



City of Springfield

Agenda

City Council

Ken McClure, Mayor

Zone Councilmembers

Monica Horton, Zone 1

Abe McGull, Zone 2

Brandon Jenson, Zone 3

Matthew Simpson, Zone 4

General Councilmembers

Heather Hardinger, General A

Craig Hosmer, General B

Callie Carroll, General C

Derek Lee, General D

October 21, 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. October 7, 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. Except Item 6.6. Citizens May Speak To The Amendment Only. May Be Voted On.

6.1. Council Bill 2024-205 (McGull)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.2 acres of property generally located at 1719 East Atlantic Street from R-TH, Residential Townhouse District to RI, Restricted Industrial District; and adopting an updated Official Zoning Map. (By: Skyline Investment Company, LLC c/o Chris Nattinger; 1719 East Atlantic Street; Z-23-2024).

6.2. Council Bill 2024-206 (Horton)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 4.6 acres of property generally located at 2533 North Fort Avenue from R-SF, Single-family Residential District to R-LD, Low-density Multi-family Residential District with Conditional Overlay District No. 252; and adopting an updated Official Zoning Map. (By: Suresh Chiluveru; 2533 North Fort Avenue; Z-12-2024).

6.3. Council Bill 2024-207 (Simpson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.4 acres of property generally located at 737, 745, 751, 761, and 801 North Broadway Avenue and 732 and 742 North Weaver Avenue from R-TH, Residential Townhouse District to Planned Development No. 389; and adopting an updated Official Zoning Map. (By: Drew Lewis Foundation; 737, 745, 751, 761, and 801 North Broadway Avenue and 732 and 742 North Weaver Avenue; Planned Development No. 389).

6.4. Council Bill 2024-208 (Jenson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.22 acres of property generally located at 1055 South Campbell Avenue from R-HD, High-Density Multi-family Residential District to O-1, Office District; and adopting an updated Official Zoning Map. (By: Family Tax Service LLC; 1055 South Campbell Avenue; Z-16-2024).

6.5. Council Bill 2024-209 (Horton)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.1 acres of property generally located at 1403, 1407, 1413, 1417, and 1423 North Beverly Avenue, as well as the unaddressed property to the north at approximately 1428 North Beverly Avenue, from HM, Heavy Manufacturing District to R-TH, Residential Townhouse District; and adopting an updated Official Zoning Map. (By: Amax Properties, LLC; 1403, 1407, 1413, 1417, and 1423 North Beverly Avenue; Z-15-2024).

6.6. Amended Council Bill 2024-200 (Lee)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.6 acres of property generally located at 1739, 1745, and 1755 South National Avenue; 1138 East University Street; and 1111, 1119, 1133, and 1141 East Sunshine Street from R-SF, Single-Family Residential District to GR, General Retail District and establishing Conditional Overlay District No. 258, and adopting an updated Official Zoning Map (By: BK&M, LLC; 1739, 1745, and 1755 South National Avenue; 1138 East University Street; and 1111, 1119, 1133, and 1141 East Sunshine Street; Z-22-2024 w/ Conditional Overlay District No. 258).

7. RESOLUTIONS.

Citizens May Speak. May Be Voted On.

7.1. Council Bill 2024-210 (Carroll)

A resolution authorizing the City Manager, or designee, to apply for Energy Efficiency and Conservation Block Grant funding from the United States Department of Energy to partially fund the replacement of existing windows as part of the Historic City Hall Rehabilitation project.

7.2. Council Bill 2024-211 (Simpson)

A resolution declaring it necessary to construct sanitary sewers in Sanitary Sewer District No. 217 of Section No. 15 in the City, located in the general vicinity of Bagnell Street and Biloxi Avenue; providing for payment therefore in the amount of \$1,133,944.50; and providing for publications and notices.

7.3. Council Bill 2024-212 (McGull)

A resolution granting a Short-Term Rental Type 2 permit for the property generally located at 711 East Delmar 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.

7.4. Council Bill 2024-213 (McGull)

A resolution granting a Short-Term Rental Type 2 permit for the property generally located at 1757 South Kentwood Avenue, for the purpose of allowing the establishment of a Short-Term Rental Type 2 pursuant to Section 36-473 of the Land Development Code.

8. EMERGENCY BILLS.

9. PUBLIC IMPROVEMENTS.

10. GRANTS.

11. AMENDED BILLS.

12. COUNCIL BILLS FOR PUBLIC HEARING.

13. FIRST READING BILLS. Requiring One Reading.

Citizens May Speak. May Be Voted On.

13.1. Council Bill 2024-214 (Horton)

A special ordinance amending Special Ordinance 26654 to add to, and redefine, the boundaries of Sanitary Sewer District Number 241 of Section Number 6 of the main sewers of the City of Springfield located in the general vicinity of Robberson Avenue and Talmage Street; and declaring that this Ordinance qualifies as a one-reading bill under Charter Section 10.15.

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

14.1. Council Bill 2024-215 (Horton)

A special ordinance to establish and define Sanitary Sewer District No. 222 of Section No. 16 of the main sewers of the City of Springfield, Missouri, located in the general vicinity of Miller Avenue and Mt. Vernon Street; authorizing acquisition of necessary right-of-way, including condemnation thereof, in accordance with the laws of the state; adopting the plans and specifications for the project; providing for the improvement; and authorizing the city manager to advertise for sealed bids therefor, according to the plans and specifications, by publication.

14.2. Council Bill 2024-216 (Hardinger)

A special ordinance authorizing the City Manager, or designee, to enter into an agreement with the State of Missouri Department of Economic Development to accept \$3,500,000 of state General Revenue Funds appropriated by the Missouri General Assembly to support maintenance and improvements to Hammons Field; and amending the budget for Fiscal Year 2024-2025 to appropriate funds for maintenance and improvements to Hammons Field.

14.3. Council Bill 2024-217 (Lee)

A general ordinance amending the Springfield City Code, Section 2-92, known as the "Salary Ordinance," to add a provision for a shift differential for certain employees working in the Springfield-Greene County 9-1-1 Emergency Communications Department; and by adding the new job title of Health Support Services Supervisor and salary grade of PAT-6 to the Classifications of the Professional, Administrative and Technical Schedule.

15. PETITIONS, REMONSTRANCES AND COMMUNICATIONS.

16. NEW BUSINESS.

16.1. The Public Involvement Committee recommends the following appointment to the Citizens' Advisory Committee for Community Development: Taylor Williams with term to expire May 1, 2027.

16.2. The Public Involvement Committee recommends the following appointment to the Springfield-Greene County Environmental Advisory Board: Nancy Williams with term to expire October 1, 2026.

17. UNFINISHED BUSINESS.

18. MISCELLANEOUS.

19. CONSENT AGENDA – FIRST READING BILLS.

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

20.1. Council Bill 2024-218 (Hosmer)

A resolution acknowledging the reappointment of Todd Wojciechowski to the Tax Increment Financing Advisory Commission made by the Republic R-3 School District

- 21. CONSENT AGENDA – SECOND READING BILLS.**
- 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 3
Derek Lee, General D

October 7, 2024

6:30 PM

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

1. ROLL CALL.

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

*Councilmember Carroll attended via Zoom.

2. APPROVAL OF MINUTES.

2.1. Approval of Minutes. September 23, 2024, City Council Meeting and September 30, 2024, Special City Council Meeting.

Mayor Pro Tem Simpson moved to approve the minutes of the September 23, 2024, City Council Meeting, and the September 30, 2024, Special City Council Meeting as presented. Councilmember Horton 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 by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

4. CEREMONIAL MATTERS.

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

Jason Gage, City Manager, noted Springfield Environmental Services would dedicate the recently completed Fairgrounds Green Infrastructure Project at 2:00 p.m. on Thursday, October 17. The event and parking would be located on the west side of the Ozark Empire Fairgrounds, east of the Dickerson Park Zoo parking lot located at 3067 North Fort Avenue. The Fairgrounds Green Infrastructure Project provided water quality treatment for stormwater runoff from the western portion of the Ozark Empire Fairgrounds property and surrounding areas. The project included several rain garden features with native plantings and pervious pavers.

Mr. Gage noted the City of Springfield would host a public information session about the upcoming construction of phase I of the Renew Jordan Creek daylighting project from 4:30 to 6 p.m. on Monday, October 21, at the Jay Wasson Idea Loft inside the Robert W. Plaster Free Enterprise Center located at 405 N. Jefferson Avenue. An open house opportunity will begin at 4:30 p.m. with a staff presentation planned at 5:15 p.m. Attendees will have the opportunity to learn more about the project and what to expect as major construction begins this fall. The project team will provide an estimated construction timeline and discussed anticipated traffic impacts. Attendees will have the opportunity to speak with members of the project team and ask questions.

Mr. Gage noted during October's Pedestrian Safety Month, SGF Yields was celebrating an all-time high of drivers yielding to pedestrians at Springfield crosswalks. The program's third-quarter 2024 crosswalk assessment indicated that driver compliance at crosswalks had increased to an average of 66.49% at six intersections across Springfield, the highest yield rate since the inception of the pedestrian safety program in 2017. The increase came after six months of crosswalk enforcement, along with nearly constant infrastructure improvements and public engagement.

Mr. Gage noted the City of Springfield invited residents to Boo at the Bin, a family-friendly night of fun and recycling from 6:00 p.m. to 9:00 p.m., on Thursday, October 24, at the Franklin Avenue Recycling Center located at 731 N. Franklin Avenue. Staff from the City's Environmental Services and Public Works Departments would be on hand with a variety of equipment, activities, and treats to help families learn about recycling and other City resources and services. Staff would greet guests in full costume, sharing trivia and a treat as attendees make their way around various stations. Families were encouraged to dress up in their favorite family-friendly costumes.

Mr. Gage noted the 2024 edition of the Community Focus Report was released Friday during an event at the efactory in downtown Springfield. Typically, published biennially, the Springfield area's community report card was produced by committees of local leaders and subject-matter experts that reviewed 11 key topics and identify Red Flags (challenges) and Blue Ribbons (strengths) for those areas. City staff provided assistance with the data collection for the report. Among the key takeaways from the 2024 report were the strides made in mental health and poverty. Over the past few years, the community's focus on mental health had led to success. However, unresolved issues were connected to a variety of Red Flags, particularly substance-use issues and suicide mortality. A similar concentrated focus on poverty had a long-term impact, as the percentage of households in poverty has declined.

Mayor Pro Tem Simpson noted the third annual Celebrate Springfield event was held the previous Saturday and sponsored by the Hatch Foundation. He added Hammons Field was showcased and expressed his belief it was a great public and private partnership.

Councilmember Hosmer asked the number of City cameras located at Missouri Department of Transportation (MoDOT) intersections. Mr. Gage responded the information would be provided. Councilmember Hosmer expressed his belief preserving the information for law enforcement purposes would make sense. He added it would make sense to use carryover funds not used for Police Officers to put cameras at intersections with high crime areas.

6. SECOND READING AND FINAL PASSAGE.

Citizens Have Spoken. May Be Voted On.

6.1. Council Bill 2024-194 (Jenson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.7 acres of property generally located at 3801 West Sunshine Street from County C-2, General Commercial District to HC, Highway Commercial District; and adopting an updated Official Zoning Map. (By: McCurry Plaza, LLC; 3801 West Sunshine Street; Z-13-2024).

Ordinance 6876. Council Bill 2024-194 (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 2024-195 (Hosmer)

A general ordinance amending Section 1-9 of the Springfield City Code, 'City Limits,' and Section 46-1 of the Springfield City Code, 'Boundaries of wards, precincts and council zones,' for the purpose of annexing approximately 21.64 acres of private property generally located at 3000 and 3038 West Republic Road, 4214 South Farm Road 135, 5539 South Campbell Avenue, 3833 and 3911 East State Highway D, and 3335 West Sunshine Street, and approximately 0.7 acres of South Farm Road 135 right-of-way into the City of Springfield as Annexation A-3-2024.

Ordinance 6877. Council Bill 2024-195 (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.

6.3. Council Bill 2024-196 (McGull)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 7.8 acres of property generally located at 3253 East Chestnut Expressway from HM, Heavy Manufacturing District to HC, Highway Commercial District; and adopting an updated Official Zoning Map. (By: Frisco Building, LLC; 3253 East Chestnut Expressway; Z-20-2024).

Ordinance 6878. Council Bill 2024-196 (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.

6.4. Council Bill 2024-197 (Simpson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 11.5 acres of property generally located at 3525 East Battlefield Road from GR, General Retail with Conditional Overlay District No. 180 to GI, Government and Institutional Use District with Conditional Overlay District No. 259; and adopting an updated Official Zoning Map. (By: Lester E. Cox Medical Centers; 3525 East Battlefield Road; Z-21-2024 w/Conditional Overlay District No. 259).

Councilmember Hardinger recused herself from Council Bill 2024-197 and left the dais.

Ordinance 6879. Council Bill 2024-197 (Simpson) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Hardinger. Abstain: None.

Councilmember Hardinger returned to the dais.

6.5. Council Bill 2024-198 (McGull)

A general ordinance amending General Ordinance No. 3645, as amended, establishing Urban Conservation District No. 2, generally referred to as the Rountree Urban Conservation District, Section 4 - Subarea A through D Regulations, C. Building and Lot Standards, 3. Subarea C, f. Finished Ground Floor Level, to modify the finished ground floor elevations to allow for a four (4) foot maximum height if developed with a pedestrian-oriented frontage and a minimum building setback of at least four (4) feet.

Ordinance 6880. Council Bill 2024-198 (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.

