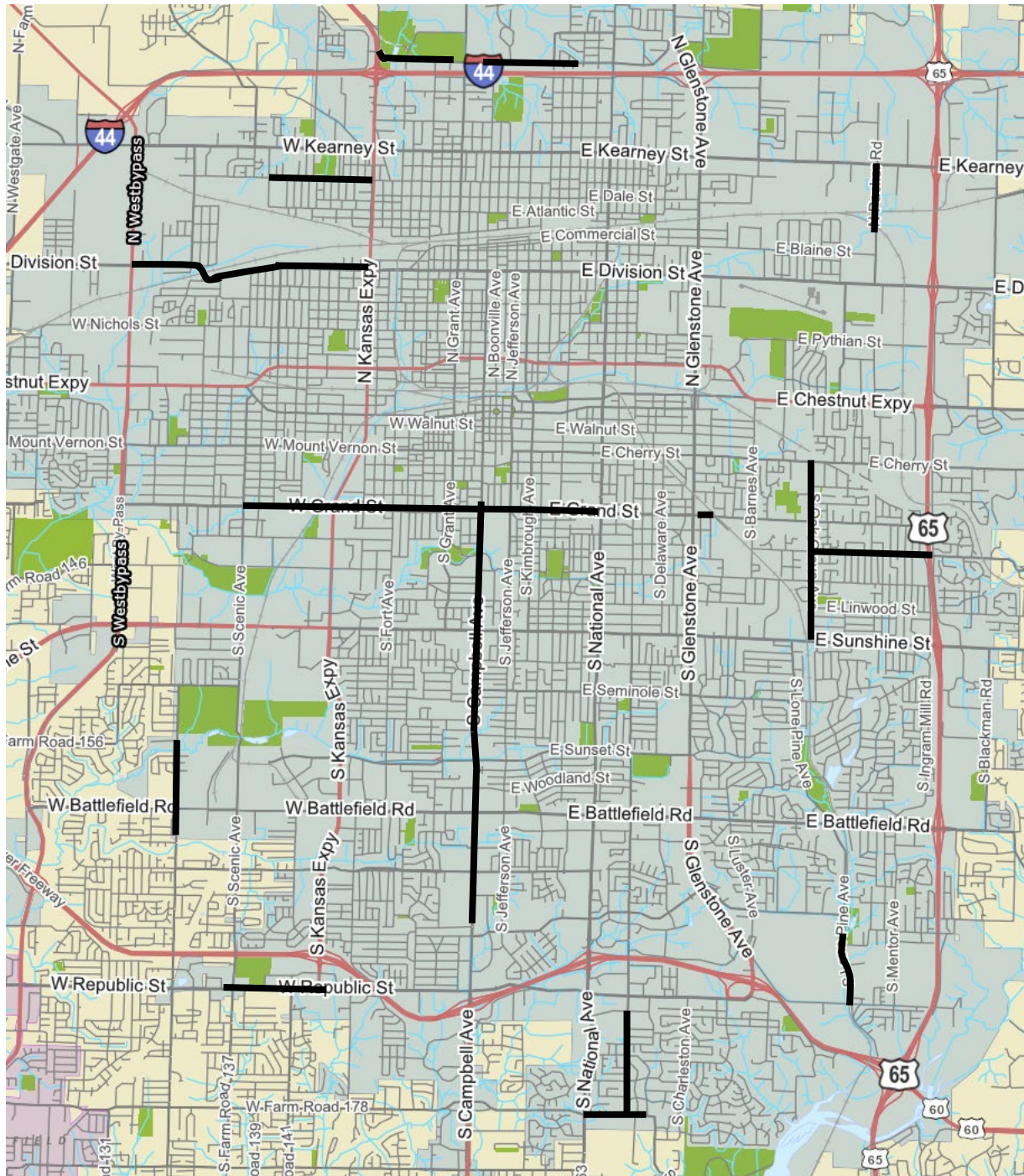
60 Filed as Ordinance: _____
61

62 _____
63 Approved as to form: _____, Assistant City Attorney
64

65 _____
66 Approved for Council action: _____ City Manager

EXHIBIT A

RESURFACING OF VARIOUS STREETS, TIP # SP2405-24 PROJECT LOCATION MAP



Briar Street (National Avenue to Palmer Avenue)
 Campbell Avenue (Meadowmere Street to Swan Street)
 Catalpa Street (Oak Grove Avenue to Highway 65)
 Division Street (Kansas Expressway to West Bypass)
 Fremont Avenue (Lark Avenue to Briar Avenue)
 Golden Avenue (City Limits to Sunset Street)
 Grand Street (Scenic Avenue to Chadwick Lane)
 High Street (Kansas Expressway to Clifton Avenue)
 Lone Pine Avenue (Galloway Street to Republic Road)
 Norton Street (Kansas Expressway to Pierce Avenue)
 Oak Grove Avenue (Sunshine Street to Cherry Street)
 Packer Road (Kearney Street to Railroad Tracks)
 Republic Road (Kansas Expressway to Scenic)

ROUTING ORDER	(1) ORIGINATING DEPARTMENT	(2) CONTRACTOR	(3) FINANCE DEPARTMENT
	(4) LAW DEPARTMENT	(5) CITY MANAGER'S OFFICE	(6) CITY CLERK'S OFFICE
EFFECTIVE DATE	TERMINATION DATE	ADDENDUM #	TO CONTRACT #
CITY		CONTRACTOR	
City of Springfield 840 Boonville, P.O. Box 8368 Springfield, MO 65802 Phone: Attn:		Blevins Asphalt Construction Company, Inc. 11837 Lawrence 1163 Mt Vernon, MO 65712 Phone: Attn: Email:	

ADDENDUM

Entered this ____ day of _____, 20____, for good and valuable consideration, the undersigned hereby agree that this Addendum shall become part of that certain Contract executed on the ____ day of _____, 20____, by the parties identified above.

The parties agree as follows:

- Section 3. Insurance is hereby deleted and replaced with a new section 3. which reads as follows:

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 this Contract. 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 under this Contract.

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 Contractor. 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:

City of Springfield – Attn: Public Works, Missouri Highways and Transportation Commission, and the Missouri Department of Transportation and its employees, P.O. Box 8368, Springfield, MO 65801-8368 and

Such policies shall name the City of Springfield, Missouri Highways and Transportation Commission, and the Missouri Department of Transportation and its employees an additional insured with limits of liability not less than the sovereign immunity limits for Missouri public entities calculated by the Missouri Department of Insurance as of January 1 each calendar year and published annually in the Missouri Register pursuant to Section 537.610, RSMo.

(See <https://insurance.mo.gov/industry/sovimunity.php>)

As of January 1, 2024, the minimum coverage for the insurance referred to herein shall be as set out below:

- Workers' Compensation**Statutory coverage per RSMo 287.010 et seq.
Employer's Liability \$1,000,000.00

- Commercial General Liability Insurance**, including coverage for Premises, Operations, Products and Completed Operations, Contractual Liability, Broad Form Property Damage, Independent Contractors, Explosion, Collapse, and Underground Property Damage and endorsed for blasting if blasting required. . Such coverage shall apply to bodily injury and property damage on an "Occurrence Form Basis" with limits of at least Three Million Three Hundred Seventy Thousand One Hundred Thirty-Seven and no/100 Dollars (\$3,370,137.00) for all claims arising out of a single accident or occurrence and at least Five Hundred Five Thousand Five Hundred Twenty and no/100 Dollars (\$505,520.00) with respect to injuries and/or death of any one person in a single 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 attorney 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.

Aggregate Limit must apply on a Per Project basis, and the endorsement must accompany the certificate of insurance. A Waiver of Subrogation endorsement must be provided by contractor in favor of the City.

c. **Automobile Liability Insurance** covering bodily injury and property damage for owned, non-owned and hired vehicles, with limits of at least Three Million Three Hundred Seventy Thousand One Hundred Thirty-Seven and no/100 Dollars (\$3,370,137.00) for all claims arising out of a single accident or occurrence and at least Five Hundred Five Thousand Five Hundred Twenty and no/100 Dollars (\$505,520.00) with respect to injuries and/or death of any one person in a single occurrence.

d. **Owner's and Contractor's Protective Liability Insurance** to protect the City, its agents, servants and employees from claims which may arise from the performance of this Contract, 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.

The Owner's and Contractor's Protective Liability Insurance must:

- 1) Be a separate policy with the named insured being: The City of Springfield; and
- 2) Be with the same insurance company with which the Contractor carries its Commercial General Liability Insurance; and
- 3) Contain an endorsement that disclaims coverage for any claim barred by the doctrines of sovereign immunity or official immunity, except attorney's fees and other litigation costs incurred in defending a claim. Nothing contained in this policy (or this endorsement thereto) shall constitute any waiver of whatever kind of these defenses or sovereign immunity or official immunity for any monetary amount whatsoever.

e. **Subcontracts.** In case any or all of this work is sublet, the Contractor shall require the subcontractor to procure and maintain all insurance required in subparagraphs (a), (b) and (c) hereof and in like amounts. Contractor 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, City Utilities of Springfield, Missouri, and the Board of Utilities through insurance against applicable hazards or risks and shall, upon request of the City, provide evidence of such insurance.

f. **Notice.** The Contractor 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 Contractor, upon 10 days written notice, to execute a contract addendum whereby the Contractor agrees to provide, at a price not exceeding Contractor'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.