6.6. Council Bill 2024-199 (McGull)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.6 acres of property generally located at 1345, 1351, 1357, 1400, and 1418 East Florida Street from GM, General Manufacturing District to R-TH, Residential Townhouse District; and adopting an updated Official Zoning Map. (By: William and Anedra Mosley; 1345, 1351, 1357, 1400, and 1418 East Florida Street; Z-11-2024).

Anita Cotter, City Clerk, noted a protest petition was received and found to be insufficient at 14.5 percent. She added a supplemental explanation sheet was provided to City Council and a super majority, or six votes, would not be required for passage.

Ordinance 6881. Council Bill 2024-199 (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.

6.7. Council Bill 2024-200 (Lee)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.6 acres of property generally located at 1739, 1745, and 1755 South National Avenue; 1138 East University Street; and 1111, 1119, 1133, and 1141 East Sunshine Street from R-SF, Single-Family Residential District to GR, General Retail District and establishing Conditional Overlay District No. 258, and adopting an updated Official Zoning Map (By: BK&M, LLC; 1739, 1745, and 1755 South National Avenue; 1138 East University Street; and 1111, 1119, 1133, and 1141 East Sunshine Street; Z-22-2024 w/ Conditional Overlay District No. 258).

Anita Cotter, City Clerk, noted a protest petition was received and found to be sufficient at 44 percent. She added a copy of the supplemental explanation sheet was provided to City Council, and a super majority, or six votes, would be required for passage.

Mayor Pro Tem Simpson recused himself from Council Bill 2024-200 and left the dais.

Councilmember McGull noted a number of citizens had raised concerns regarding additional prohibited uses of the property. He further noted the developer worked with staff and agreed to further restrict uses of the property to prohibit the sale of marijuana products, vape shops, dollar stores, and single-story retail strip centers. Councilmember McGull expressed his belief this was a valid compromise.

Councilmember McGull moved to amend Council Bill 2024-200 by changing Exhibit A provisions for Conditional Overlay District number 258 as follows: Section B to add the following as prohibited uses such as marijuana products, vape shops, dollar stores, retail strip centers with a flat roof, and tattoo services; and Section C to limit the hours of operation to 6:00 a.m. to 11:00 p.m. daily with the exception for hotels. Jordan Paul, City Attorney, suggested hotels be substituted with the phrase temporary lodges use group for consistency. Mayor McClure clarified hotels would be replaced with the phrase temporary lodges use group. Councilmember Hardinger seconded the motion, and it was discussed by City Council.

Councilmember Hosmer asked for a definition for dollar store and asked where this was defined in the City Code. Steve Childers, Director of Planning and Development, noted the language was provided by the Law Department. Mr. Paul responded the language submitted defined dollar store as a small format, deep discount retailer that sells an assortment of consumables and non-consumables, including food, home products, apparel, and accessories. He further noted prices were typically \$10 or less. Mr. Paul added the language submitted was converted to be consistent with City Code. He noted the general use concept was from the developer. Councilmember Hosmer asked if the information was shared with the neighborhood. Mr. Paul responded to the extent they were discussed in public meetings.

Councilmember Hosmer asked if the amendment included prohibition of marijuana manufacturing facilities. Mr. Paul noted these facilities may not be allowed in a general retail district. Mayor McClure expressed his belief a substitute amendment may be in order. Councilmember Hosmer asked if there was any precedent for the requirement of a flat roof for single-story retail centers. Mr. Childers responded the additional restrictions came through the developer for inclusion in the amendment. Mr. Childers noted the roof would be a design guideline which would be unique to the COD. Councilmember Hosmer expressed his belief the lack of clarity was a poor way to make public policy. He further expressed his belief in fairness to both, there needed to be communication between both the neighbors and developers. Mr. Gage responded the way to get the amendment in front of City Council was to propose the amendment. He added City Council could wait to take action. Mr. Gage noted the Comprehensive Plan provided guidance.

Councilmember Jenson expressed his belief the concerns may have been addressed if brought under the new zoning code currently under review. He thanked staff for listening to the concerns brought forth and doing their best to address the concerns via an amendment. Councilmember Jenson asked if the concern over architectural design standards was addressed. Mr. Childers responded there were five areas where design guidelines were stated. He added general terms, such as French Country, were general terms and could not be enforced.

Councilmember Horton expressed her opposition to the amendment due to the larger issue of whether it conformed to the Forward SGF plan. She expressed her belief the amendment should be voted on to go directly to the application.

Councilmember McGull noted the amendment was a result of the developer addressing concerns of the neighborhood and working to further address what concerns they may have had regarding the development. Councilmember Hosmer expressed his opposition to the amendment. Councilmember McGull noted the amendment, if passed, would go to public comment and any modifications could be considered. Mr. Paul noted the amendment could further be amended to clarify terms and to include marijuana facilities, which was an umbrella term for all marijuana facilities.

Mayor McClure moved that Council Bill 2024-200 be postponed until the October 21, 2024, City Council meeting. Councilmember Hosmer seconded the motion. Mr. Paul noted the motion to amend would need to be dispensed prior to a motion to postpone. Mayor McClure withdrew his motion to postpone, and Councilmember Hosmer withdrew his second .

Councilmember McGull expressed his belief the developer tried to make a reasonable accommodation and suggested the amendment be voted on.

Councilmember Hardinger expressed her belief she would like to hear the public comment on the proposed amendment. She added the amendment could further be amended based on feedback.

Councilmember Horton expressed her belief the amendment should be voted on.

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

The motion to amend Council Bill 2024-200 (Lee) was approved by the following vote: Ayes: Councilmember McGull, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: Councilmember Jenson, Councilmember Horton, and Councilmember Hosmer. Absent: Mayor Pro Tem Simpson. Abstain: None.

Mayor McClure noted the public hearing on the amendment only was extended to the October 21, 2024, City Council meeting.

Councilmember Jenson asked if the protest petition being valid would require six votes for the passage of the motion to amend. Mayor McClure responded the protest petition did not apply to the motion to amend.

Mayor Pro Tem Simpson returned to the dais.

6.8. Council Bill 2024-201 (Simpson, Carroll, McGull, Hardinger)

A general ordinance amending Ordinance 6863 to allocate the remaining \$83,662.43 from the City's Coronavirus State and Local Fiscal Recovery Funds, established by the American Rescue Plan Act of 2021 ("ARPA"), for the purpose of entering into an agreement with the Springfield-Greene County Library District for the Midtown Carnegie Branch Library Renovation Project; authorizing the City Manager, or designee, to execute the same; and amending the budget for Fiscal Year 2024-2025 in the amount of \$83,662.43.

Ordinance 6882. Council Bill 2024-201 (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, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

6.9. Council Bill 2024-202 (Horton)

A special ordinance authorizing the City of Springfield, Missouri, to enter into an agreement with Tyrone L. Conklin for the purpose of purchasing the real estate located at 817 North Boonville Avenue for the not to exceed price of One Hundred Ten Thousand Dollars (\$110,000); authorizing the City Manager, or designee, to execute the same by and on behalf of the City of Springfield; and amending the Fiscal Year 2024-2025 budget in the amount of \$130,000, to include additional costs.

Ordinance 28054. Council Bill 2024-202 (Horton) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: None. Abstain: None.

7. RESOLUTIONS.

Citizens May Speak. May Be Voted On.

7.1. Council Bill 2024-204 (Simpson, McGull, Hardinger, Horton)

A resolution adopting a City Council standing committee referral form.

Jordan Paul, City Attorney, provided a brief overview of the proposed. Mr. Paul noted the proposed was a referral form discussed and recommended by the Chairs of the Standing Committees.

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

Resolution 10784. Council Bill 2024-204 (Simpson, McGull, Hardinger, Horton) 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.

11. AMENDED BILLS.

12. COUNCIL BILLS FOR PUBLIC HEARING.

Citizens May Speak. Not Anticipated To Be Voted On.

12.1. Council Bill 2024-205 (McGull)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.2 acres of property generally located at 1719 East Atlantic Street from R-TH, Residential Townhouse District to RI, Restricted Industrial District; and adopting an updated Official Zoning Map. (By: Skyline Investment Company, LLC c/o Chris Nattinger; 1719 East Atlantic Street; Z-23-2024).

Michael Sparlin, Senior City Planner, provided a brief overview of the proposed. Mr. Sparlin noted the proposed was a request to rezone approximately 0.2 acres of property located at 1719 East Atlantic Street from Residential Townhouse District to Restricted Industrial District. Mr. Sparlin added the proposed zoning was supported by the placetype. Mr. Sparlin further noted the adjacent property was zoned Restricted Industrial District.

12.2. Council Bill 2024-206 (Horton)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 4.6 acres of property generally located at 2533 North Fort Avenue from R-SF, Single-family Residential District to R-LD, Low-density Multi-family Residential District with Conditional Overlay District No. 252; and adopting an updated Official Zoning Map. (By: Suresh Chiluveru; 2533 North Fort Avenue; Z-12-2024).

Michael Sparlin, Senior City Planner, provided a brief overview of the proposed. Mr. Sparlin noted the proposed would rezone the property to Low-density Multi-Family Residential with the intended development to be a multi-family housing project. He added the placetype was Center City neighborhood and a transition zone was recommended where placetype boundaries met. He added the proposed conformed to missing middle housing types. The Conditional Overlay would limit the density to eleven dwelling units per acre, and access to Fort Avenue would be limited. Mr. Sparlin further noted a stream buffer easement would be submitted.

Eddie Tims, a representative of the applicant, was available for any questions.

Suresh Chiluveru, the applicant, spoke in favor of the project. He was available for questions.

12.3. Council Bill 2024-207 (Horton)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.4 acres of property generally located at 737, 745, 751, 761, and 801 North Broadway Avenue and 732 and 742 North Weaver Avenue from R-TH, Residential Townhouse District to Planned Development No. 389; and adopting an updated Official Zoning Map. (By: Drew Lewis Foundation; 737, 745, 751, 761, and 801 North Broadway Avenue and 732 and 742 North Weaver Avenue; Planned Development No. 389).

Councilmember Horton recused herself from Council Bill 2024-207 and left the dais.

Michael Sparlin, Senior City Planner, provided a brief overview of the proposed. Mr. Sparlin noted the proposed would allow for rezoning to allow a single-family residential compact pocket neighborhood with fourteen dwellings and a resident clubhouse. He added the homes were designed to meet the needs of low-to-moderate income families and individuals. He added the property was identified as Center City Neighborhood placetype, and the uses in the Planned Development were supported by the placetype. Mr. Sparlin further noted there would be a fence on the north side of the district, landscaping along the perimeter, and a clubhouse and recreation easement. He added no driveways would be permitted on Broadway Avenue.

An opportunity was given for citizens to express their views.

Michael Stevens, a representative of the Drew Lewis Foundation, spoke in support of the proposed. He thanked City Council for their service. Mr. Stevens expressed his enthusiasm for the project. He read a statement from Amy Blansitt, Drew Lewis Foundation Founder. The statement asked for support and approval of the proposed, and expressed the belief the proposed pocket neighborhood would be a solution to change the community in meaningful and lasting ways.

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

Councilmember Horton returned to the dais.

12.4. Council Bill 2024-208 (Jenson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.22 acres of property generally located at 1055 South Campbell Avenue from R-HD, High-Density Multi-family Residential District to O-1, Office District; and adopting an updated Official Zoning Map. (By: Family Tax Service LLC; 1055 South Campbell Avenue; Z-16-2024).

Michael Sparlin, Senior City Planner, provided a brief overview of the proposed. Mr. Sparlin noted the proposed would allow rezoning to Office District. He further noted the property had an existing office, and no further development was planned. He added the property was identified as a Mixed Residential placetype.

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

12.5. Council Bill 2024-209 (Horton)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.1 acres of property generally located at 1403, 1407, 1413, 1417, and 1423 North Beverly Avenue, as well as the unaddressed property to the north at approximately 1428 North Beverly Avenue, from HM, Heavy Manufacturing District to R-TH, Residential Townhouse District; and adopting an updated Official Zoning Map. (By: Amax Properties, LLC; 1403, 1407, 1413, 1417, and 1423 North Beverly Avenue; Z-15-2024).

Michael Sparlin, Senior City Planner, provided a brief overview of the proposed. Mr. Sparlin noted the proposed would allow rezoning to Residential Townhouse District to be used to construct single family homes or duplexes. He added the area included a portion of right-of-way along Lynn Street and Beverly Avenue that was being vacated concurrently with the application. Mr. Sparlin further noted the property was identified as Traditional Neighborhood and the proposed zoning was supported by the placetype.

Councilmember Horton asked if the vacation meant the City would relinquish ownership of the property to the private owner. Mr. Sparlin responded affirmatively and noted the vacation process relinquished ownership of the adjacent property, or right-of-way, to the private owner. Councilmember Horton asked if the owner would be required to maintain the right-of-way. Mr. Sparlin responded affirmatively.

13. FIRST READING BILLS. Requiring One Reading.

14. FIRST READING BILLS. Requiring Two Readings.

15. PETITIONS, REMONSTRANCES AND COMMUNICATIONS.

15.1. Walter Masterson wishes to address City Council. Did Not Appear.

15.2. Jared Stevenson wishes to address City Council. Did Not Appear.

16. NEW BUSINESS.

17. UNFINISHED BUSINESS.

18. MISCELLANEOUS.

19. CONSENT AGENDA – FIRST READING BILLS.

20. CONSENT AGENDA – ONE READING BILLS.

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

21.1. Confirm the following appointment to the Citizens' Tax Oversight Committee: Dan Tenney with term to expire May 1, 2027. Confirmed.

21.2. Confirm the following appointment to the Landmarks Board: Genevieve Henry with term to expire November 1, 2027. Confirmed.

21.3. Confirm the following appointment to the Springfield-Greene County Environmental Advisory Board: Barry Rowell with term to expire October 1, 2026. Confirmed.

21.4. Confirm the following appointment to the Springfield-Greene County Environmental Advisory Board: Louise Wienckowski with term to expire October 1, 2025. Confirmed.

21.5. Confirm the following appointment to the Springfield-Greene County Environmental Advisory Board: Roddy Rogers with term to expire October 1, 2027. Confirmed.

21.6. Confirm the following reappointment to the Springfield-Greene County Environmental Advisory Board: Kathleen Murnan with term to expire October 1, 2027. Confirmed.

21.7. Confirm the following appointment to the Springfield Convention and Visitors Bureau, Inc.: Ron Schneider with term to expire January 1, 2027. Confirmed.

22. END OF CONSENT AGENDA.

23. ADJOURN.

Mayor Pro Tem Simpson moved to adjourn. Councilmember Jenson 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 2024-205 (MCGULL)

FILED: 10/09/2024

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 0.2 acres of property generally located at 1719 East Atlantic Street from R-TH, Residential Townhouse District to RI, Restricted Industrial District; and adopting an updated Official Zoning Map. (By: Skyline Investment Company, LLC c/o Chris Nattinger; 1719 East Atlantic Street; Z-23-2024).

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.2 acre of property generally located at 1719 E. Atlantic Street from R-TH, Residential Townhouse District to RI, Restricted Industrial District. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION:
ZONING CASE NUMBER Z-23-2024

The applicant is requesting to rezone approximately 0.2 acre of property generally located at 1719 E. Atlantic Street from R-TH, Residential Townhouse District to RI, Restricted Industrial District. The applicant intends to keep the existing fence and dumpster at their existing locations with no other changes at this time.

REMARKS: The Planning and Zoning Commission held a public hearing on September 12, 2024, and recommended to approve, by a vote of 8 to 0.

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

FINDINGS FOR STAFF RECOMMENDATION:

1. The Comprehensive Plan's Land Use & Development chapter identifies the subject property as the Industry & Logistics placetype.
2. This application is consistent with the Industry & Logistics placetype which predominantly consists of heavy and moderately intense manufacturing, distribution, warehousing and storage uses. The Industry & Logistics placetype allows for certain supporting uses which complement the placetype's primary industrial or manufacturing uses, including office, hospitality, retail sales and service uses. It also states that industrial uses are well screened and buffered when located near lower intensity commercial or residential areas to reduce potential negative visual and noise impacts.

3. The bufferyard type “E” will be required with any new development of the site. This will require a 20 ft. bufferyard with 3 canopy trees, 2 understory trees, 2 evergreen trees and 16 shrubs for every 100 linear feet adjacent to the R-TH District. A six-foot solid wood fence, wall or hedge will also be required.
4. The RI district is intended primarily for uses engaged in light manufacturing, assembling, and fabrication, warehousing, wholesaling, and service operations which conduct all activities within a building with no external impact or effect. This district is intended to serve as a transition between more intense industrial development and commercial, office, or multi-family residential development.
5. The subject property has access to City Utilities' infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.
6. There are no changing conditions in the area affected that make the proposed rezoning necessary. The applicant intends to keep the existing fence and dumpster at their existing locations with no other changes at this time.
7. The range of uses in the proposed Restricted Industrial district are compatible with the uses permitted on other property in the immediate vicinity to the north, east and south. The RI district allows for manufacturing and office uses which are consistent with uses in the area.
8. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
9. The impact of the 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. A traffic study is not required as part of this rezoning.
10. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
11. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The property can still develop with the existing zoning.

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

Submitted By: Daniel Neal, Senior City Planner



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

- Attachments:**
1. Z-23-2024 - 1719 East Atlantic Street_Ord
 2. Z-23-2024_exh A
 3. Z-23-2024_exhB
 4. Z-23-2024_exh C

One-rdg. _____
P. Hrngs. X
Pgs. 22
Filed: 10-01-24

Sponsored by: McGull

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-205

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 0.2 acres of property generally located at 1719 East Atlantic Street
4 from R-TH, Residential Townhouse District to RI, Restricted
5 Industrial District; and adopting an updated Official Zoning Map.
6
7

8 WHEREAS, an application has been filed for a zoning change of the property
9 generally located at 1719 East Atlantic Street from R-TH, Residential Townhouse
10 District to RI, Restricted Industrial District; and
11

12 WHEREAS, following proper notice, the Planning and Zoning Commission held a
13 public hearing on September 12, 2024, a copy of the Record of Proceedings from said
14 public hearing being attached hereto and incorporated herein by this reference as
15 "Exhibit B," and said Commission made a unanimous recommendation of approval; and
16

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

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

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

27 Section 1 – The property generally located at 1719 East Atlantic Street and
28 described in "Exhibit A," which is attached hereto and incorporated herein by this
29 reference, is hereby rezoned from R-TH, Residential Townhouse District to RI,
30 Restricted Industrial District. Springfield Land Development Code, Section 36-306,
31 'Official zoning map and rules for interpretation,' is hereby amended, changed, and
32 modified consistent with this Ordinance.
33

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

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

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

45
46 Passed at meeting: _____

47
48 _____
49 Mayor

50
51 Attest: _____, City Clerk

52
53 Filed as Ordinance: _____

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

56
57 Approved for Council action: Jason A. Hays, City Manager
58
59

EXHIBIT A
LEGAL DESCRIPTION

All of the West Sixty-five (65) feet of Lots Twenty-Nine (29) and Thirty (30), PARCE & BURLINGAME'S ADDITION; to the City of Springfield, Greene County, Missouri, according to the recorded plat thereof, together with the East One-half (E ½) of a 15-foot vacated alley adjoining on the West side thereof.

EXHIBIT B
RECORD OF PROCEEDINGS
Planning and Zoning Commission – September 12, 2024

Z-23-2024

1719 East Atlantic Street

Applicant: Skyline Investment Company, LLC

Mr. Neal states that this is a request to rezone approximately 0.2 acres from R-TH, Residential Townhouse District to RI, Restricted Industrial District.

Mr. Chris Nattinger, 1452 N. Cooper and I own the properties adjacent and wanted to make sure that all our properties had the same zoning and don't plan to develop it.

Mr. Pauly asked about the piece of metalwork in the area, noting that no outdoor storage is allowed.

Mr. Nattinger noted that one of his customers does machining work and this is a piece of steel and that they have been asked to move.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Z-23-2024, Commissioner Pauly seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Colony, Commissioner Knuckles, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: Commissioner Lebeck. Abstain: None.



Bob Hosmer, AICP
Planning Manager



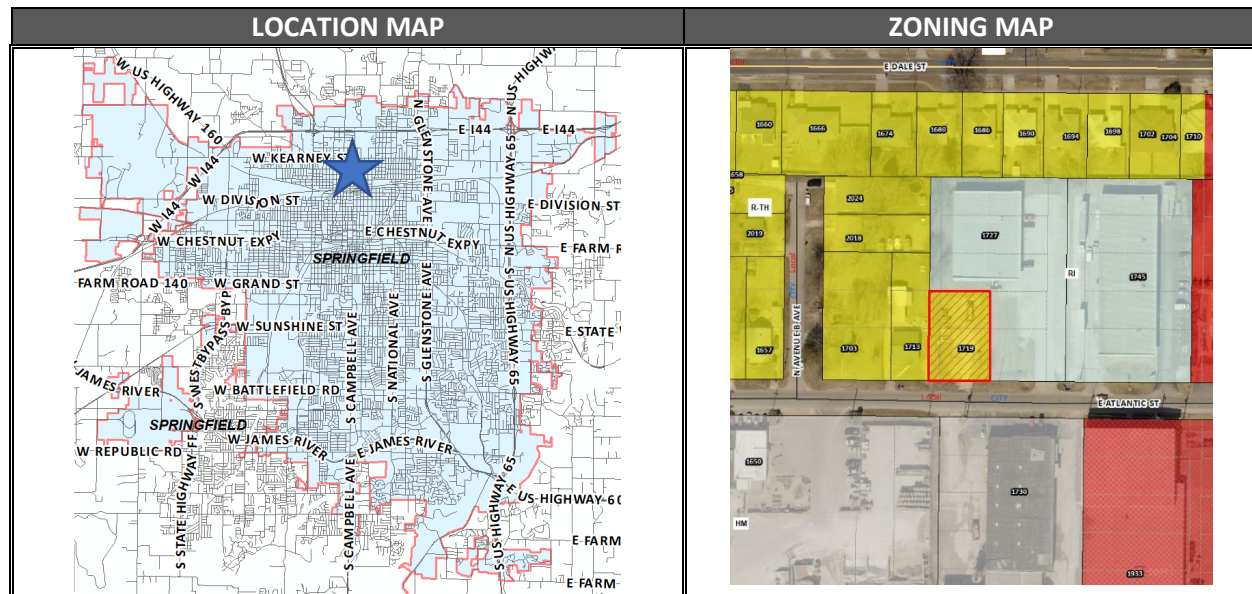
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-23-2024
Location:	1719 E. Atlantic Street
Total Acres:	0.2 acre
Applicant:	Skyline Investment Company, LLC c/o Chris Nattinger
Existing Land Use:	Vacant/undeveloped, refuse and storage area
Neighborhood Meeting:	August 22, 2024
Planning and Zoning Commission:	September 12, 2024
City Council:	October 7, 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-23-2024 (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

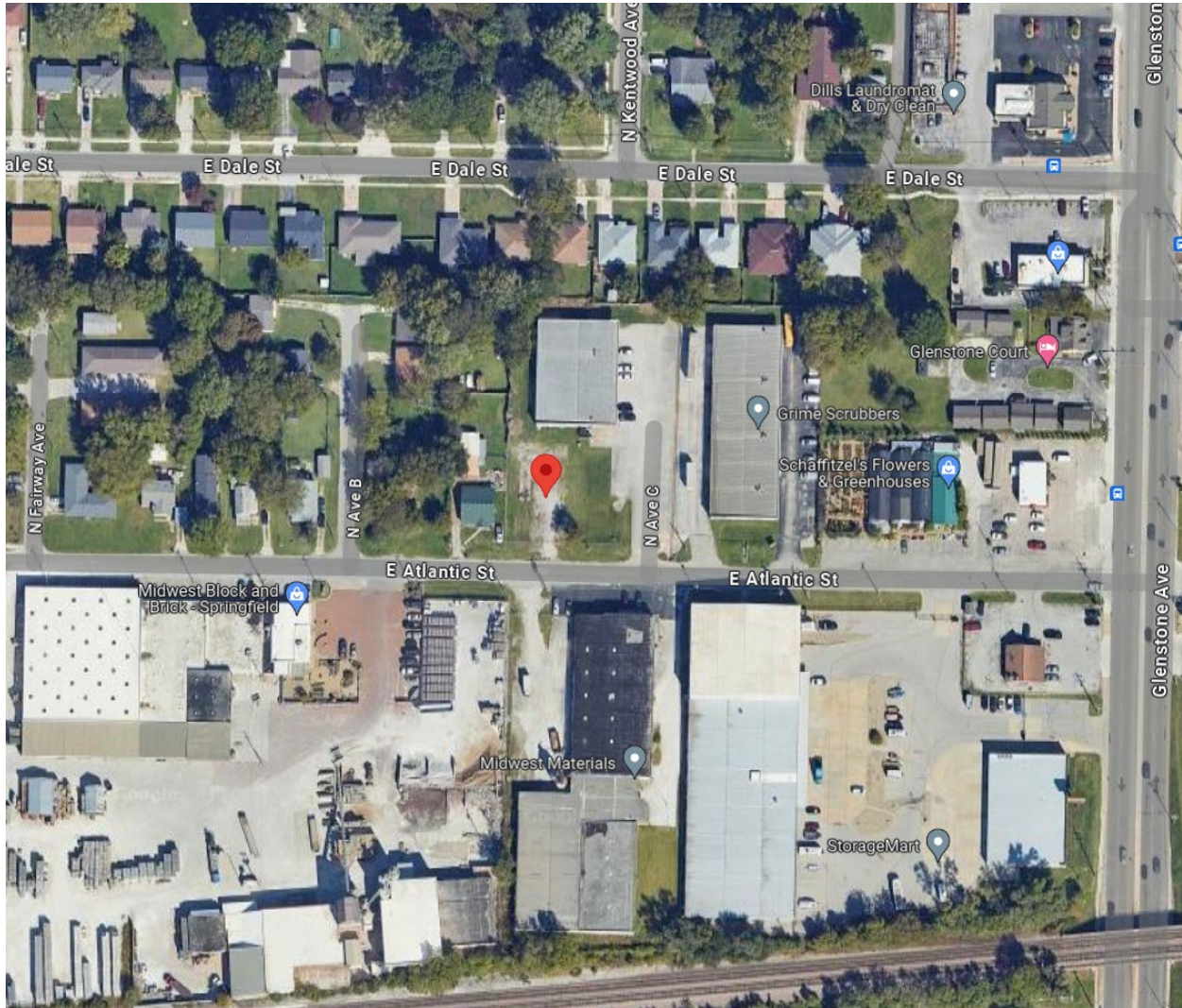
PROJECT SUMMARY:

Request to rezone approximately 0.2 acre of property generally located at 1719 E. Atlantic Street from R-TH, Residential Townhouse District to RI, Restricted Industrial District.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property has been zoned R-TH, Residential Townhouse District since the Citywide remapping in 1995.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

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

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR RI
Use Limitations	(a) All activities and permitted uses, except off-street parking and loading facilities and household resource recovery collection centers, shall be conducted entirely within a completely enclosed building. (b) No outdoor storage of products, materials, or supplies, except refuse disposal areas, shall be permitted. (c) All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards. (d) No building shall be used for residential purposes, except that a guard, caretaker or other person employed on the premises, and their family, may reside on the premises in conformance with subsection 36-450(3)(b)6. Existing nonconforming residential uses may be expanded up to ten

DEVELOPMENT REVIEW STAFF REPORT

	percent of the floor area existing at the time the district is mapped to provide enlarged cooking and sanitary facilities but not bedrooms or other living space. (e) No use shall emit an odor that creates a nuisance as determined by chapter 2A, article X, Springfield City Code. (f) Uses on parcels not served by public water and public sewer shall meet the requirements of subsection 36-303(22).
Maximum Height	40 feet
Minimum Yard Requirements	a. Twenty-five feet along a street classified as a collector or higher classification street or as required by section 36-453, supplemental open space and yard regulations. b. Fifteen feet along a street classified as a local street or as required by section 36-453, supplemental open space and yard regulations. c. The front yard setback may be reduced below the minimum required above if a conditional use permit is approved in accordance with section 36-363, conditional use permits, or an approved preliminary plat in accordance with the city's subdivision regulations. 2. <i>Side yard</i>: Ten feet or as required by section 36-453, supplemental open space and yard regulations. 3. <i>Rear yard</i>: Ten feet.
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.
Buffering and Landscaping	Whenever any development in a RI district is located adjacent to a different zoning district, screening and a bufferyard shall be provided in accordance with sections 36-480, screening and fencing, and 36-482, landscaping and bufferyards

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Industry & Logistics placetype.