2. That all other provisions of the aforementioned Contract shall remain in full force and effect.

3. That this Addendum together with the Contract contain 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.

(Remainder of Page Intentionally Left Blank.)

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and year herein stated.

REVIEWED BY:

Assistant Director of Public Works or Acting Director

RECOMMENDED BY:

Director of Public Works or Acting Director

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 Assistant City Attorney

CONTRACTOR

By: _____

Name & Title: _____

CITY OF SPRINGFIELD, MISSOURI

By: _____
City Manager or designee



EXPLANATION TO COUNCIL BILL 2024-165 (HORTON, MCGULL)

FILED: 07/16/2024

ORIGINATING DEPARTMENT: Public Works

TITLE: A special ordinance amending the Fiscal Year 2024-2025 budget of the Department of Public Works in the amount of \$1,350,000 to appropriate 1/4-cent Capital Improvement Sales Tax fund balance reserves for sidewalk improvements and rehabilitation of existing sidewalks.

PURPOSE: Approving a budget adjustment amending the Fiscal Year 2024-2025 budget of the Department of Public Works in the amount of \$1,350,000 to appropriate 1/4-cent Capital Improvement Sales Tax fund balance reserves for sidewalk improvements to fill high priority sidewalk gaps and perform rehabilitation of existing sidewalks to meet requirements in accordance with the City's previously approved ADA transition plan.

BACKGROUND INFORMATION: This project continues the progress of the ADA transition plan updating our existing sidewalks to federal standards. It aims to address high-priority gaps in connectivity, and repair existing sidewalks in Council Zones 1 and 2, enhancing walkability. The use of 1/4-cent Capital Improvement Sales Tax reserve funds will help fulfill ADA transition plan commitments despite the increased construction costs that occurred in the previous tax cycle. The proposed repair locations detailed in "Exhibit A" and pending approval of funds, are scheduled to be bid in August 2024.

Supports the following City Council Priorities:

- Public Safety
- Quality of Place

REMARKS: 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:
Maurice S. Jones, Deputy City Manager 7/25/2024

Attachments: 1. Sidewalk Improvement Budget Adjustment_ord

2. Sidewalk Improvement Budget Adjustment Map_ExhA
3. Sidewalk Improvement Budget Adjustment BA_ExhB

One-rdg. _____
P. Hrngs. _____
Pgs. 6
Filed: 07-30-24

Sponsored by: Horton, McGull

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-165

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Fiscal Year 2024-2025 budget of the Department of Public Works
2 in the amount of \$1,350,000 to appropriate 1/4-cent Capital
3 Improvement Sales Tax fund balance reserves for sidewalk
4 improvements and rehabilitation of existing sidewalks.
5 _____
6

7 WHEREAS, the City, in accordance with its Americans with Disabilities Act
8 (“ADA”) transition plan, aims to address high-priority gaps in sidewalk connectivity and
9 repair existing sidewalks in Council Zones 1 and 2; and
10

11 WHEREAS, use of 1/4-cent Capital Improvement Sales Tax reserve funds will
12 help fulfill ADA transition plan commitments despite increased construction costs; and
13

14 WHEREAS, the proposed repair locations detailed in “Exhibit A,” attached hereto
15 and incorporated herein by reference, are scheduled to be bid in August 2024.
16

17 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
18 SPRINGFIELD, MISSOURI, as follows, that:
19

20 Section 1 – The budget of the City of Springfield for Fiscal Year 2024-2025 is
21 hereby amended in the accounts and in the amounts as shown on Budget Adjustment
22 No. 016, a copy of which is attached hereto and incorporated herein by reference as
23 “Exhibit B.”
24

25 Section 2 – City Council hereby finds that the budget adjustment made above
26 has been recommended by the City Manager.
27

28 Section 3 – The City Manager is directed to cause the appropriate accounting
29 entries to be made in the books and records of the City.
30

31 Section 4 – This Ordinance shall be in full force and effect from and after
32 passage.
33

34 Passed at meeting: _____

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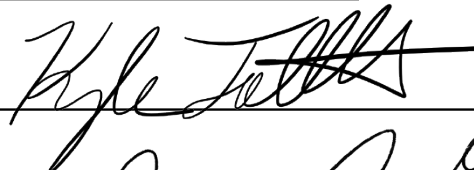
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47

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form:  _____, Assistant City Attorney

Approved for Council action:  _____, City Manager

2024PW0009 Sidewalk Improvement Project



Group A

Repair sidewalks on Norton Road (Kansas Expwy to Pickwick Ave.)
Repair sidewalks on Kentwood Ave. (Pickwick Ave. to McClernon St.)
Repair sidewalks on McClernon St. at Kentwood Ave.

Group B

Install NEW sidewalk to fill Gap on Lee Street at Newton Ave.
Install NEW sidewalk to fill Gap on Dale Street at Johnston Ave.
Install NEW sidewalk to fill Gap on Fort Avenue at Kearney St.
Install NEW sidewalk to fill Gap on High Street (Kansas Expwy.
to Newton Ave.)

Group C

Repair sidewalks on High Street (Golden Ave. to Kansas Expwy.)
Install NEW sidewalk on Park Avenue west side (High Street to Tom
Watkins Park parking lot)

Group D

Repair sidewalks on Division Street (Western Ave. to Colgate Ave.)
Install NEW sidewalk to fill Gap on Division at Western Ave.

Group E

Repair sidewalks on Nichols Street (Kansas Expwy to Grant Ave.)
Install NEW sidewalks to fill Gap on Nichols Street (Fort Ave. to Franklin Ave.)

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit B

Budget Adjustment
016

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
Net Revenue Adjustment						\$0	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
41090	20	73020	509110	102726	00000	1,350,000	Sidewalk Improvements - ADA Transition Plan
Net Expenditure Adjustment						\$1,350,000	

Fund Balance Appropriation:

Fund		Title	Amount
41090	20	1/4-Cent Capital Imp. Sales Tax	(\$1,350,000)

Explanation: To amend the FY2024-25 budget by appropriating \$1,350,000 of 1/4-Cent Capital Improvement Sales Tax fund balance reserves for sidewalk improvements at various locations in accordance with the ADA Transition Plan.

Requested By:

Dan Smith July 30, 2024
Department Head Date

Approved By:

DL Hill July 30, 2024
Director of Finance Date

City Manager Date

Authorization:

Council Bill No. 2024-165
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____



EXPLANATION TO COUNCIL BILL 2024-166 (SIMPSON)

FILED: 07/18/2024

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, Missouri, as shown on the renewal of the Cluster Preliminary Subdivision Plat of Reed Avenue Cottages, generally located at 4423 South Reed Avenue, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance.

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 Renewal of the Cluster Preliminary Subdivision Plat of Reed Avenue Cottages, generally located at 4423 South Reed Avenue upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance. (Staff recommends that City Council accept the public streets and easements.)

BACKGROUND INFORMATION:

A. An original Cluster Preliminary Subdivision Plat of Reed Avenue Cottages dated December 31st, 2021, is on file in the Department of Planning and Development. A reduced version of which is included for general reference in Attachment 4.

B. The Planning and Zoning Commission held a public hearing on July 11th, 2024, and approved the Preliminary Plat Renewal 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 Traditional Neighborhood Placetype. This placetype is predominately comprised of post-war residential neighborhoods that contain predominantly single-family detached dwellings with uniform setbacks, building designs, and parcel sizes, that are separated from dissimilar uses by distinct zoning boundaries and buffer yards. These neighborhoods can follow a gridded block pattern or curvilinear streets and are well connected internally with sidewalks and trails.

Planning for Traditional Neighborhoods should strive to increase and integrate quality of place and complete neighborhood characteristics. These characteristics could include beautification efforts such as planting street trees, expanding connections and access to the greenway and trail system, and support for low-intensity multi-family, low-intensity neighborhood commercial, or a mix of uses to serve area residents. Multi-family, neighborhood commercial, or mixed use should be located on the edges of the greenway system, on higher classification roadways, or areas identified by residents during the neighborhood planning process. Preservation of residential housing and



housing patterns should be prioritized where lots are predominately accessed from side or internal local streets. (p. 36, Chapter 5: Land Use & Development)

The proposed subdivision continues the single-family use that is present on the adjacent properties and surrounding streets. The intent is to build single-family semi-detached dwellings, which are present in the subdivision to the northeast of the subject site. Sidewalks are proposed on one side of Old Ivy Street and Reed Avenue, providing for future connectivity to the sidewalk network in the area.

REMARKS: Staff recommends approval.

Submitted By: Andrew Menke, Senior Planner

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

Maurice S. Jones, Deputy City Manager 7/25/2024

Attachments:

1. Reed Avenue Cottages Preliminary Plat Renewal_Ord
2. Reed Ave Cottages Renewal_exhA
3. Reed Ave Cottages Renewal_exhB

One-rdg. _____
P. Hrngs. _____
Pgs. 24
Filed: 07-30-24

Sponsored by: Simpson

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-166

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AUTHORIZING the Director of Planning and Development to accept the dedication of
2 public streets and easements to the City of Springfield, Missouri, as
3 shown on the renewal of the Cluster Preliminary Subdivision Plat of
4 Reed Avenue Cottages, generally located at 4423 South Reed
5 Avenue, upon the applicant filing and recording a final plat that
6 substantially conforms to the preliminary plat; and authorizing the City
7 Clerk to sign the final plat upon compliance with all the terms of this
8 Ordinance.
9 _____

10
11 WHEREAS, an original Cluster Preliminary Subdivision Plat of Reed Avenue
12 Cottages, dated December 31, 2021, is on file with the City's Department of Planning
13 and Development; and
14

15 WHEREAS, the Planning and Zoning Commission conditionally approved the
16 Cluster Preliminary Subdivision Plat of Reed Avenue Cottages, which is generally
17 located at 4423 South Reed Avenue, on March 10, 2022; and
18

19 WHEREAS, on April 4, 2022, City Council authorized the Director of Planning
20 and Development to accept the dedication of public streets and easements to the City,
21 as shown on the Cluster Preliminary Subdivision Plat of Reed Avenue Cottages, upon
22 the applicant filing and recording a final plat substantially confirming to the Preliminary
23 Plat; and
24

25 WHEREAS, approval of a preliminary plat is effective for a period of two (2)
26 years, but the Planning and Zoning Commission may extend this effective period by two
27 (2) years upon application by the subdivider; and
28

29 WHEREAS, the Planning and Zoning Commission held a public hearing and
30 conditionally approved the renewal of the Cluster Preliminary Subdivision Plat of Reed
31 Avenue Cottages on July 11, 2024, a copy of the Record of Proceedings from said
32 public hearing being attached hereto and incorporated herein by this reference as

33 "Exhibit A."
34

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

38 Section 1 – City Council hereby authorizes the Director of Planning and
39 Development, on behalf of the City of Springfield, Missouri, to accept the land,
40 easements, and improvements dedicated to the City, as shown on the Cluster
41 Preliminary Subdivision Plat of Reed Avenue Cottages, which is generally located at
42 4423 South Reed Avenue, as approved by the Planning and Zoning Commission. The
43 original Cluster Preliminary Subdivision Plat of Reed Avenue Cottages is on file in the
44 Department of Planning and Development ("Approved Preliminary Plat"), a reduced
45 version of which is attached hereto for general reference as "Exhibit B – Attachment 4."
46 All of "Exhibit B," including attachments, is incorporated herein by this reference.
47

48 Section 2 – The Director of Planning and Development shall be authorized to
49 accept the land, easements, and improvements dedicated to the City, as shown on said
50 plat, upon the applicant filing and recording a final plat in accordance with this
51 Ordinance and the Subdivision Regulations of the City, which final plat shall
52 substantially conform to the Approved Preliminary Plat, including those conditions
53 described in "Exhibit B – Attachment 2," and upon the Director of Public Works certifying
54 to the Director of Planning and Development and the City Clerk that the public
55 improvements have been made in accordance with City standards and specifications.
56 Said public improvements shall not be accepted until the occurrence of all conditions
57 referenced herein and in "Exhibit B – Attachment 2."
58

59 Section 3 – The final plat shall not be recorded until: (1) the public improvements
60 relating to the Approved Preliminary Plat have been constructed according to the
61 specifications of the City of Springfield, Missouri, and are approved by the Director of
62 Public Works, and all engineering fees, permit fees, licenses, and other fees occasioned
63 by or in connection with the construction of said improvements have been paid to the
64 City; or (2) in lieu of the construction of the improvements, that the Applicant has filed
65 with the City Manager, according to the terms of the Subdivision Regulations of the City,
66 the prescribed financial assurances in a form acceptable to the City to ensure the
67 construction of the improvements and the payment to the City of all engineering fees,
68 permit fees, licenses, and other fees occasioned by, or which will be occasioned by, the
69 construction of the improvements.
70

71 Section 4 – Upon compliance with all the requirements of this Ordinance,
72 including the conditions described in "Exhibit B – Attachment 2," the City Clerk is hereby
73 authorized to endorse City Council's approval upon the final plat pursuant to Section
74 445.030, RSMo., and such endorsement shall constitute the acceptance of the Public
75 Improvements contained therein.
76

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

79 Passed at meeting: _____

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Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Laura Vales, Assistant City Attorney

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

EXHIBIT A
RECORD OF PROCEEDINGS
Planning and Zoning Commission – July 11, 2024

Preliminary Plat of Reed Avenue Cottages - Renewal
4423 South Reed Avenue

Applicant: Milton at Reed Road, LLC

Mr. Andrew Menke stated that this is a request to approve a preliminary plat for a 22-lot residential cluster development subdivision.

Mr. Nathan Adams, 3213 W. Bypass noted that the plat was approved 2 years ago but has since changed ownership and now would like to build the same thing that was already approved, and just needs re-approval.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Preliminary Plat of Reed Avenue Cottages - Renewal, Commissioner Pauly seconded the motion. It Passed with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles, Commissioner Doennig. Nays: None. Absent: Commissioner Scott. Abstain: None.



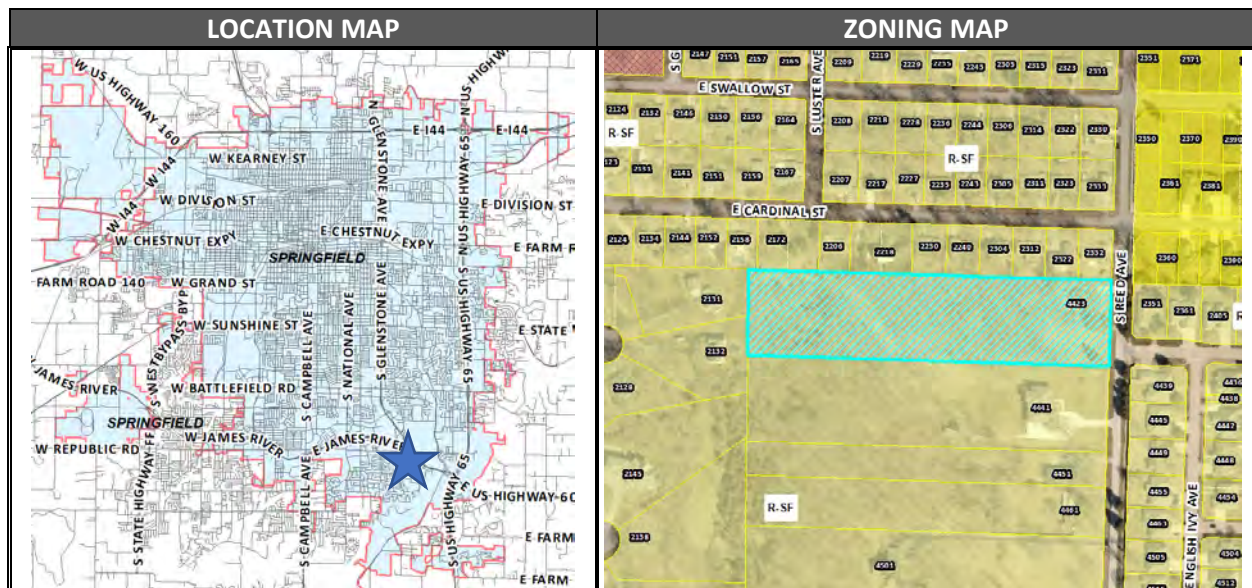
Bob Hosmer, AICP
Planning Manager

DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION	
Case Number:	Preliminary Plat Renewal of Reed Avenue Cottages
Location:	4423 South Reed Avenue
Total Acres:	4.74 acres
Applicant:	Milton at Reed Road, LLC
Existing Land Use:	Vacant lot
Neighborhood Meeting:	N/A
Planning and Zoning Commission:	July 11, 2024
City Council:	August 5, 2024
Public Notification:	Posted property
Staff:	Andrew Menke, Senior Planner – (417) 864-1613
Staff recommendation:	Staff recommends approval
Proposed motion:	Move to approve the renewal of the preliminary plat of Reed Avenue Cottages subject to the conditions listed in Attachment 2 of the staff report on this item. (All commission motions are made in the affirmative.)
Required Vote:	A majority of those present (5 members are a quorum).

PROJECT SUMMARY:

Milton at Reed Road, LLC is requesting to renew the preliminary plat of Reed Avenue Cottages, a twenty-two (22) lot cluster subdivision located at 4423 South Reed Avenue, to facilitate residential development on the property. As a cluster development, lot dimensions have been modified to allow for a minimum of 3,000 square feet and a reduction in lot width. This is compensated by an equivalent amount of open space designated as common area within the development.