The project area is located within the Industry & Logistics placetype, (see the Future Placetype Map on page 4 for reference). Per the *Land Use & Development* chapter of the *Comprehensive Plan*, this placetype primarily consists of, "...heavy and moderately intense

DEVELOPMENT REVIEW STAFF REPORT

manufacturing, distribution uses, and a range of operations that rely on proximity to the City's airport, interstate, and rail facilities." Based on these primary functions, this placetype also accommodates other activities typically associated with industry and manufacturing, including outdoor activity involving storage or parking of vehicles and equipment.

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

PRIMARY USES

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

SUPPORTING USES

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

CHARACTERISTICS TRANSPORTATION & INFRASTRUCTURE

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

URBAN DESIGN – BUILDING AND SITE TYPOLOGY

DEVELOPMENT REVIEW STAFF REPORT

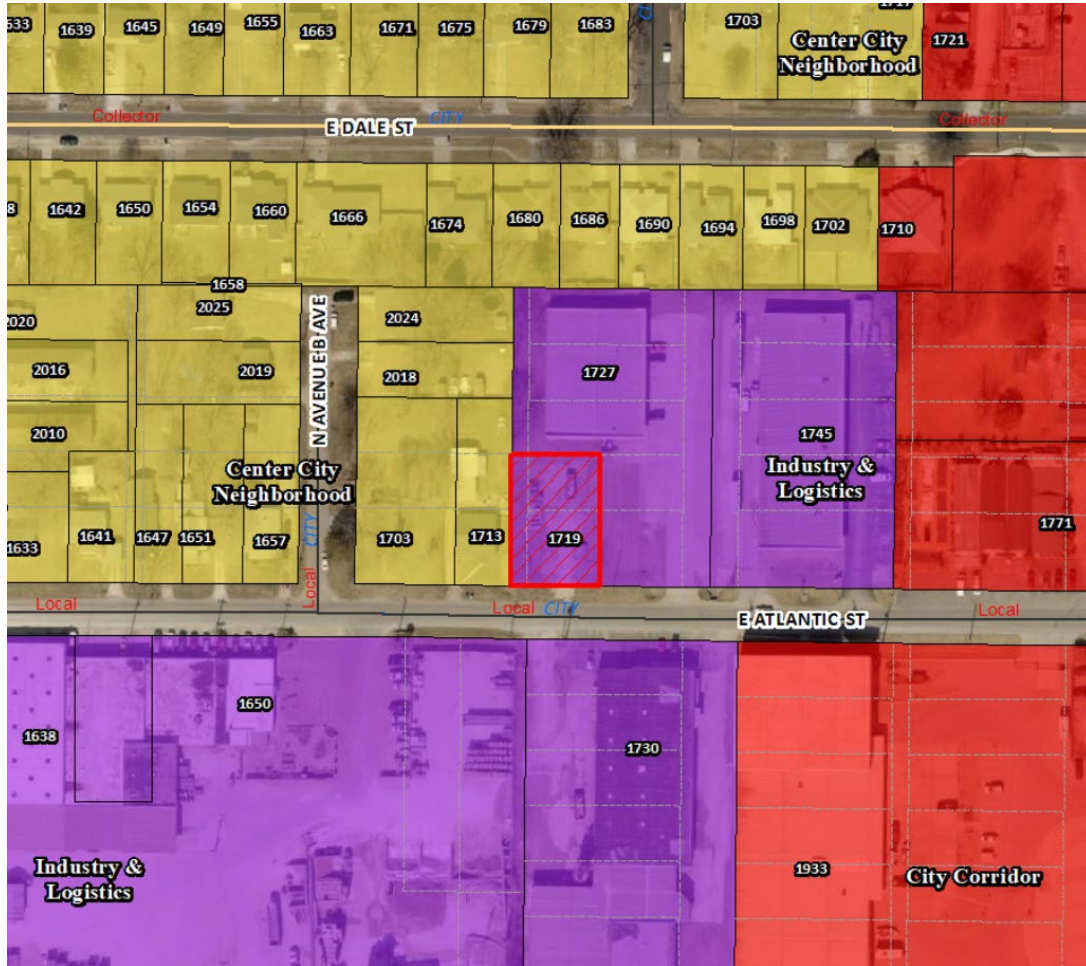
1. Industrial buildings exhibit quality façade designs and site layouts that enhance the character of the area and promote quality development and a sense of place.
2. Site design should discourage the placement or storage of materials and mechanical equipment along major roadways leading to the airport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

TRANSITIONS

1. Industrial uses are well screened and buffered when located near lower intensity commercial or residential areas to reduce potential negative visual and noise impacts.
2. Less intense support sales, service, and supply of goods related to heavier manufacturing operations, airport, and other logistical operations are integrated along secondary roadways and around the periphery.

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 Retail & Wholesale	Public & Private Schools & Places of Worship	Universities, Colleges & Vocational Schools	Government, Healthcare & Institutional Facilities	Personal Services, Outdoor Sales & Service	Light Industry	Warehouse & Distribution Facilities	Heavy Industry & Manufacturing
Residential Neighborhood	●	○	◇	○	○	○	○	○	○	○	○	○	○	○	○	○
Mixed Residential	●	●	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Downtown	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Mixed-Use	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
City Corridor	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Institutional & Employment Center	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Business Flex	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Industry & Logistics	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Urban Green Space & Recreation	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○

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

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

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

DEVELOPMENT REVIEW STAFF REPORT

CITY UTILITIES:

No issues with the proposed rezoning.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues with rezoning. Tract has access to public sewer.

FIRE DEPARTMENT:

No comments.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

TRAFFIC REPORT

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	E. Atlantic Street	Local	City	25	25	NA	Yes	Yes	No

ACCESS - All new or modified driveway approaches shall comply with current City of Springfield standards for the street classification.

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There are no Greenway Trails near the property. There is one (1) bus stop on Glenstone Avenue 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 North Branch** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is not** aware of flooding problems in the local or downstream area. The city **is not** aware of a sinkhole or other Karst feature at this location. The property **does not have a stream buffer on site**. A fee in lieu of on-site stormwater detention **is not applicable because the site is built out**.

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.

DEVELOPMENT REVIEW STAFF REPORT

DETENTION AND DISCHARGE REQUIREMENTS

N/A

WATER QUALITY REQUIREMENTS

N/A

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

SINKHOLES & KARST FEATURES

N/A

ADDITIONAL STORMWATER REQUIREMENTS

N/A.

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 0.2 acre of property generally located at 1719 E. Atlantic Street from R-TH, Residential Townhouse District to RI, Restricted Industrial District. The applicant intends to keep the existing fence and dumpster at their existing locations with no other changes at this time.
2. This application is consistent with the Industry & Logistics placetype which predominantly consists of heavy and moderately intense manufacturing, distribution, warehousing and storage uses. The Industry & Logistics placetype allows for certain supporting uses which complement the placetype's primary industrial or manufacturing uses, including office, hospitality, retail sales and service uses. It also states that industrial uses are well screened and buffered when located near lower intensity commercial or residential areas to reduce potential negative visual and noise impacts.
3. The bufferyard type "E" will be required with any new development of the site. This will require a 20 ft. bufferyard with 3 canopy trees, 2 understory trees, 2 evergreen trees and 16 shrubs for every 100 linear feet adjacent to the R-TH District. A six-foot solid wood fence, wall or hedge will also be required.
4. The RI district is intended primarily for uses engaged in light manufacturing, assembling, and fabrication, warehousing, wholesaling, and service operations which conduct all activities within a building with no external impact or effect. This district is intended to serve as a transition between more intense industrial development and commercial, office, or multi-family residential development.
5. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.

DEVELOPMENT REVIEW STAFF REPORT

6. There are no changing conditions in the area affected that make the proposed rezoning necessary. The applicant intends to keep the existing fence and dumpster at their existing locations with no other changes at this time.
7. The range of uses in the proposed Restricted Industrial district are compatible with the uses permitted on other property in the immediate vicinity to the north, east and south. The RI district allows for manufacturing and office uses which are consistent with uses in the area.
8. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
9. The impact the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity. A traffic study is not required as part of this rezoning.
10. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
11. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The property can still develop with the existing zoning.
12. The proposed rezoning was reviewed by City departments and comments are contained in the staff report (above).
13. The applicant held a neighborhood meeting on August 22, 2024, regarding the rezoning request. A summary of the meeting is attached (Attachment 1).
14. The public notice was advertised in the Daily Events at least 15 days prior to the public hearing. The property was posted by the applicant at least 10 days prior to the public hearing. Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 185 feet.

STAFF RECOMMENDATION:

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

PLANNING AND ZONING OPTIONS:

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

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

DEVELOPMENT REVIEW STAFF REPORT

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

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

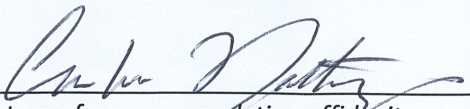
1. Request change to zoning from: R-TH to R-I
(existing zoning) (proposed zoning)
2. Meeting Date & Time: August 22, 2024, 4pm to 6:30pm
3. Meeting Location: 1727 E. Atlantic, parking lot
4. Number of invitations that were sent: 500
5. How the mailing list was generated: city
6. Number of neighbors in attendance (attach a sign-in sheet): 6
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

ATTACHED

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

ATTACHED

I, Chris W. Nattenger (print name), attest that the neighborhood meeting was held on Aug. 22, 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

Chris W. Nattenger
Printed name of person completing affidavit

1719 E. ATLANTIC - MEETING - August 2024

CALLS RECEIVED

8/12 ROBERT CASSELMAN
8/13 GLENSTONE COURT
~~8/22 TOM KELLY~~

8-22-2024 NEIGHBORHOOD MEETING 4-630PM

<u>NAME</u>	<u>STREET ADDRESS</u>
TOM KELLY	2831 N HOWARD
LINDA KELLY	1690 E DALE ST.
NADINE HASTEN	1686 E. DALE ST.
CHRISTINA TIMBLE	1713 E ATLANTIC
JOHN TIMBLE	1713 E ATLANTIC
RANDY ARNELL	1745 - B - E. ATLANTIC

MEETING SUMMARY

ATTENDED BY MYSELF AND 6 OTHERS, I EXPLAINED THE REASON FOR THE RE-ZONING REQUEST, MY DESIRE TO INCLUDE ALL OF MY PROPERTY ON ATLANTIC ST. IN THE SAME ZONING, R-I. NO ONE VOICED AN OBJECTION. QUESTIONS ABOUT WHAT

②

I INTENDED TO BUILD ON THAT LOT, AND I INFORMED THEM, THAT I HAVE NO PLANS TO BUILD ANYTHING AT THAT SITE. ALSO DUE TO THE SMALL SIZE OF THE LOT, IT WOULD NOT BE COST EFFECTIVE TO DEVELOP THERE.

THERE WERE NO FURTHER QUESTIONS OR COMMENTS.

I ENCOURAGED THEM TO ATTEND THE P+Z MEETING, WHEN IT IS HELD.

MEETING ADJOURNED.

SKYLINE INVESTMENT CO., LLC

Chris W. J. J. J.
PRESIDENT



EXPLANATION TO COUNCIL BILL 2024-206 (HORTON)

FILED: 10/09/2024

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 4.6 acres of property generally located at 2533 North Fort Avenue from R-SF, Single-family Residential District to R-LD, Low-density Multi-family Residential District with Conditional Overlay District No. 252; and adopting an updated Official Zoning Map. (By: Suresh Chiluveru; 2533 North Fort Avenue; Z-12-2024).

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 4.6 acres generally located at 2533 North Fort Avenue from R-SF, Residential Single-family to R-LD, Low-density multi-family Residential with Conditional Overlay District No. 252. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-12-2024/ CONDITIONAL OVERLAY DISTRICT NO. 252

The applicant is requesting to rezone approximately 4.6 acres generally located at 2533 North Fort Avenue from R-SF, Residential Single-family to R-LD, Low-density multi-family Residential with Conditional Overlay District No. 252. The applicant intends to develop a multi-family housing project.

REMARKS: Planning and Zoning Commission voted to amend the staff report to include the Public Work Traffic Engineering comments, which were not contained in the staff report on the online agenda. The comments were provided to commissioners before the meeting. The comments have been included in the attached staff report ("Exhibit D").