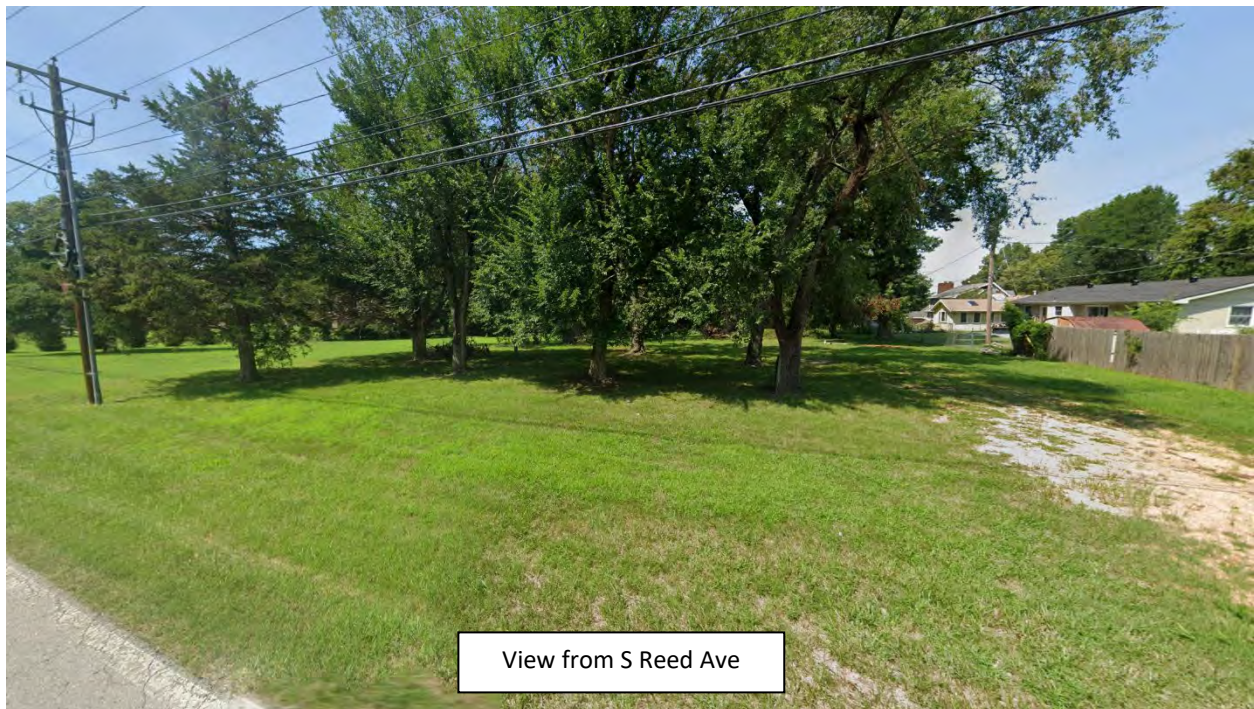


DEVELOPMENT REVIEW STAFF REPORT

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 in 1968 and has been zoned Single-Family Residential since the 1995 citywide remapping. The preliminary plat of Reed Avenue Cottages was approved in 2022, but expired on April 4, 2024. The property has never been platted.

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.

DEVELOPMENT REVIEW STAFF REPORT

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.

Sec. 36-361. Cluster developments.

- (2) Cluster housing development: dwelling types and size.
 - (a) Only uses specified in the particular zoning district are permitted.
 - (b) Cluster developments shall consist of at least ten dwelling units except that cluster developments that are found by the planning and zoning commission to be a logical extension of an existing or approved cluster development may contain fewer dwelling units.
- (4) Cluster open space requirements: ownership.
 - (a) [Minimum lot size.] In each zone allowing cluster housing development, the lot size may be reduced from the minimum lot area prescribed for that zone to the minimum lot size for cluster development specified in subsection (3)(b). All such lot reductions shall be compensated for by an equivalent amount of land in open space or common area to be preserved and maintained for its scenic or historic value, for recreation or conservation purposes, or for schools, community buildings, historic buildings or sites, or related uses. Cluster open space or common area shall not include areas devoted to public or private vehicular streets or any land which has been, or is to be, conveyed to a public agency via a purchase agreement.
 - (b) Public ownership. Open space or common area within cluster housing developments may be offered for dedication to the public at the time of application. The planning and zoning commission and city council or other appropriate public body may accept such dedication upon a finding that the size, location, type of development or cost of development or maintenance of such open space or common area or the availability of public open space would make public use desirable or necessary.
 - (c) Private ownership. Cluster open space not dedicated to public use shall be protected by legal arrangements, satisfactory to the planning and zoning commission, sufficient to assure its maintenance and preservation for whatever purpose it is intended and in accordance with section 36-463, requirements for common open space and common improvements. Covenants or other legal arrangements shall specify ownership of the cluster open space; method of maintenance, responsibility for maintenance; maintenance taxes and insurance; compulsory membership and compulsory assessment provisions; guarantees that any association formed to own and maintain cluster open space will not be dissolved without the consent of the planning and zoning commission and city council and any other specifications deemed necessary by the planning and zoning commission and city council.
- (5) Cluster developments: approval.

DEVELOPMENT REVIEW STAFF REPORT

- (a) No cluster development may be constructed except in accordance with a preliminary subdivision plat approved by the planning and zoning commission under chapter 36, article II, subdivision regulations.
- (b) An approved preliminary subdivision plat for a cluster development shall provide for a total environment better than that which can be achieved under standard regulations. If, in the opinion of the planning and zoning commission, the proposed plan could be improved, with respect to the criteria listed below, by the reasonable modifications of the location of cluster open space or buildings or configurations of lots, streets and parking areas, the proposed plan shall be so modified or denied.
- (c) A permit for a cluster development shall be granted only if evidence is presented which establishes that:
 - 1. The proposed development will be in harmony with the general purposes, goals, objectives and standards of the Springfield Comprehensive Plan, this article and the subdivision regulations;
 - 2. The proposed building or use complies with all applicable regulations of this article except as modified pursuant to the authority of this section;
 - 3. The proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety and general welfare;
 - 4. The proposed cluster development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property, in accordance with the applicable district regulations;
 - 5. The proposed cluster development will be served adequately by essential public facilities and services such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services;
 - 6. The proposed cluster development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance;
 - 7. Individual lots, buildings, streets, and parking areas are designed and situated to minimize alteration of the natural site features to be preserved;
 - 8. The usability of cluster open space intended for recreation or public use is determined by size, shape, topographic and location requirements of the particular purpose proposed for the site;
 - 9. Cluster open space shall include irreplaceable natural features located in the tract (such as, but not limited to, stream beds, significant stands of trees, individual trees of a significant size, and rock outcroppings);
 - 10. Cluster open space intended for a recreation or public use is easily accessible to pedestrians, which accessibility shall meet the needs of the handicapped and elderly;
 - 11. Diversity and originality in lot layout and individual building design is encouraged to achieve the best possible relationship between development and the land; and
 - 12. Individual lots, buildings, and units are arranged and situated to relate to surrounding properties, to improve the view from and the view of buildings, and to lessen the land area devoted to motor vehicle access.

DEVELOPMENT REVIEW STAFF REPORT

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR SINGLE-FAMILY RESIDENTIAL (CLUSTER DEVELOPMENT)
Minimum lot dimension requirements	Lot Area: 3,000 square feet Lot Width: 50 feet or reduced amount per sections 36-361(1)(a) & (3)(a) Lot Depth: 80 feet
Maximum structure height	- When side yards are less than 15 feet in width: 35 feet or two and one-half stories above the finished grade. - When side yards are 15 feet in width or greater: 45 feet or three stories above the finished grade.
Front yard setback	15 feet along local streets 25 feet along Collector streets or higher
Side and rear yard setback	Side yard: Five feet or as required by section 36-453, supplemental open space and yard regulations. Rear yard: Ten percent of the lot depth, but may not be less than ten feet nor shall more than 20 feet be required.
Street Classification	E Old Ivy Street – Local S Reed Avenue – Collector
Sidewalks	There is not existing sidewalk along the property frontage of S. Reed Avenue. Sidewalk is required to be constructed along S. Reed Avenue as part of the plat. The applicant has the option to apply to the ARC for approval to pay a fee in lieu of sidewalk construction. If approved, the fee must be paid prior to approval of the final plat. Sidewalk is also required to be constructed along one side of E. Old Ivy Street.
Open Space Requirements	Open space requirement is dependent on the extent of the lot reductions for the subdivision, where the amount of land for open space must be equivalent to the amount of land taken away from lots. The calculations showing equal compensation to open space can be found on drawing, in Attachment 4.

DEVELOPMENT REVIEW STAFF REPORT

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE: TRADITIONAL NEIGHBORHOOD

The *Comprehensive Plan's Land Use & Development* chapter groups this area into the Traditional Neighborhood Placetype. This placetype is predominately comprised of post-war residential neighborhoods that contain predominantly single-family detached dwellings with uniform setbacks, building designs, and parcel sizes, that are separated from dissimilar uses by distinct zoning boundaries and buffer yards. These neighborhoods can follow a gridded block pattern or curvilinear streets and are well connected internally with sidewalks and trails.

Planning for Traditional Neighborhoods should strive to increase and integrate quality of place and complete neighborhood characteristics. These characteristics could include beautification efforts such as planting street trees, expanding connections and access to the greenway and trail system, and support for low-intensity multi-family, low-intensity neighborhood commercial, or a mix of uses to serve area residents. Multi-family, neighborhood commercial, or mixed use should be located on the edges of the greenway system, on higher classification roadways, or areas identified by residents during the neighborhood planning process. Preservation of residential housing and housing patterns should be prioritized where lots are predominately accessed from side or internal local streets. (p. 36, *Chapter 5: Land Use & Development*)

The proposed subdivision continues the single-family use that is present on the adjacent properties and surrounding streets. The intent is to build single-family semi-detached dwellings, which are present in the subdivision to the northeast of the subject site. Sidewalks are proposed on one side of Old Ivy Street and Reed Avenue, providing for future connectivity to the sidewalk network in the area.

DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:



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

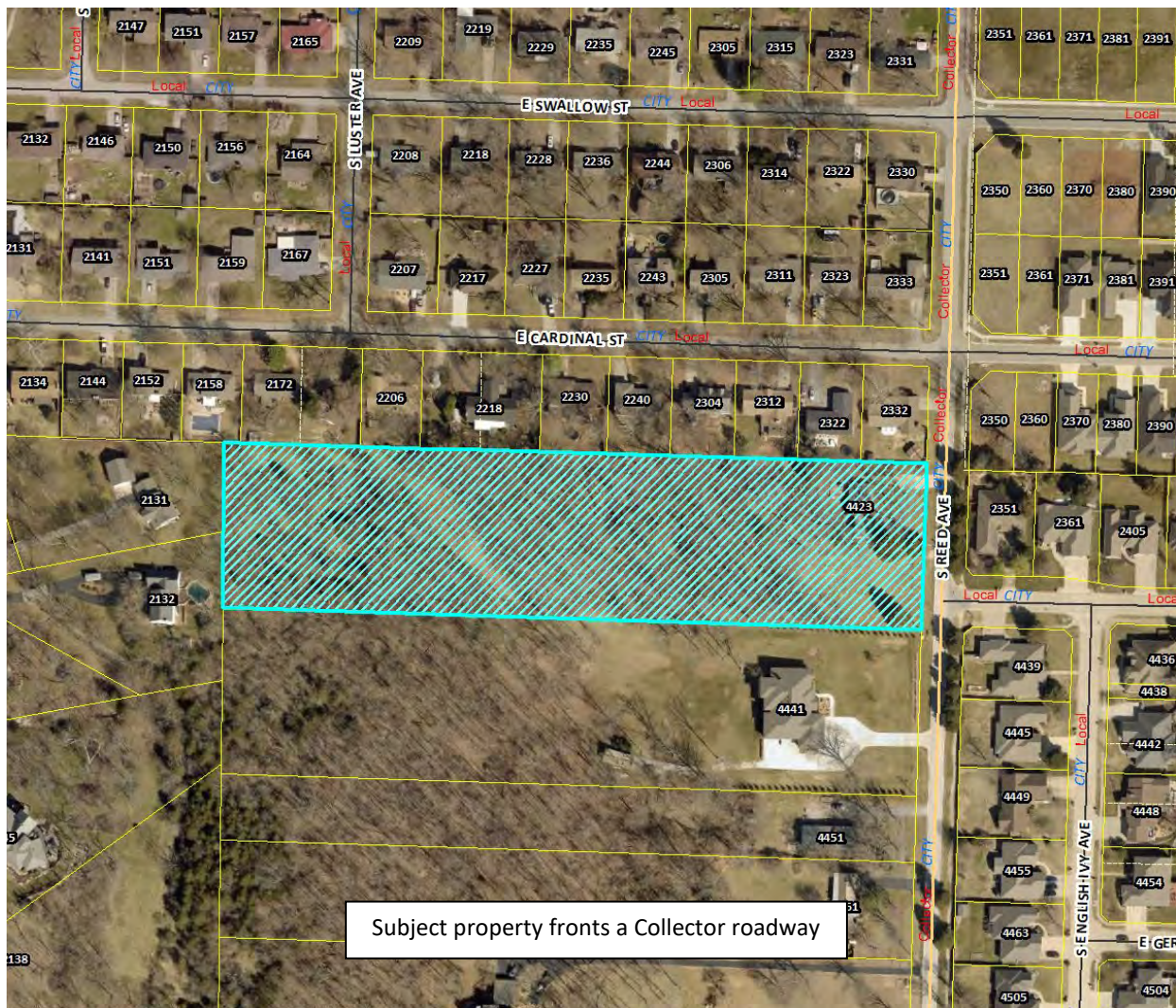
● Primary Land Use: More prominent and play a pivotal role in characterizing that placetype

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

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

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF	R-SF	R-SF	R-SF
LAND USE	Single-Family Residential	Single-Family Residential	Single-Family Residential	Single-Family Residential
PLACETYPES	Traditional Neighborhood	Traditional Neighborhood	Traditional Neighborhood	Traditional Neighborhood

DEVELOPMENT REVIEW STAFF REPORT

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is proposing to subdivide approximately 4.74 acres of property into a twenty-two (22) lot cluster development subdivision plat named “Reed Avenue Cottages” to facilitate a residential cluster development on the property. Single-family semi-detached dwellings are currently proposed to be built.
2. Cluster developments allow lot dimensions to be reduced to a minimum of 3,000 square foot in R-SF zoning districts and a reduced minimum width. The smallest lot proposed is 3,864 square feet and the smallest width proposed is about 45 feet.
3. The proposed internal street has been oriented to allow for potential future connections to the north and south. This street is an extension of East Olde Ivy Street and is proposed to be gated at the entrance.
4. An equivalent amount of open space is being provided to compensate for the reduction of the lot sizes. The calculations showing equal compensation from lots to open space can be found on the drawing, in **Attachment 4**. Open space will be privately maintained by a neighborhood association. Covenants and restrictions will be reviewed and recorded along with the final plat.
5. Staff responses to the evidence presented to the standards for cluster development approval can be found in **Attachment 3**. Staff believes the evidence presented adequately meets the standards for cluster developments.
6. The preliminary plat for Reed Avenue Cottages was approved by City Council on April 4, 2022. An approved preliminary plat is active for two (2) years. If a final plat is not submitted within the two-year limit the Planning and Zoning Commission may, upon application by the subdivider, extend the effective period of preliminary approval by two years, one time.
7. Public improvement plans for the subdivision were submitted on February 27, 2024 and are currently under review by City staff.
8. If Planning and Zoning Commission approves the renewal of the preliminary plat, then the plat will be forwarded to City Council for acceptance of public streets and easements. An approved preliminary plat is active for two (2) years.
9. 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 evidence presented by the applicant and staff’s responses for the standards for cluster development approval can be found in **Attachment 3**. The Preliminary Plat drawing can be found in **Attachment 4**.

DEVELOPMENT REVIEW STAFF REPORT

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.
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 renewal of the preliminary plat.
2. The commission shall conditionally approve the renewal of the preliminary plat.
3. The commission shall disapprove the renewal of 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:
Approved
2. DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:
Preliminary plat is acceptable. The following changes need to be made during the final plat process:
 - 1) New sewer easements would be required across the common area west of lot 8 and across lots 1 thru 8 even though the proposed sewer main is in the R/W. Since the proposed sewer main is closer than 5' to the R/W, a minimum 7.5' sewer easement would be required for those lots. Need to show a minimum 15' sewer easement on lots 21 and 22 also. Sanitary sewer needs to be specified if part of the utility easement.
 - 2) Note that if the amount of cover over the existing 8" SDR35 sewer main exceeds 12', it would need to be replaced with class 200 or SDR26.
 - 3) The proposed public improvements must be completed and accepted or escrowed before the final plat can be approved or any building permits can be issued.
3. FIRE DEPARTMENT:
Fire hydrant locations shall comply with 2018 IFC.
4. DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:
PW-Stormwater approves the renewal of the Preliminary Plat. The final plat will have to show the spring and changes resulting from the PIP changes. Lots 9 and 10 will need to be changed in location and the road may need to extend further west. The engineer report has an updated site layout/plan that matches the latest PIP submittal.
5. DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:
No comment.
6. DEPARTMENT OF PUBLIC WORKS TRANSPORTATION ENGINEERING SURVEY DIVISION:
Update the following during the final plat process:
 - 1) The north adjoining subdivision is, Hilltop Heights, as opposed to Ridge Wood 1st Addition.
 - 2) Add POB to the drawing.

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 follow 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.

DEVELOPMENT REVIEW STAFF REPORT

STANDARDS FOR CLUSTER DEVELOPMENT APPROVAL:

ATTACHMENT 3

Section 36-361. – Cluster Developments: Approval

- A. No cluster development may be constructed except in accordance with a preliminary subdivision plat approved by the Planning and Zoning Commission under Chapter 36, Article II, subdivision regulations.
- B. An approved preliminary subdivision plat for a cluster development shall provide for a total environment better than that which can be achieved under standard regulations. If, in the opinion of the planning and zoning commission, the proposed plan could be improved, with respect to the criteria listed below, by the reasonable modifications of the location of cluster open space or buildings or configurations of lots, streets and parking areas, the proposed plan shall be so modified or denied.

C. A permit for a cluster development shall be granted only if evidence is presented which establishes that:

	Applicant's response:	Staff response:
1. The proposed development will be in harmony with the general purposes, goals, objectives and standards of the Springfield Comprehensive Plan, this article, and the subdivision regulations;	The City of Springfield's land use plan identifies this area as appropriate for low density housing. The proposed development is consistent with the City's vision. The makeup of the lot only allows a fraction of the lot to be developed responsibly. With the cluster development proposed we are keeping all other subdivision and zoning regs in place except for the minimum lot size. The deficient space that we are missing on the individual lots will be dedicated to open space/walking trail along the back side and scattered throughout the development.	The proposed development substantially conforms to the goals, objectives and standards of the Springfield Comprehensive Plan, this article, and the subdivision regulations by preserving open space, allowing efficient use of property, and encourages future connections to the City's Street system.
2. The proposed building or use complies with all applicable regulations of this article except as modified pursuant to the authority of this section;	Correct. Residential townhomes are proposed on the development in accordance with R-SF regulations.	Residential semi-detached dwellings are permitted in R-SF, in accordance with section 36-361, cluster developments.
3. The proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety, and general welfare;	Neighboring properties have similar zoning and townhomes have been constructed recently on adjacent properties. The total # of units proposed is small and will not create any adverse impacts on the adjacent roadway.	The proposed buildings and uses will not have a substantial or undue adverse effect upon the adjacent property. The proposed development will have a similar density