The Planning and Zoning Commission held a public hearing on September 12, 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 4.6 acres generally located at 2533 North Fort Avenue from R-SF, Residential Single-family to R-LD, Low-density multi-family Residential with Conditional Overlay District No. 252. The applicant intends to develop a multi-family housing project.

2. The Comprehensive Plan's Land Use & Development chapter identifies the subject property as the Center City neighborhood placetype. This placetype lists low-intensity multi-family as a supporting land use.

3. The proposed Conditional Overlay District limits the density to 11 dwelling units per acre. The property has a stream buffer which will limit the development of the site. Refer to Public Works Stormwater comments and picture to see the stream buffer. The COD will also require a Stream Buffer Plan be submitted for approval by the Director of Public Works. The Stream Buffer Plan will include the planting of 16 trees in the buffer area. The trees shall be of Missouri Native species or equivalent approved by Public Works-Stormwater. The trees cannot be part of any trees planted for perimeter or interior landscaping or bufferyard requirements.

4. The Plan recommends a "stepped down" approach to be used to transition from higher density/intensity residential and non-residential uses to single-family residential homes and uses, with greater densities/intensities located on higher functioning roadways, at the periphery of the neighborhood. The subject property is located on Talmage Street, classified as a collector roadway and near Kansas Expressway, classified as a primary arterial. Traffic from the proposed development does not have to traverse through a neighborhood to get to a higher-classification street.

5. This application is consistent with the Comprehensive Plan's Housing and Neighborhoods chapter, which encourages creative housing solutions to add housing diversity and support downsizing households, young professionals, and aging-in-place. The Plan encourages the use of "missing middle" housing types. Missing middle housing sits in the middle of the development spectrum between single-family homes and mid-rise to high-rise apartment buildings. These housing types should be integrated into Springfield's existing neighborhoods to increase housing diversity and provide a wider, more equitable range of housing choices.

6. Missing middle housing types provide opportunities for the city to increase the diversity of its housing stock through moderate increases in density, while maintaining the neighborhood character Springfield residents cherish. They range from low density duplexes to mid density multiplexes and triplexes, which can be integrated into the City's housing mix by using single-family lots to accommodate two to three units in a context-sensitive manner.

7. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though

new easements may be necessary to accommodate this.

8. There are few changing conditions in the area affected that make the proposed rezoning necessary. Minor development of property within the vicinity has been occurring.

9. The range of uses in the proposed R-LD district is compatible with the uses permitted on other property in the immediate vicinity.

10. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.

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

12. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.

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

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

15. The applicant held a neighborhood meeting on August 22, 2024, regarding the rezoning request. A summary of the meeting is attached (Attachment 1).

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

STAFF RECOMMENDATION: Staff recommends approval based on the proposal's



general conformance to the Comprehensive Plan's Center City neighborhood placetype and on the finding of facts above.

Submitted By: Michael Sparlin, Senior City Planner

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

- Attachments:**
1. Z-12-2024 - 2533 North Fort Avenue COD 252_Ord
 2. Z-12-2024 COD 252_exh A
 3. Z-12-2024 COD 252_exh B
 4. Z-12-2024 COD 252_exhC
 5. Z-12-2024 COD 252_exh D

One-rdg. _____
P. Hrngs. X
Pgs. 27
Filed: 10-01-24

Sponsored by: Horton

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-206

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 4.6 acres of property generally located at 2533 North Fort Avenue
4 from R-SF, Single-family Residential District to R-LD, Low-density
5 Multi-family Residential District with Conditional Overlay District No.
6 252; and 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 2533 North Fort Avenue from R-SF, Single-family Residential
11 District to R-LD, Low-density Multi-family Residential District with Conditional Overlay
12 District No. 252; and
13

14 WHEREAS, Conditional Overlay District No. 252 shall modify the requirements of
15 the Springfield Land Development Code Section 36-380, R-SF, Single-family
16 Residential District, by requiring that the property described in "Exhibit B" comply with
17 the requirements described in "Exhibit A," both attached hereto and incorporated herein
18 by this reference; and
19

20 WHEREAS, following proper notice, the Planning and Zoning Commission held a
21 public hearing on September 12, 2024, a copy of the Record of Proceedings from said
22 public hearing being attached hereto and incorporated herein by this reference as
23 "Exhibit C," and said Commission made a unanimous recommendation of approval; 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 generally located at 2533 North Fort Avenue and
35 described in "Exhibit B" is hereby rezoned from R-SF, Single-family Residential District
36 to R-LD, Low-density Multi-family Residential District with Conditional Overlay District
37 No. 252. Springfield Land Development Code, Section 36-306, 'Official zoning map and
38 rules for interpretation,' is hereby amended, changed, and modified consistent with this
39 Ordinance.

40
41 Section 2 – City Council hereby establishes Conditional Overlay District No. 252,
42 which shall contain the requirements and standards provided in "Exhibit A." The
43 requirements of Conditional Overlay District No. 252 shall modify the requirements of
44 the Springfield Land Development Code Section 36-380, R-SF, Single-family
45 Residential District, by requiring the property described in "Exhibit B" to comply with the
46 requirements contained in "Exhibit A."

47
48 Section 3 – City Council hereby directs the City Manager, or designee, to update
49 the City's digital zoning map to reflect this rezoning, and City Council adopts the map
50 thereby amended as the Official Zoning Map of Springfield, Missouri, as provided for in
51 the Springfield Land Development Code, Section 36-306, 'Official zoning maps and
52 rules of interpretation.'

53
54 Section 4 – The Official Zoning Map herein adopted shall be maintained and
55 archived in the same digital form in which this Council has approved its adoption.

56
57 Section 5 – This Ordinance shall be in full force and effect from and after
58 passage.

59
60 Passed at meeting: _____

61
62 _____
63 Mayor
64

65 Attest: _____, City Clerk
66

67 Filed as Ordinance: _____
68

69 Approved as to form: Laura Vales, Assistant City Attorney
70

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

EXHIBIT A
PROVISIONS FOR CONDITIONAL OVERLAY DISTRICT NO. 252

The requirements of Section 36-382 of the Springfield Zoning Ordinance shall be modified herein for development within this district to include the following:

1. The maximum density shall be limited to eleven (11) dwelling units per acre for a maximum of 50 dwelling units total located within this district.
2. At time of development and permitting, a Stream Buffer Plan shall be submitted for approval by the Director of Public Works. The Stream Buffer Plan will include the planting of 16 trees in the buffer area. The trees shall be of Missouri Native species or equivalent approved by Public Works-Stormwater. The trees cannot be part of any trees planted for perimeter or interior landscaping or bufferyard requirements.
3. Access to Fort Avenue without improvement is limited to the one (1) existing residential driveway and one (1) gated entrance, the latter of which is to be used for emergencies only.
4. If additional access to Fort Avenue is required or desired, the developer shall be responsible for improving Fort Avenue to meet all City standards for a local street in place at the time of improvement, with the use of a public improvement plan.
5. The Stream Buffer Easement required in City Code Chapter 96-21 per the Flood Controls and Water Quality Manual Chapter 8 Section 4.0. Before any Building Permit is approved the Stream Buffer Easement will be recorded with the Public Works Stormwater Division.

EXHIBIT B
LEGAL DESCRIPTION

THE FOLLOWING DESCRIBED LOT, TRACT, OR PARCEL OF LAND, LYING, BEING AND SITUATED IN GREENE COUNTY, MISSOURI.

TO WIT:

TRACT I:

BEGINNING AT A POINT 210.0 FEET WEST OF THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION TWO (2), TOWNSHIP TWENTY-NINE (29) NORTH, RANGE TWENTY-TWO (22) WEST; THENCE WEST A DISTANCE OF 165.0 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2 A DISTANCE OF 584.2 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2 A DISTANCE OF 375.0 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2; THENCE NORTH ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2 A DISTANCE OF 25.0 FEET; THENCE WEST PARALLEL TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2 A DISTANCE OF 80.0 FEET; THENCE NORTHWESTERLY A DISTANCE OF 183.2 FEET TO A POINT 210.0 FEET WEST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2; THENCE NORTH PARALLEL WITH THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2 A DISTANCE OF 429.0 FEET TO THE POINT OF BEGINNING, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. ALSO A TRACT OF LAND BEGINNING ONE HUNDRED SIXTY (160) FEET SOUTH OF THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION TWO (2), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-TWO (22), IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, THENCE WEST TWO HUNDRED TEN (210) FEET; THENCE SOUTH FIFTY (50) FEET; THENCE EAST TWO HUNDRED TEN (210) FEET; THENCE NORTH FIFTY (50) FEET TO THE PLACE OF BEGINNING.

TRACT II:

BEGINNING 285 FEET SOUTH OF THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 29N, RANGE 22W; THENCE WEST 210 FEET; THENCE SOUTH 144 FEET; THENCE SOUTHEASTERLY 153.2 FEET TO A POINT 80 FEET WEST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2; THENCE EAST 80 FEET; THENCE NORTH TO THE PLACE OF BEGINNING, ALL IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. ALSO BEGINNING 310 FEET SOUTH OF THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION TWO (2), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-TWO

(22); THENCE WEST 210 FEET; THENCE NORTH 100 FEET; THENCE EAST 210 FEET TO THE EAST LINE OF SAID SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SAID SECTION TWO (2); THENCE SOUTH 100 FEET TO THE POINT OF BEGINNING. ALL IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. SUBJECT TO RESTRICTIONS, RESERVATIONS, EASEMENTS, COVENANTS, OIL, GAS OR MINERAL RIGHTS OF RECORD, IF ANY.

EXHIBIT C
RECORD OF PROCEEDINGS
Planning and Zoning Commission – September 12, 2024

Z-12-2024 COD 252
2533 North Fort Avenue
Applicant: Suresh Chiluveru

Mr. Childers noted that the Commission will need to amend the staff report to include the Public Works traffic study.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to amend the staff report for Z-12-2024 COD 252 to include the Public Works traffic study, Commissioner Pauly seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Colony, Commissioner Knuckles, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: Commissioner Lebeck. Abstain: None.

Mr. Neal stated that this is a request to rezone approximately 4.6 acres from R-SF, Residential Single-family to R-LD, Low-density multi-family Residential with Conditional Overlay District No. 252.

Mr. Pauly asked about the floodway or floodplain that FEMA may introduce by late 2024 and if it could impact the plan being presented tonight.

Mr. Neal noted that the stream buffer exists today, but FEMA changes to the mapping are coming later in 2024.

Mr. Zickefoose noted that the stream buffer requirements will have to be in place regardless of FEMA's updates and could potentially impact it.

Mr. Scott asked about access to Fort Avenue without improvements and the potential of a gate.

Mr. Zickefoose stated that there is no gate existing today and it is a proposed emergency access only entrance. Mr. Scott is concerned that if additional access to Fort Avenue is necessary then the developer would need to do the improvements and does not want the situation suddenly imposed on him to improve Fort Avenue.

Mr. Eddie Tims, 1174 S. Maryland Avenue noted that they have discussed some of the issues with the site and restrictions and it is not the owner's intent to allow residents to use Fort Avenue and was discussed at the neighborhood meeting (for emergency use only). He also noted that the floodplain is outside of the present bufferyard area, and the development will more on the hill side and will try to stay out of the area.

Mr. Radhika, 2533 N Fort Avenue and here representing my spouse who could not be here today.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Z-12-2024 COD 252, Commissioner Pauly seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Colony, Commissioner Knuckles, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: Commissioner Lebeck. Abstain: None.



Bob Hosmer, AICP
Planning Manager



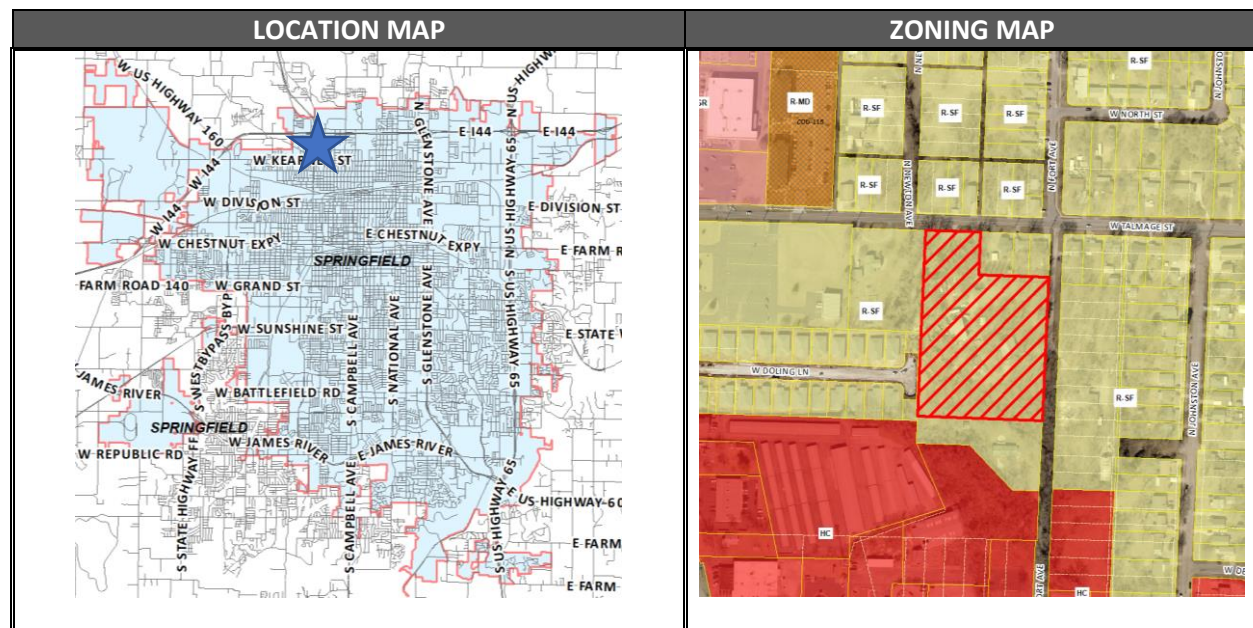
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-12-2024 with Conditional Overlay District No. 252
Location:	2533 North Fort Avenue
Total Acres:	4.6 acres
Applicant:	Suresh Chiluveru
Existing Land Use:	Single-family residential and undeveloped land
Neighborhood Meeting:	August 22, 2024
Planning and Zoning Commission:	September 12, 2024
City Council:	October 7, 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-12-2024 with Conditional Overlay District No. 252 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).