DEVELOPMENT REVIEW STAFF REPORT

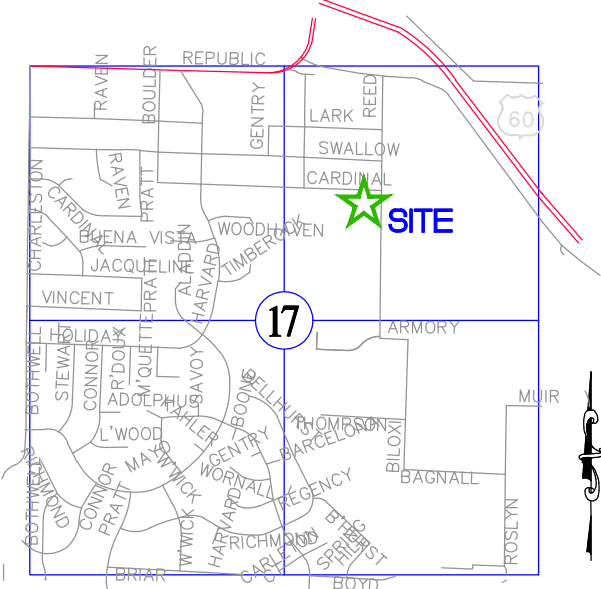
		to the surrounding neighborhoods.
4. The proposed cluster development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property, in accordance with the applicable district regulations;	The proposed development will be gated and provide a quiet, exclusive neighborhood feel for its occupants. The development is consistent with surrounding neighborhoods.	The proposed cluster development is consistent with development trends in the area.
5. The proposed cluster development will be served adequately by essential public facilities and services such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services;	Yes.	The proposed cluster development will be served adequately by all essential public facilities and services.
6. The proposed cluster development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance;	No historical features exist on-site. As many trees as possible will remain on the back portion to provide a buffer and "natural" walking trail for its residents.	No historical features will be destroyed, lost, or damages by the proposed cluster development.
7. Individual lots, buildings, streets, and parking areas are designed and situated to minimize alteration of the natural site features to be preserved;	Correct. The cluster subdivision was chosen as the best avenue to leave much of the grade along the back side of the property undisturbed. The back half drops off and City of Springfield design requirements would not allow us to design the road to follow the same slope. The "end" of the road was moved to the east and lot sizes reduced to allow the developer to keep the sites natural features intact.	The proposed cluster development will preserve much of the natural features on the western portion of the site. Only two lots are proposed to be adjacent to this area.
8. The usability of cluster open space intended for recreation or public use is determined by size, shape, topographic and location requirements of the particular purpose proposed for the site;	Yes. The back half was chosen for reasons mentioned above and to preserve the natural drainageway through the western half of the property.	The proposed cluster developments open space has been determined by its purpose to preserve the natural features of the site.
9. Cluster open space shall include irreplaceable natural features located in the tract (such as, but not limited to, stream beds, significant stands of trees, individual trees of a significant size, and rock outcroppings);	Yes, significant trees and drainageways are to be preserved on the west half of the property.	The proposed cluster development will preserve trees and drainageways on the west half of the property.

DEVELOPMENT REVIEW STAFF REPORT

10. Cluster open space intended for a recreation or public use is easily accessible to pedestrians, which accessibility shall meet the needs of the handicapped and elderly;	Yes. Easily accessible off of the street proposed.	The proposed open space has adequate frontage to public right-of-way and should be easily accessible.
11. Diversity and originality in lot layout and individual building design is encouraged to achieve the best possible relationship between development and the land; and	Yes.	The proposed cluster development provides diverse lot dimensions, which allow an equal amount of open space to be preserved.
12. Individual lots, buildings, and units are arranged and situated to relate to surrounding properties, to improve the view from and the view of buildings, and to lessen the land area devoted to motor vehicle access.	Correct. The lots have been allocated in a manor that provides the number of units in the most efficient manner.	The proposed cluster development is consistent with development trends in the area and has been designed to lessen the are devoted to motor vehicle access.

REED AVENUE COTTAGES

BEING A PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF
SECTION 17, TOWNSHIP 28 NORTH, RANGE 21 WEST,
IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.
PRELIMINARY SUBDIVISION PLAT FOR A CLUSTER DEVELOPMENT



LOCATION SKETCH
SEC. 17, T-28-N, R-21-W
SCALE: 1"=2000'



PROPOSED CLUSTER SUBDIVISION
TOTAL UNITS: 22 UNITS
TOTAL ACREAGE: 4.74 ACRES
ROW AREA: 0.97 ACRE
NET AREA: 3.77 ACRES
CLUSTER DENSITY: 5.84 UNITS/ACRE
R-SF ALLOWED DENSITY: 7.26 UNITS/ACRE
COMMON AREA/OPEN SPACE: 1.61 ACRES
MIN LOT SIZE: 3,864 SF
MIN LOT SIZE ALLOWED IN R-SF: 3,000 SF

CURVE TABLE				
CURVE #	LENGTH	RADIUS	DIRECTION	CHORD
C1	52.04'	125.00'	S50°26'27"E	51.67'
C2	14.75'	75.00'	N81°23'07"W	14.73'
C3	48.74'	75.00'	N57°07'54"W	47.89'
C4	19.15'	125.00'	N82°37'52"W	19.13'
C5	49.16'	125.00'	N66°58'28"W	48.85'
C6	37.51'	125.00'	N47°06'37"W	37.37'
C7	22.53'	75.00'	S47°07'16"E	22.45'
C8	41.26'	75.00'	S71°29'26"E	40.75'

PARCEL LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	14.16'	S42°20'40"E
L2	1.36'	S02°33'49"W
L3	7.67'	S87°15'09"E
L4	14.12'	N47°39'20"E
L5	5.00'	S87°01'03"E
L6	5.00'	S87°01'14"E

ZONING DATA

SUBJECT PROPERTY IS ZONED R-SF (SIGNAL FAMILY RESIDENTIAL DISTRICT).

BUILDING SETBACK LINES:

FRONT YARD:

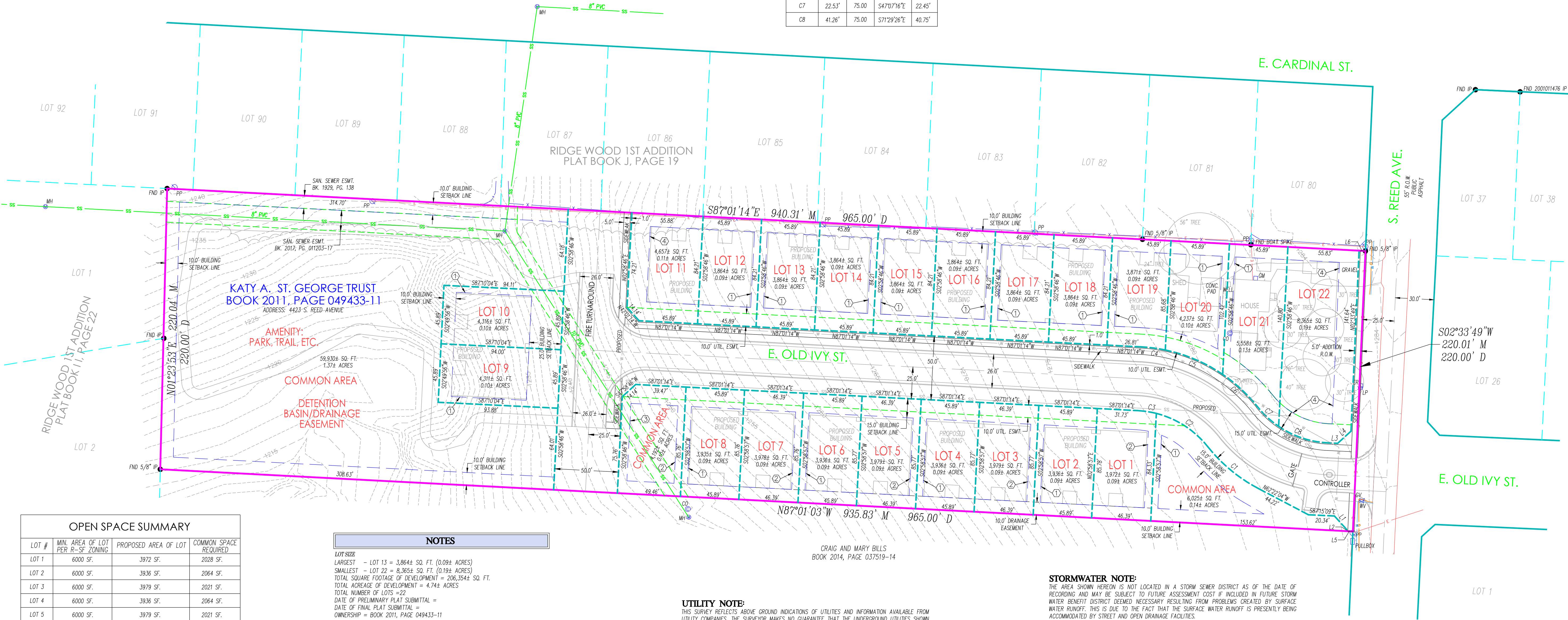
- 25 FEET ALONG A STREET CLASSIFIED AS A COLLECTOR OR HIGHER CLASSIFICATION STREET OR AS REQUIRED BY SECTION 36-453.
- 15 FEET ALONG A STREET CLASSIFIED AS A LOCAL STREET OR AS REQUIRED BY SECTION 36-453 (GARAGES SHALL BE SET BACK A MINIMUM OF 20 FEET).
- THE FRONT YARD SETBACK MAY BE REDUCED BELOW THE MINIMUM REQUIRED ABOVE IF A CONDITIONAL USE PERMIT IS APPROVED IN ACCORDANCE WITH SECTION 36-363.

SIDE: 5 FEET OR AS REQUIRED BY SECTION 36-453, SUPPLEMENTAL OPEN SPACE AND YARD REGULATIONS.

REAR: TEN PERCENT OF THE LOT DEPTH, BUT MAY NOT BE LESS THAN 10 FEET NOR SHALL MORE THAN 20 FEET BE REQUIRED.

HOWEVER, IN NO EVENT MAY A STRUCTURE BE ERRECTED CLOSER TO THE CENTERLINE OF AN EXISTING OR PLANNED STREET THAN AS PRESCRIBED BELOW.

STREET CLASSIFICATION: REQUIRED SETBACK FROM RIGHT-OF-WAY CENTER LINE
COLLECTOR (REED AVE.) 30 FEET PLUS REQUIRED YARD SETBACK



PREPARED BY
KENT R. PETERSON, PLS
ANDERSON ENGINEERING, INC.
3213 S. WEST BYPASS
SPRINGFIELD, MO. 65807

OWNER AND DEVELOPER
KATY A. ST. GEORGE
1320 S. OAK RUN PL
SPRINGFIELD, MO. 65809



OPEN SPACE SUMMARY

LOT #	MIN. AREA OF LOT PER R-SF ZONING	PROPOSED AREA OF LOT	COMMON SPACE REQUIRED
LOT 1	6000 SF.	3972 SF.	2028 SF.
LOT 2	6000 SF.	3936 SF.	2064 SF.
LOT 3	6000 SF.	3979 SF.	2021 SF.
LOT 4	6000 SF.	3936 SF.	2064 SF.
LOT 5	6000 SF.	3979 SF.	2021 SF.
LOT 6	6000 SF.	3936 SF.	2064 SF.
LOT 7	6000 SF.	3978 SF.	2022 SF.
LOT 8	6000 SF.	3935 SF.	2065 SF.
LOT 9	6000 SF.	4311 SF.	1689 SF.
LOT 10	6000 SF.	4316 SF.	1684 SF.
LOT 11	6000 SF.	4657 SF.	1343 SF.
LOT 12	6000 SF.	3864 SF.	2136 SF.
LOT 13	6000 SF.	3864 SF.	2136 SF.
LOT 14	6000 SF.	3864 SF.	2136 SF.
LOT 15	6000 SF.	3864 SF.	2136 SF.
LOT 16	6000 SF.	3864 SF.	2136 SF.
LOT 17	6000 SF.	3864 SF.	2136 SF.
LOT 18	6000 SF.	3864 SF.	2136 SF.
LOT 19	6000 SF.	3871 SF.	2129 SF.
LOT 20	6000 SF.	4237 SF.	1763 SF.
LOT 21	6000 SF.	5558 SF.	442 SF.
LOT 22	6000 SF.	8365 SF.	-
TOTAL REQUIRED			40351 SF.
TOTAL PROVIDED			70147 SF.

NOTES

LOT SIZE
LARGEST - LOT 13 = 3,864± SQ. FT. (0.09± ACRES)
SMALLEST - LOT 22 = 8,365± SQ. FT. (0.19± ACRES)
TOTAL SQUARE FOOTAGE OF DEVELOPMENT = 206,354± SQ. FT.
TOTAL ACREAGE OF DEVELOPMENT = 4.74± ACRES
TOTAL NUMBER OF LOTS = 22
DATE OF PRELIMINARY PLAT SUBMITTAL =
DATE OF FINAL PLAT SUBMITTAL =
OWNERSHIP = BOOK 2011, PAGE 049433-11

METERS TO U.S. FEET CONVERSION 3.28083333 "GRID".

MAINTENANCE OF ANY AREA REFERRED TO AS DRAINAGE EASEMENT OR DRAINAGE DETENTION IS THE RESPONSIBILITY OF THE PROPERTY OWNER.

INSTALLATION OF IRON PINS ON ALL LOT CORNERS WILL BE COMPLETED UPON COMPLETION OF UTILITIES INSTALLATIONS.

NO ACCESS FROM ANY LOT IS ALLOWED TO REED AVENUE.

LEGEND OF SYMBOLS AND ABBREVIATIONS

①	INTERNAL ANGLE # (SEE TABLE)	WV	WATER VALVE
—SS—	SANITARY SEWER LINE	GV	GAS VALVE
—E—	OVERHEAD ELECTRIC	WM	WATER METER
—G—	GAS LINE	TR	TELEPHONE RISER
—WS—	WATER SERVICE	ER	ELECTRIC RISER
—UT—	UNDERGROUND TELEPHONE	RD	ROOF DRAIN
—UE—	UNDERGROUND ELECTRIC	TRANS	TRANSFORMER PAD
—X—	FENCE LINE	MH	SANITARY MANHOLE
⊙	FIRE HYDRANT	RWM	RIGHT-OF-WAY MARKER
⊙LP	LIGHT POLE	IP	FOUND IRON PIN
P.O.C.	POINT OF COMMENCEMENT	IP	SET IRON PIN
LINE LABELS	MEASURED 100' M DEED 100' D RECORD 100' R	P.O.B.	POINT OF BEGINNING
		GL	GROUND LIGHT
		PM	PERMANENT MONUMENT
		TL	TREELINE

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 WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

FLOOD NOTE

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE X OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 280720334E, 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.

RECORD DESCRIPTION

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION SEVENTEEN (17), TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-ONE (21), THENCE SOUTH 220 FEET, OR LESS, TO AN IRON PIN, THENCE EAST 965 FEET, MORE OR LESS TO THE WEST LINE OF THE ROAD AS NOW ESTABLISHED, THENCE NORTH 220 FEET, MORE OR LESS, TO AN IRON PIN SET, THENCE WEST 965 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, IN GREENE COUNTY, MISSOURI, EXCEPT THAT PART TAKEN OR USED FOR ROADS. SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND COVENANTS OF RECORD, IF ANY.

STORMWATER NOTE:

THE AREA SHOWN HEREON IS NOT LOCATED IN A STORM SEWER DISTRICT AS OF THE DATE OF RECORDING AND MAY BE SUBJECT TO FUTURE ASSESSMENT COST IF INCLUDED IN FUTURE STORM WATER BENEFIT DISTRICT DEEMED NECESSARY RESULTING FROM PROBLEMS CREATED BY SURFACE WATER RUNOFF. THIS IS DUE TO THE FACT THAT THE SURFACE WATER RUNOFF IS PRESENTLY BEING ACCOMMODATED BY STREET AND OPEN DRAINAGE FACILITIES.

ALL COMMON AREAS SHALL BE CONSIDERED DRAINAGE EASEMENTS. ALL COMMON AREAS ARE TO BE MAINTAINED BY THE PROPERTY OWNERS ASSOCIATION. ALL DRAINAGE EASEMENTS ARE TO BE MAINTAINED BY THE PROPERTY OWNER.

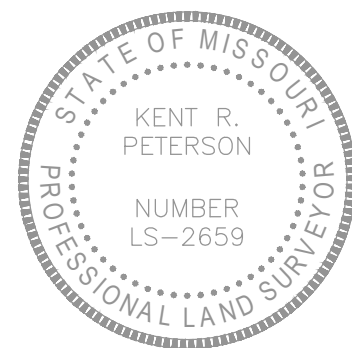
SURVEYOR'S CERTIFICATE

KNOWN ALL MEN BY THESE PRESENTS:

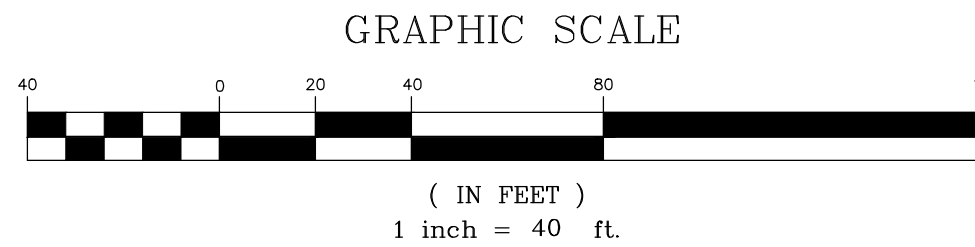
THAT I, KENT R. PETERSON, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL SURVEY OF THE LAND HEREIN DESCRIBED, PREPARED BY ANDERSON ENGINEERING, INC. DATED DECEMBER 23, 2021 AND SIGNED BY KENT R. PETERSON, PLS NO. 2659 AND THAT THE MONUMENTS AND LOT CORNER PINS SHOWN HEREIN WERE PLACED UNDER THE SUPERVISION OF KENT R. PETERSON, PLS NO. 2659 IN ACCORDANCE WITH THE MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS. DATE OF LAST REVISION JANUARY 27, 2022.