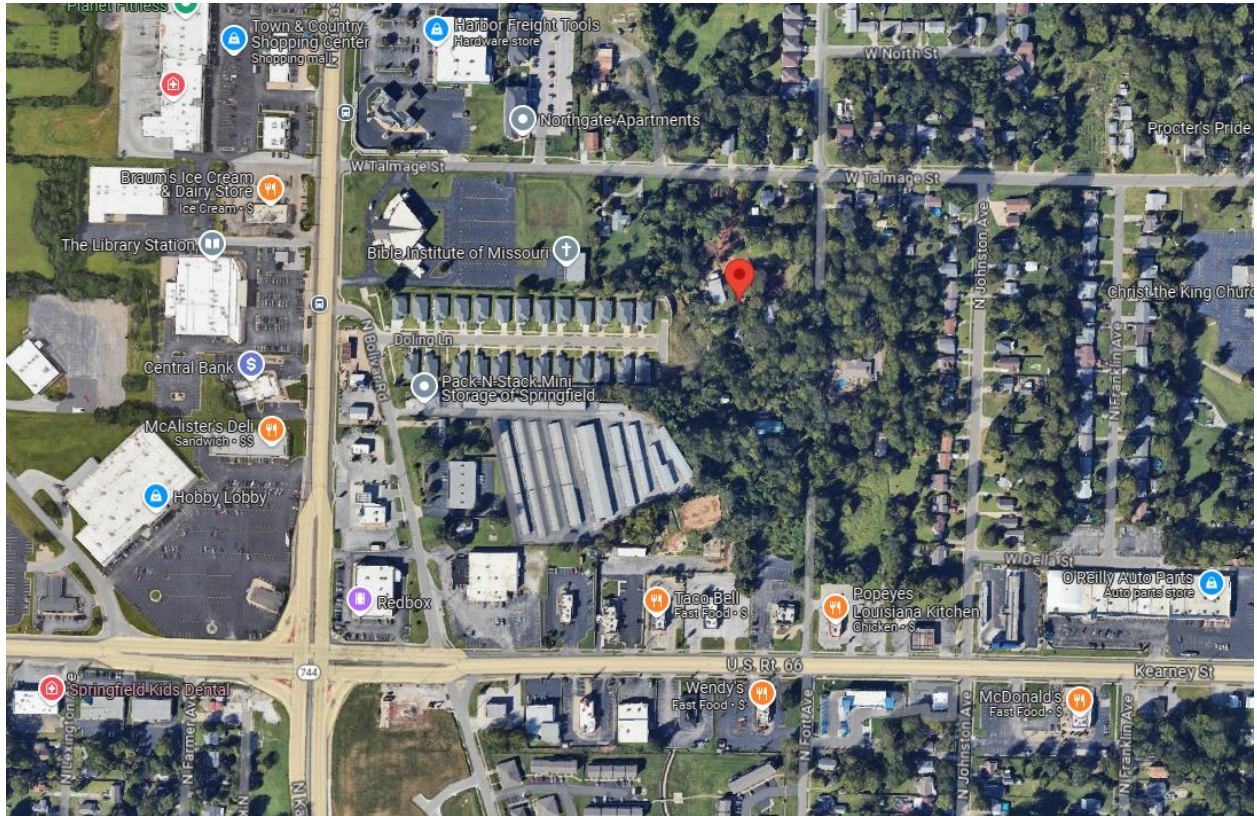
PROJECT SUMMARY:

Request to rezone approximately 4.6 acres generally located at 2533 North Fort Avenue from R-SF, Residential Single-family to R-LD, Low-density multi-family Residential with Conditional Overlay District No. 252.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property was zoned R-SF in the city-wide remapping in 1995.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

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

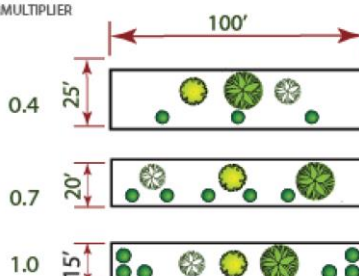
1. Whether the proposed zoning district classification is consistent with the Springfield Comprehensive Plan;
2. Whether there are any changed or changing conditions in the area affected that make the proposed rezoning necessary;
3. Whether the range of uses in the proposed zoning district classification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

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR R-LD
Minimum Yard Requirements	Front yard: a. Fifteen feet along a street classified as a local street or as required by section 36-453 (garages shall be set back a minimum of 20 feet).
Maximum Structure Height	The maximum building height shall be thirty (30) feet in height or two stories.
Minimum Open Space	Not less than 20 percent.
Buffering and Landscaping	A bufferyard type B will be required adjacent to the R-SF zoned property in addition to a six (6) foot solid wooden fence along the

DEVELOPMENT REVIEW STAFF REPORT

	PLANT UNIT MULTIPLIER	STRUCTURE REQUIRED
	0.4	25'
	0.7	20'
	1.0	15'



COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Center City neighborhood placetype. Center City Neighborhoods are Springfield's oldest residential neighborhoods, dating to before WWII. They are typically characterized by a diverse range of single-family homes with varying architectural styles, setbacks, compact and shared spaces, and parcel sizes. Center City neighborhoods historically had small scale neighborhood supporting retail services provided at key intersection, streetcar routes, and neighborhood centers. These building types and commercial uses were integrated into the neighborhood fabric. Most Center City Neighborhoods follow a gridded block pattern with alleys, tree-lined streets, and a well-connected sidewalk network that allows residents to walk to nearby neighborhood amenities. Due to their compact form and proximity to urban centers, these neighborhoods are places where residents should reasonably be able to walk, bike, or ride transit to meet some of their educational, employment, shopping, and recreational needs. Center City Neighborhoods are also integrated with key cultural and institutional uses, such as schools and places of worship that serve surrounding residents. Center City Neighborhoods consist of housing of varying conditions, age, affordability, and vacancies. Opportunities for infill development are pursued where appropriate, diversifying the housing stock. Much of the housing stock uses traditional stick-framed construction with lap siding or masonry veneer. Elevated porches with columns and stoops are focal points common to homes in these areas. Infill can include higher density residential development that should blend with the surrounding character. Vacant and underutilized properties are considered for new uses, such as pocket parks, community gardens, or small neighborhood commercial nodes as well as housing. The creation of neighborhood-scale commercial should focus on the incorporation of context sensitive designs and low intensity uses to ensure integration into the surrounding area. These low intensity uses could include dining, personal services, office, and essential goods. These nodes could be located along historic streetcar routes or higher classification roadways on the edges of the neighborhood. Priority is given to the pedestrian environment to foster a walkable neighborhood. Planning for Center City Neighborhoods should strive to improve infrastructure and support the building types and uses that make these neighborhoods more complete, diverse, and accessible to residents.

PRIMARY USES

1. Single-family detached

SUPPORTING USES

DEVELOPMENT REVIEW STAFF REPORT

1. Single-family attached
2. Low-intensity multifamily
3. Low-intensity, neighborhood commercial
4. Parks, greenways, and open space
5. Public and private schools and places of worship
6. Low-intensity urban agriculture

CHARACTERISTICS TRANSPORTATION & INFRASTRUCTURE

1. Traffic-calming measures, such as speed-humps, bump-outs, roundabouts, landscaped chicanes with integrated stormwater management, and on-street parking are used to slow traffic.
2. Best management practices for stormwater management are required in development projects and within public rights-of-way, such as permeable paving, rain gardens, green roofs, native landscaping, and other low impact design strategies.
3. Sidewalk gaps are filled, and sidewalks connect to transit routes, greenways and trails, and supportive uses are located within the neighborhood and around the perimeter.
4. Alleys provide pedestrian connections, alternative access to rear yards, detached garages, and other approved accessory uses.
5. Sense of place and identity is enhanced through neighborhood organization efforts, preservation and planting trees, neighborhood identification signs, and traffic calming improvements that double as streetscape elements.
6. As technology, trends, and funds permit, utilities are buried or are consolidated along rear property lines, reducing conflicts with street trees, pedestrian infrastructure, and viewsheds.
7. Major entrances into neighborhoods are marked by identification signs and landscaping.

URBAN DESIGN - BUILDING AND SITE TYPOLOGY - Urban design characteristics that apply to both Center City and Traditional Neighborhoods include:

1. The main entrances of new residential developments are oriented towards the primary street.
2. Preservation and adaptive reuse of neighborhood schools and surplus buildings are encouraged.
3. When appropriate, adaptive reuse of residential structures for low-intensity, neighborhood-scale nonresidential uses, including missing middle housing types, is encouraged at neighborhood nodes and along edges.
4. Accommodations are made to allow expanded home occupations, without detracting from the character of the neighborhood, being conscious of changing trends and advances in technologies.
5. New and infill buildings maintain the proportions and architectural features common in the existing block.
6. When commercial buildings are located within or adjacent to the neighborhood, they are oriented to the street, focus on pedestrian-scale, and provide limited vehicle parking.

Center City Neighborhood Urban design characteristics unique to Center City Neighborhood character area include:

DEVELOPMENT REVIEW STAFF REPORT

1. Residential subdivisions are designed and platted in more conventional layouts with shorter blocks.
2. Lots have a variety of widths, depths, and setbacks creating unique identity from neighborhood to neighborhood.
3. While not as common, attached, and detached garages provide limited parking options and create a greater demand for on-street parking.
4. Garages reflect the architectural style and scale of the primary buildings and are often setback well behind the front facade.
5. Driveways are often accessed from the rear alley and are shared or absent in exchange for sidewalks to the front door or porch, which provides increased on-street parking opportunities.
6. Properties and neighborhoods eligible for local historic designation are continually identified and preserved.
7. Key corridors that offer transit and other multimodal, trail, or greenway connections can be enhanced with increased housing and neighborhood scale services, shops, and dining.
8. Low-impact, neighborhood-scale commercial uses should be considered at locations where community facilities and amenities or other informal neighborhood hubs already exist, at former streetcar stops, along the edges of the neighborhood or at other significant neighborhood destinations.
9. Neighborhood parks, community centers, greenway or trailheads, museums, gardens, schools, and churches can serve as anchors for neighborhood commercial hubs.

Transitions:

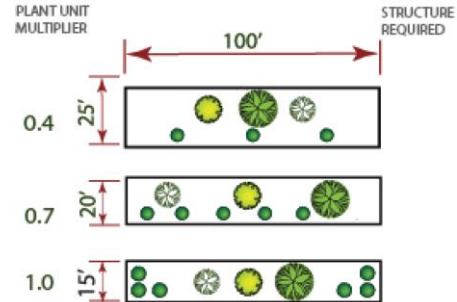
1. A “stepped down” approach is used to transition from higher density/intensity residential and non-residential uses to single-family residential homes and uses, with greater densities/intensities located on higher functioning roadways, at the periphery of the neighborhood.
2. Lower density residential uses are sufficiently screened and buffered between higher density housing and nonresidential uses.
3. The design of higher density residential uses integrated into the Residential Neighborhood Placetype should complement the scale and character of the surrounding neighborhood. Attention should be given to building height, orientation, architectural style, and setback to ensure the existing neighborhood character is retained.

CODE ITEM	REQUIREMENTS FOR R-LD
Minimum Yard Requirements	Front yard: b. Fifteen feet along a street classified as a local street or as required by section 36-453 (garages shall be set back a minimum of 20 feet).
Maximum Structure Height	The maximum building height shall be thirty (30) feet in height or two stories.
Minimum Open Space	Not less than 20 percent.