ANDERSON ENGINEERING, INC. LC 62 BY:

Kent R. Peterson
KENT R. PETERSON, PLS NO. 2659



1-27-2022
DATE PREPARED



KEY NOTES

- 5.0' BUILDING SETBACK LINE
- 5.5' BUILDING SETBACK LINE
- 7.0' BUILDING SETBACK LINE
- 15.0' BUILDING SETBACK LINE



FIELD: CB
DRAWN: BAC
CHECKED: KRP

DATE: 12-23-2021
FIELD BK: N/A
JOB NO: 21SP10231

21SP10231PP
SHT. 1 OF 1 REV.

COA #000062

3213 S. WEST BYPASS
SPRINGFIELD, MISSOURI 65807
PHONE (417) 866-2741
FAX (417) 866-2778



EXPLANATION TO COUNCIL BILL 2024-167 (HOSMER)

FILED: 07/18/2024

ORIGINATING DEPARTMENT: Parks

TITLE: A special ordinance amending the Fiscal Year 2024-2025 budget of the Springfield-Greene County Park Board by increasing revenues in the amount of \$175,000.00.

PURPOSE: Amending the Park Board's Fiscal Year 2024-2025 operating budget by increasing revenues by \$175,000: \$150,000 received from Brightspeed for the license agreement temporarily renaming the Park Board's Ice Park and \$25,000 received from Brightspeed for 50% reimbursement to Park Board for its signage expense relating to the temporary renaming of the Ice Park.

BACKGROUND INFORMATION: The Parks Department has continued searching for potential sources for the purchase of a temporary naming license for Park Board's Jordan Valley Ice Park ("Ice Park") since the Park Board's naming rights agreement with Mediacom expired on or about 2017. Parks has now identified Brightspeed Broadband, LLC ("Brightspeed"), as the purchaser of the temporary naming license for the Ice Park. The License Agreement with Brightspeed is for a potential 10-year initial term, but either side may terminate for convenience after three years. The agreement also allows for two possible five-year extensions beyond the initial term. Brightspeed will pay Parks \$150,000 per year, for a total potential payment of \$1.5 million dollars over the initial 10-year term. If this agreement is extended, Parks will receive an additional \$150,000 per year for each year this agreement is in place. Brightspeed is agreeing to also reimburse the Park Board for the initial costs of the signage (\$50,000) that will be placed on the outside of the ice park building, reimbursing Park Board 50% of these costs the first year and the remaining 50% the second year. Park's staff will be working with Brightspeed staff to develop a mutually approved, co-branded name and/or logo for the three signs to be placed on the building. Brightspeed's name and/or logo will also be placed in the center of the two sheets of ice, and each party will receive additional marketing opportunities as part of this license agreement. This agreement is an excellent example of working with the businesses in our community for the development of additional funds and resources to benefit our parks system.

The Park Board respectfully requests approval to increase Park Fund 20110 by \$175,000.

Submitted By: Lana Woolsey, Assistant City Attorney

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



Maurice S. Jones, Deputy City Manager 7/31/2024

Attachments:

1. Parks Naming License Budget Adj_ord
2. BA_ Exh A.cleaned

One-rdg. _____
P. Hrngs. _____
Pgs. 5
Filed: 07-30-24

Sponsored by: Hosmer

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024 -167

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Fiscal Year 2024-2025 budget of the Springfield-Greene County Park
2 Board by increasing revenues in the amount of \$175,000.00.
3 _____
4

5 WHEREAS, the Springfield-Greene County Park Board ("Park Board") and
6 Brightspeed Broadband, LLC ("Brightspeed"), have entered into a license agreement
7 whereby Brightspeed has obtained a license for the temporary renaming of the Park
8 Board's Ice Park, paying \$150,000 for the first annual payment under this license
9 agreement, and up to \$25,000 to reimburse the Park Board for 50% of the initial costs of
10 the signage to be installed outside of the Ice Park facility.
11

12 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
13 SPRINGFIELD, MISSOURI, as follows, that:
14

15 Section 1 – The Fiscal Year 2024-2025 budget of the Springfield-Greene County
16 Park Board is hereby amended in the accounts and in the amounts as shown on Budget
17 Adjustment No. 017, for a total budget adjustment of \$175,000, a copy of which is
18 attached hereto and incorporated herein by reference as "Exhibit A."
19

20 Section 2 – The City Council hereby finds that said budget adjustment has been
21 recommended by the Park Board and the City Manager.
22

23 Section 3 – The City Manager, or designee, is hereby directed to cause the
24 appropriate accounting entries to be made in the books and records of the City.
25

26 Section 4 – This Ordinance shall be in full force and effect from and after
27 passage.
28

29 Passed at meeting: _____
30

31 _____
32 Mayor
33

34 Attest: _____, City Clerk

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36

37 Filed as Ordinance: _____

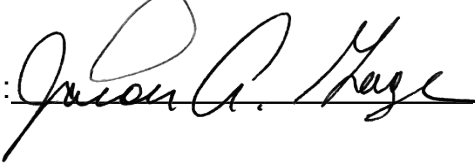
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39

40 Approved as to form:  _____, Assistant City Attorney

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42

43 Approved for Council action:  _____, City Manager

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit A

Budget Adjustment
017

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
20110	16	82570	413010	000000	10248	\$ 150,000	Jordan Valley Ice Park advertising revenue
20110	16	82570	414110	000000	10248	25,000	Reimbursement for cost of signage
Net Revenue Adjustment						\$ 175,000	

Expenditures:

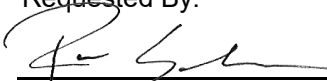
Fund	Dept	Org	Account	P&G	Location	Amount	Description
20110	16	80010	502780	000000	00000	\$ 75,000	Contingency-Parks Operating Funds
20110	16	82570	502780	000000	10248	75,000	Contingency-Jordan Valley Ice Park
20110	16	82570	501330	000000	10248	25,000	Signage for Jordan Valley Ice Park
Net Expenditure Adjustment						\$ 175,000	

Fund Balance Appropriation:

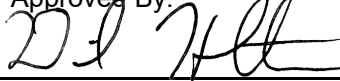
Fund	Title	Amount

Explanation: To amend the FY2024-25 Parks Department budget by appropriating \$150,000 from a naming rights agreement and \$25,000 in reimbursement for signage at Jordan Valley Ice Park.

Requested By:

 July 31, 2024
Department Head Date

Approved By:

 July 31, 2024
Director of Finance Date

Authorization:

Council Bill No. 2024-167
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____

City Manager Date



**EXPLANATION TO REFER TO THE COMMUNITY INVOLVEMENT COMMITTEE
DISCU**

FILED: 07/18/2024

ORIGINATING DEPARTMENT: City Clerk

TITLE:

PURPOSE:

BACKGROUND INFORMATION:

Submitted By:

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

Attachments: None



EXPLANATION TO COUNCIL BILL 2024-168 (HOSMER)

FILED: 07/15/2024

ORIGINATING DEPARTMENT: Economic Vitality

TITLE: A resolution confirming the appointment of Clayton Baker, Kristofer Booth, and Nicole Brown to the Downtown Springfield Community Improvement District Board of Directors.

PURPOSE: To appoint Clayton Baker, Kristofer Booth, and Nicole Brown to the Downtown Springfield Community Improvement District Board of Directors. (Staff recommends approval.)

BACKGROUND INFORMATION:

As required by the petition establishing the Downtown Springfield 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 request the following individuals be appointed to the Board:

Seat	Name	Qualification	Term	Notes
10	Clayton Baker	Property owner	12/31/2026	New appointment to serve remainder of unexpired term
12	Nicole Brown	Business owner	12/31/2024	New appointment to serve remainder of unexpired term
13	Kristofer Booth	Tax-exempt property owner representative	12/31/2024	New appointment to serve remainder of unexpired term

REMARKS: Staff recommends approval.

Submitted By: Matthew Schaefer, Senior City Planner

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



Maurice S. Jones, Deputy City Manager 7/25/2024

Attachments: 1. Downtown Springfield CID Board Appointment_ Res

One-rdg. X
P. Hrngs.
Pgs. 4
Filed 07-30-24

Sponsored by: Hosmer

COUNCIL BILL 2024-168 RESOLUTION

A RESOLUTION

CONFIRMING the appointment of Clayton Baker, Kristofer Booth, and Nicole Brown to the Downtown Springfield Community Improvement District Board of Directors.

WHEREAS, on September 7, 1999, City Council passed General Ordinance 4924, approving a petition to establish the Downtown Springfield 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 Downtown Springfield CID Board of Directors through appointment by the Mayor with confirmation by City Council; and

WHEREAS, there is currently a need to appoint three (3) members to the Downtown Springfield CID Board of Directors; and

WHEREAS, the Downtown Springfield CID Board of Directors submitted a slate to the City Clerk recommending the appointment of Clayton Baker, Kristofer Booth, and Nicole Brown to the Downtown Springfield 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 such appointment, of Clayton Baker to the Downtown Springfield Community Improvement District Board of Directors, with his term to expire on December 31, 2026.

Section 2 – The Mayor hereby appoints, and City Council hereby confirms such appointment, of Kristofer Booth to the Downtown Springfield Community Improvement District Board of Directors, with his term to expire on December 31, 2024.

Section 3 – The Mayor hereby appoints, and City Council hereby confirms such appointment, of Nicole Brown to the Downtown Springfield Community Improvement District Board of Directors, with her term to expire on December 31, 2024.

Section 4 – This Resolution shall be effective immediately upon adoption.

37 Passed at meeting: _____

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Mayor

Attest: _____, City Clerk

Filed as Resolution _____

Approved as to form: Laura Vales, Assistant City Attorney

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