DEVELOPMENT REVIEW STAFF REPORT

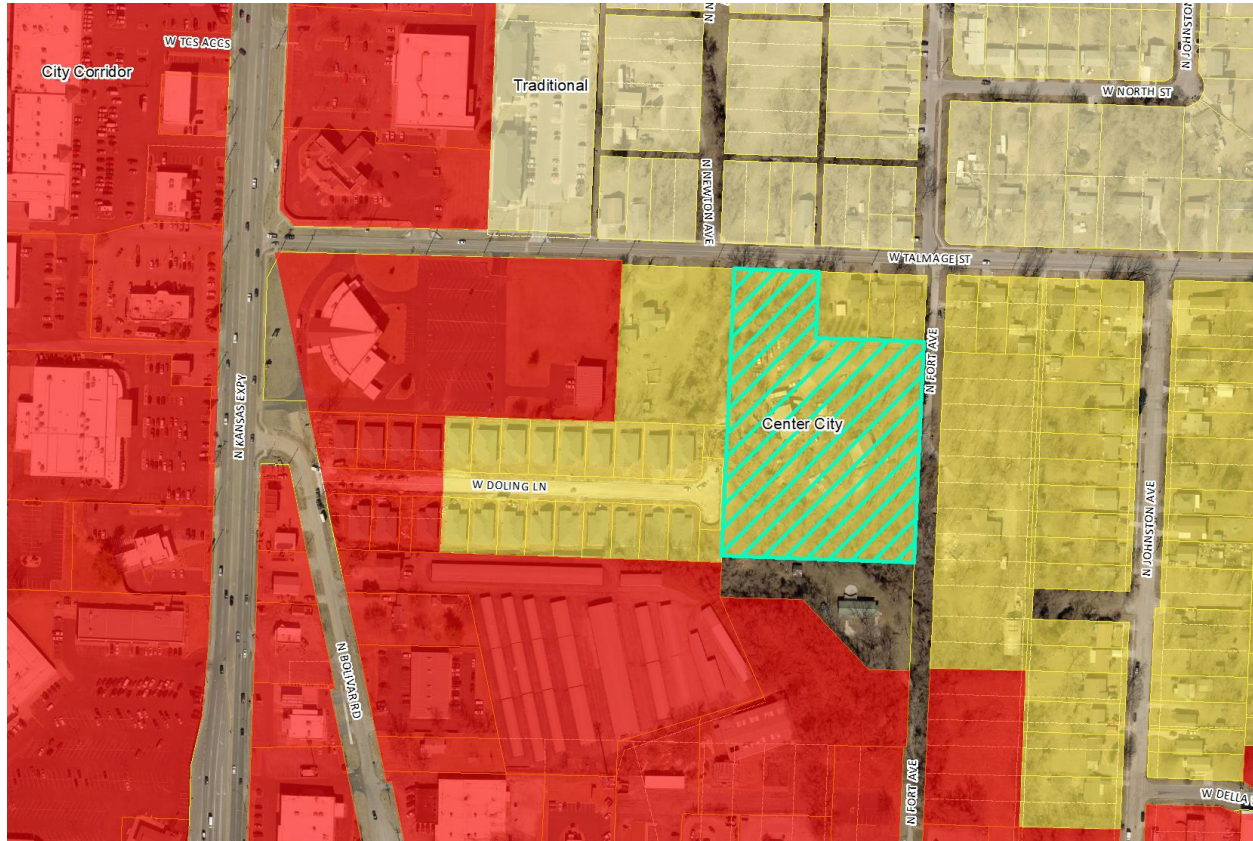
Buffering and Landscaping

A bufferyard type B will be required adjacent to the R-SF zoned property.



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	Neighborhood Commercial	Maker, Artisan & Innovation Spaces	Public & Private Schools & Places of Worship	Universities, Colleges & Vocational Schools	Government, Healthcare & Institutional Facilities	Personal Storage, Outdoor Sales & Service	Light Industry
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, undeveloped land	Single-family residential, large lot
PLACETYPES	Traditional neighborhood	Not designated	Center City neighborhood	Center City 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 STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

The property is in the **Pea Ridge Creek** drainage basin. The property **is** located in a FEMA designated floodplain. Staff **is** aware of flooding problems in the local or downstream area. The city **is not** aware of a sinkhole or other Karst feature at this location. The property **does have a stream buffer on site**.

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

PW Stormwater has no concerns for the proposed change to COD language. Please note that development of the property will be subject to the following conditions at the time of development:

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

DETENTION AND DISCHARGE REQUIREMENTS

1. Any development or redevelopment that increases runoff, through the increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3. The downstream area of the Pea Ridge Creek tributary is residential and has known flooding issues. Even though the site has floodplain and floodway. The Proposed development will need to construction detention for flood control.

WATER QUALITY REQUIREMENTS

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

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

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

1. At the time of this review (August 2024) the property does not have Floodplain or Floodway. The existing Floodplain maps are issued from FEMA 2010 mapping. The Missouri State Emergency Management Agency (SEMA) has advised that the Final Letter of Determination for updated FEMA Floodplain will be issued late 2024. When the updated maps are adopted by Springfield City Council the 2533 N Fort Ave property will have both Floodplain and Floodway along the stream.

NATURAL CHANNEL & STREAM BUFFERS

1. The Pea Ridge Creek stream crosses the property from the south to north. The stream is a Category C Large Tributary and requires a 50 feet wide buffer easement from the top of bank on both sides of the stream. The stream buffer easement is required recorded for Rezoning, preliminary plat, or subdivision cases.

2. The site has been recorded through service requests before this zoning case was submitted. Sixteen (16) trees were identified in the stream buffer area with greater than 6 inches diameter. These sixteen trees will need planted in the stream buffer area. The following item needs added to the COD language.

DEVELOPMENT REVIEW STAFF REPORT

"At time of development and permitting a Stream Buffer Plan will be submitted for approval. The Stream Buffer Plan will include the planting of 16 trees in the buffer area. The trees should be of Missouri Native species or equivalent approved by PW-Stormwater. The trees cannot be part of any trees planted for landscape or buffer requirements."



SINKHOLES & KARST FEATURES

N/A

DEVELOPMENT REVIEW STAFF REPORT

ADDITIONAL STORMWATER REQUIREMENTS

- 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.

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	N. Fort Avenue	Local	City	25	20	NA	No	No	No
Street 2	W. Talmage Street	Collector	City	30	30	NA	No	Yes	No
				Daily		AM Peak		PM Peak	
Existing Trips Generated (R-SF)				221		18		23	
*Proposed Trips Generated (R-LD w/COD)				336		28		33	
Additional Trips Generated				115		10		10	
*Proposed Trips Generated is based on the highest, most intense use permitted in the proposed rezoning, and Conditional Overlay District (11 du/ac).									

ACCESS - All new or modified driveway approaches shall comply with current City of Springfield standards for the street classification. Access to Fort Ave is limited to the one (1) existing residential driveway and one (1) gated emergency only entrance.

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. If any additional access to Fort Ave is needed or wanted, then Fort Ave will have to be widened and brought up to current city standards for a local street. Any required improvements to Fort Ave will be the developer's responsibility and will require public improvement plans.

STAFF ANALYSIS AND RECOMMENDATION:

- The applicant is requesting to rezone approximately 4.6 acres generally located at 2533 North Fort Avenue from R-SF, Residential Single-family to R-LD, Low-density multi-family Residential with Conditional Overlay District No. 252. The applicant intends to develop a multi-family housing project.
- The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Center City neighborhood placetype. This placetype lists low-intensity multi-family as a supporting land use.
- The proposed COD limits the density to 11 dwelling units per acre. The property has a stream buffer which will limit the development of the site. Refer to Public Works Stormwater comments and picture to see the stream buffer. The COD will also require a Stream Buffer

DEVELOPMENT REVIEW STAFF REPORT

Plan be submitted for approval by the Director of Public Works. The Stream Buffer Plan will include the planting of 16 trees in the buffer area. The trees shall be of Missouri Native species or equivalent approved by Public Works-Stormwater. The trees cannot be part of any trees planted for perimeter or interior landscaping or bufferyard requirements.

4. The *Plan* recommends a “stepped down” approach to be used to transition from higher density/intensity residential and non-residential uses to single-family residential homes and uses, with greater densities/intensities located on higher functioning roadways, at the periphery of the neighborhood. The subject property is located on Talmage Street, classified as a collector roadway and near Kansas Expressway, classified as a primary arterial Traffic from the proposed development does not have to traverse through a neighborhood to get to a higher classification street.
5. This application is consistent with the *Comprehensive Plan’s Housing and Neighborhoods* chapter which encourages creative housing solutions to add housing diversity and support downsizing households, young professionals, and aging-in-place. The *Plan* encourages the use of “missing middle” housing types. Missing middle housing sits in the middle of the development spectrum between single-family homes and mid-rise to high-rise apartment buildings. These housing types should be integrated into Springfield’s existing neighborhoods to increase housing diversity and provide a wider, more equitable range of housing choices.
6. Missing middle housing types provide opportunities for the city to increase the diversity of its housing stock through moderate increases in density, while maintaining the neighborhood character Springfield residents cherish. They range from low density duplexes to mid density multiplexes and triplexes, which can be integrated into the City’s housing mix by using single-family lots to accommodate two to three units in a context-sensitive manner.
7. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities’ extension policy, though new easements may be necessary to accommodate this.
8. There are few changing conditions in the area affected that make the proposed rezoning necessary. Minor development of property within the vicinity has been occurring.
9. The range of uses in the proposed R-LD district is compatible with the uses permitted on other property in the immediate vicinity.
10. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
11. The impact of the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity.
12. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.

DEVELOPMENT REVIEW STAFF REPORT

13. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.
14. The proposed rezoning was reviewed by City departments and comments are contained in the staff report (above).
15. The applicant held a neighborhood meeting on August 22, 2024, regarding the rezoning request. A summary of the meeting is attached (Attachment 1).
16. The public notice was advertised in the Daily Events at least 15 days prior to the public hearing. The property was posted by the applicant at least 10 days prior to the public hearing. Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 185 feet.

STAFF RECOMMENDATION:

1. Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Center City neighborhood 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. 252

The requirements of Section 36-382 of the Springfield Zoning Ordinance shall be modified herein for development within this district to include the following:

1. The maximum density shall be limited to eleven (11) dwelling units per acre for a maximum of 50 dwelling units total located within this district.
2. At time of development and permitting, a Stream Buffer Plan shall be submitted for approval by the Director of Public Works. The Stream Buffer Plan will include the planting of 16 trees in the buffer area. The trees shall be of Missouri Native species or equivalent approved by Public Works-Stormwater. The trees cannot be part of any trees planted for perimeter or interior landscaping or bufferyard requirements.
3. Access to Fort Avenue without improvement is limited to the one (1) existing residential driveway and one (1) gated entrance, the latter of which is to be used for emergencies only.
4. If additional access to Fort Avenue is required or desired, the developer shall be responsible for improving Fort Avenue to meet all City standards for a local street in place at the time of improvement, with the use of a public improvement plan.
5. The Stream Buffer Easement required in City Code Chapter 96-21 per the Flood Controls and Water Quality Manual Chapter 8 Section 4.0. Before any Building Permit is approved the Stream Buffer Easement will be recorded with the Public Works Stormwater Division.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: R-SF to R-LD
(existing zoning) (proposed zoning)
2. Meeting Date & Time: 8/22/2024 4 pm CST
3. Meeting Location: 2533 N Fort Avenue, Springfield
4. Number of invitations that were sent: 174
5. How the mailing list was generated: Mailling list was shared by Planning and Zoning Dept
6. Number of neighbors in attendance (attach a sign-in sheet): 8
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).

Neighbors main concern was Traffic at Talmage St and crossing to N Kansas Express to left turn as there is no Traffic signal,
Second is Trafficking at N Fort Avenue, we are already conveyed to neighbors that we are not going to use N fort avenue as main entrance, Access to Fort Avenue without improvement is limited to the one (1) existing residential driveway and one (1) gated entrance, the latter of which is to be used for emergencies only.

No other comments from any one . all are welcoming the the Multifamily condo buildin for neibour hood development,Economy Growth, Employment generation etc.

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

No Writting comments.

I, Suresh Chiluveru, attest that the neighborhood meeting was held on 08/22/2024, 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."

Sureshchuiluveru
Signature of person completing affidavit

SURESH CHILUVERU
Printed name of person completing affidavit

Name Phone no email address

Judy White (417) 522-4605, wordsfan@aol.com
1328 W. Talmage St. Spfld, Mo 65803

Harvey Apple Gate 417-818-5700
2510 N. Fort. Ave Springfield Mo. 65803

Eddie Tims, Architect 417-838-3949, etimsarch.2@gmail.com
1174 S. Maryland, Springfield, Mo 65807

Steve Deckard 417 419 6144 dat1deckard@gmail.com
1306 W. Talmage, Springfield, Mo. 65803

Glenora Tucker 417-589-0945
1232 W Talmage St 65803

Nathan Adams OWN, Inc. (417) 866-2741

Joann Wolf 2538 N. MAIN 417 894-0301
Fred Ady 646 E Livingston 417-631-3518



EXPLANATION TO COUNCIL BILL 2024-207 (SIMPSON)

FILED: 10/09/2024

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 1.4 acres of property generally located at 737, 745, 751, 761, and 801 North Broadway Avenue and 732 and 742 North Weaver Avenue from R-TH, Residential Townhouse District to Planned Development No. 389; and adopting an updated Official Zoning Map. (By: Drew Lewis Foundation; 737, 745, 751, 761, and 801 North Broadway Avenue and 732 and 742 North Weaver Avenue; Planned Development No. 389).

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.4 acres of property generally located at 737, 745, 751, 761 & 801 North Broadway Avenue and 732 & 742 North Weaver Avenue from R-TH, Residential Townhouse District to Planned Development District No. 389. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION: PLANNED DEVELOPMENT NUMBER 389

The applicant, Drew Lewis Foundation, is requesting to rezone approximately 1.4 acres of property generally located at 737, 745, 751, 761 & 801 North Broadway Avenue and 732 & 742 North Weaver Avenue from R-TH, Residential Townhouse District to Planned Development District No. 389. The applicant is proposing a single-family residential compact pocket neighborhood with 14 dwellings and a resident clubhouse.

REMARKS: The Planning and Zoning Commission held a public hearing on September 12, 2024, and recommended to approve the application, 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 Comprehensive Plan's Land Use & Development Chapter 6 identifies the subject property as the Center City neighborhood placetype.
2. Center City Neighborhoods consist of housing of varying conditions, age, affordability, and vacancies. Opportunities for infill development are pursued where appropriate, diversifying the housing stock. Much of the housing stock uses traditional

stick-framed construction with lap siding or masonry veneer. Elevated porches with columns and stoops are focal points common to homes in these areas. Infill can include higher density residential development that should blend with the surrounding character. Vacant and underutilized properties are considered for new uses, such as pocket parks, community gardens, or small neighborhood commercial nodes, as well as housing.

3. The Center City Neighborhoods Placetype gives priority is given to the pedestrian environment to foster a walkable neighborhood. Planning for Center City Neighborhoods should strive to improve infrastructure and support the building types and uses that make these neighborhoods more complete, diverse, and accessible to residents. Center City Neighborhoods should maintain a fully connected pedestrian network of sidewalks that provides safe and efficient walking access to transit routes, nearby schools, parks, and amenities like greenways and trails.

4. This application is consistent with the Placetypes recommendation that a “stepped down” approach is used to transition from higher density/intensity residential and non-residential uses to single-family residential homes and uses, with greater densities/intensities located on higher functioning roadways, at the periphery of the neighborhood. Also, that the design of higher density residential uses integrated into the Residential Neighborhood Placetype should complement the scale and character of the surrounding neighborhood. Attention should be given to building height, orientation, architectural style, and setback to ensure the existing neighborhood character is retained.

5. New structures in the Center City Neighborhoods Placetype should reflect the character and context of the historic neighborhood fabric and developed area, through the integration of porches, walkways, and the use of alleys for vehicular access and parking.

6. The Comprehensive Plan’s Housing & Neighborhoods Chapter 7 encourages creative housing solutions in Section 2.2 to add housing diversity and support downsizing households, young professionals and aging-in-place. Creative housing types can play an effective role in increasing housing diversity in a community and providing smaller-scale, more affordable housing options. Examples of creative housing types include missing- middle housing types, tiny homes, pocket neighborhoods, and accessory dwelling units (ADUs). The city should ensure the Land Development Code allows for such housing types in the Residential Neighborhood placetypes, where they can be targeted for infill development.

7. The Comprehensive Plan's Housing & Neighborhoods Chapter 7 supports pocket neighborhoods and tiny homes as affordable housing solutions. Pocket neighborhoods are groups of detached dwellings that provide increased opportunity for affordable homeownership. They can come in the form of tiny homes, or small-scale single-family homes typically under 400 square feet. They provide the freedom and appeal of single-family homes at a smaller scale and therefore lower cost and are often developed in clusters surrounding a communal open space to support a sense of community. They also create housing options for those who desire independent living without high maintenance, a minimalistic lifestyle, or are looking to downsize, such as seniors or retired residents. Pocket neighborhoods and tiny homes help diversify the housing stock while matching the character of other low to medium density residential development.

8. The Comprehensive Plan's Housing & Neighborhoods Chapter 7 encourages the development of strategically located higher density residential development and promote policies to create attainable, market-rate housing in Section 2.3. Springfield currently has a shortage of housing units that are attainable at the lowest income levels. This shortage disproportionately impacts renter-occupied housing, as identified in the Forward SGF Issues and Opportunities Report. Providing quality, attainable housing for lower-income families and people in poverty was also a frequent concern expressed by the community during public engagement. By encouraging higher density residential development, the city can provide for a greater range of unit types, sizes, and price points within future development. In addition to helping address lower-income housing needs, smaller-scale housing units are often desirable for young professionals and new families looking to make a start in Springfield. They can also be attractive to empty nesters and senior citizens hoping to "age in place" and remain in Springfield for the long term.

9. The proposed Planned Development is proposing the following major differences from the current R-TH zoning District.

a. The clubhouse and storm shelter use are listed and defined as a permitted use and will be used and maintained by the homeowner's association as provided in their private covenants.

b. The recreation easement use is a listed permitted use and will be maintained and managed by the homeowner's association as provided in their private covenants.

c. A solid wood or picket fence at least four (4) tall will be constructed along the north district boundary except in the front yard which requires an open fence that is four (4) feet or less and not to exceed 50 percent screening.

d. At least one canopy tree or two understory trees along the perimeter of each residential lot and at least one canopy, one understory or evergreen and 4 shrubs or native grasses along the perimeter of the common area along each street frontage shall be planted and maintained by the homeowner's association. If locations are limited based on stormwater facilities, steep topography, etc., then the ARC may make

modifications as needed to meet the Comprehensive Plans recommendations.

e. The PD provides some general details about the proposed pocket neighborhood concept and design.

f. Minimum lot sizes for single-family detached dwellings in the R-TH are 5,000 square feet. The proposed PD will allow for single-family detached dwellings at 3,500 square feet.

g. Minimum lot width in the R-TH District for single-family detached dwellings is 45 feet. The PD is proposing a minimum lot width of 40 feet.

h. Access to the public street from lots along Broadway Avenue are only allowed as shown on the Exhibit 2, Site Plan, no driveways are permitted along Broadway Ave. The minimum driveway widths and separation are specified for lots along Weaver Avenue.

i. Public improvements are specified and to be approved by the Director of Public Works.

i. Sidewalks along Broadway Ave., Poplar St., and Weaver Ave.

ii. Curb and gutter, and concrete angled on-street parking along Broadway Ave.

iii. Median along Broadway Ave. and traffic calming measures for the southbound lane of Broadway Ave. in advance of and along the on-street angled parking.

iv. Stormwater conveyance improvements along Weaver Ave.

j. A final development plan shall only be approved if the development is in substantial conformance with Exhibits 1 (text), 2 (site plan) and 3 (elevations) of the PD.

k. A Final Plat can be submitted in place of the final development plan if all other PD requirements can be shown to be met.

10. If the Planned Development is approved, the applicant will need to subdivide the property following the major subdivision process provided in the Subdivision Regulations. This process will require a preliminary plat to be reviewed and approved by Planning and Zoning Commission and City Council. If approved, the final plat can be submitted for review and approval if in conformance with the preliminary plat and Planned Development requirements.

11. The 30-foot recreation and utility easement will need to be shown on the preliminary and final plat. Private covenants and restrictions for the common area/detention will need to be submitted and reviewed by staff to verify compliance with the Subdivision Regulations. Any provisions of the private covenants and restrictions are not enforced by the City, rather a civil matter.

12. 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. The utility easements will be dedicated on the final plat.

13. There are a few changing conditions in the area affected that make the proposed rezoning necessary. Many of the existing residentially zoned properties have been vacant for years.

14. The range of uses in the proposed Planned Development is compatible with the uses permitted on other property in the immediate vicinity. The PD is proposing single-family residential which is currently permitted in the R-TH district. The PD is proposing smaller lots than allowed in the R-TH district.

15. 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. Easements for utilities will be provided on the preliminary and final plat.

16. 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. With the proposed PD improvements, Traffic supports the request. No traffic study is required.

17. 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.

18. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The property could be subdivided into about 11-12 single-family lots with the existing R-TH zoning.

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

Submitted By: Daniel Neal, Senior City Planner

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

Attachments:

1. PD 389 - 737, 745, 751, 761, and 801 North Broadway Avenue and 732 and 742 North Weaver Avenue_Ord (1)
2. PD 389_exh A
3. PD 389_exhB

4. PD 389_exh C

One-rdg. _____
P. Hrngs. X
Pgs. _____
Filed: 10-01-24

Sponsored by: Simpson

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-207

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official
2 zoning map and rules for interpretation,' by rezoning approximately
3 1.4 acres of property generally located at 737, 745, 751, 761, and
4 801 North Broadway Avenue and 732 and 742 North Weaver
5 Avenue from R-TH, Residential Townhouse District to Planned
6 Development No. 389; and adopting an updated Official Zoning
7 Map.
8 _____
9

10 WHEREAS, an application has been filed for a zoning change of the property
11 generally located at 737, 745, 751, 761, and 801 North Broadway Avenue and 732 and
12 742 North Weaver Avenue, and more particularly described in "Exhibit A," attached
13 hereto and incorporated herein by this reference, from R-TH, Residential Townhouse
14 District to Planned Development No. 389; and
15

16 WHEREAS, following proper notice, a public hearing was held before the
17 Planning and Zoning Commission on September 12, 2024, a copy of the Record of
18 Proceedings from said public hearing being attached hereto and incorporated herein by
19 this reference as "Exhibit B," and said Commission made its unanimous
20 recommendation of approval; and
21

22 WHEREAS, the City has reviewed the applicant's request and prepared a staff
23 report concerning the application, a copy of which being attached hereto and
24 incorporated herein as "Exhibit C"; and
25

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

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

32 Section 1 – The property generally located at 737, 745, 751, 761, and 801 North
33 Broadway Avenue and 732 and 742 North Weaver Avenue, and described in "Exhibit A"

is hereby rezoned from R-TH, Residential Townhouse District to Planned Development No. 389. Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' is hereby amended, changed, and modified consistent with this Ordinance.

Section 2 – The property described in “Exhibit A” of this Ordinance shall be subject to the requirements and standards included in “Exhibit C – Exhibit 1,” and these requirements and standards shall govern and control the use and development of the land in Planned Development No. 389.

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

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

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

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Laura Vales, Assistant City Attorney

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

EXHIBIT A
LEGAL DESCRIPTION

Book 2023 Page 014879-23:

TRACT I:

BEGINNING AT THE NORTHEAST CORNER OF LOT TEN (10), WEAVER ADDITION; THENCE NORTH 150 FEET; THENCE WEST 99 FEET; THENCE SOUTH 150 FEET; THENCE EAST 99 FEET TO THE POINT OF BEGINNING, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, EXCEPT PART USED FOR CITY STREET.

TRACT II:

THE SOUTH 80 FEET OF THE FOLLOWING DESCRIBED LAND:
COMMENCING 97 $\frac{1}{3}$ POLES NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION FOURTEEN (14), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-TWO (22), GREENE COUNTY, MISSOURI; THENCE WEST 12 POLES; THENCE NORTH 13 $\frac{1}{3}$ POLES; THENCE EAST 12 POLES; THENCE SOUTH 13 $\frac{1}{3}$ POLES TO THE PLACE OF BEGINNING; EXCEPT A STRIP 3 $\frac{1}{3}$ RODS WIDE ACROSS THE NORTH SIDE AND A STRIP 40 FEET WIDE ACROSS THE SOUTH SIDE THEREOF AND ALSO EXCEPT THAT PART TAKEN BY CITY STREET; IT BEING A STRIP OF GROUND 80 FEET NORTH AND SOUTH BY 173 FEET AND WEST OFF THE SOUTH SIDE OF THE ABOVE DESCRIBED TRACT, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

TRACT III:

BEGINNING 275 FEET NORTH OF THE NORTHEAST CORNER OF LOT TEN (10) IN WEAVER ADDITION; THENCE NORTH 55 FEET; THENCE WEST 198 FEET; THENCE SOUTH 55 FEET; THENCE EAST TO THE POINT OF BEGINNING, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

TRACT IV:

THE SOUTH HALF (S $\frac{1}{2}$) OF A TRACT BEGINNING 110 RODS AND 16 $\frac{74}{100}$ LINKS NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION FOURTEEN (14), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-TWO (22), GREENE COUNTY, MISSOURI; THENCE WEST 12 POLES; THENCE NORTH 6 $\frac{2}{3}$ POLES; THENCE WEST 12 POLES; THENCE SOUTH 6 $\frac{2}{3}$ POLES TO THE PLACE OF BEGINNING, ALL IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

TRACT V:

BEGINNING 230 FEET NORTH OF THE NORTHEAST CORNER OF LOT TEN (10) IN WEAVER ADDITION; THENCE NORTH 45 FEET; THENCE WEST 198 FEET; THENCE SOUTH 45 FEET; THENCE EAST TO THE POINT OF BEGINNING, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

Book 2011 Page 042844-11:

Tract I:

Beginning 99 feet West of the Northeast corner of Lot Ten (10) in J.J. Weaver Addition to the City of Springfield, Greene County, Missouri; thence North 110 feet; thence West 99 feet; thence South 110 feet; thence East 99 feet to the point of beginning, being a part of the East Half of the Southwest Quarter (SW1/4) of Section Fourteen (14), Township Twenty-nine (29), Range Twenty-two (22).

Book 2057 Page 1130:

The North Forty (40) feet of the following described Lot: Beginning at a point 90 poles 16.75 links North and 12 poles West of the Southeast Corner of the Southwest Quarter of Section 14, Township 29, of Range 22 and running thence North 149.5 feet, more or less, to the Northwest corner of a lot theretofore owned by J. H. Shackleford , thence East 99 feet, thence South 149.5 feet, thence West 99 feet to the place of beginning, all in the City of Springfield, Missouri

EXHIBIT B
RECORD OF PROCEEDINGS
Planning and Zoning Commission – August 22, 2024

Planned Development 389
737, 745, 751, 761 & 801 North Broadway Avenue and 732 & 742 North Weaver Avenue

Applicant: Drew Lewis Foundation, Inc.

Mr. Neal states that this is a request to rezone approximately 1.4 acres of property from R-TH, Residential Townhouse District to Planned Development District No. 389.

Mr. Scott asked about the angled parking and public right of way before usage.

Mr. Zickefoose noted that they have agreed to the street angled parking and will be public parking, not private and is a requirement to the zoning.

Ms. Amy Blansit, 920 W. Scotts, founder and CEO of the Drew Lewis Foundation and will be adding to home ownership by 2 percent and will increase the diversity of housing stock in Springfield as a true pocket neighborhood.

Mr. Pauly thanked Ms. Blansit for a well thought out plan and presentation.

Mr. Scott also thanked Ms. Blansit for a job well done.

Mr. Brian Vanne, 923 N. Concord Avenue noted that the is a Grant Beach resident and is in favor of the project. He noted the current problems of people finding housing and believes that developing the Grant Beach neighborhood is beneficial.

Mr. Ramon Martinez, 906 W. Webster noted that he is on the board of directors and a very ardent supporter and went on to say that this pocket neighborhood is an economic and social asset to the city.

Ms. Broekhoven closed the public hearing.

Mr. Knuckles stated that this is a wonderful plan but has one question regarding the angle parking.

Mr. Zickefoose noted that the median is going to be west of the driving lanes to protect the angle parking.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Planned Development 389 Commissioner Doennig seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Colony, Commissioner Knuckles, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: Commissioner Lebeck. Abstain: None.



Bob Hosmer, AICP
Planning Manager



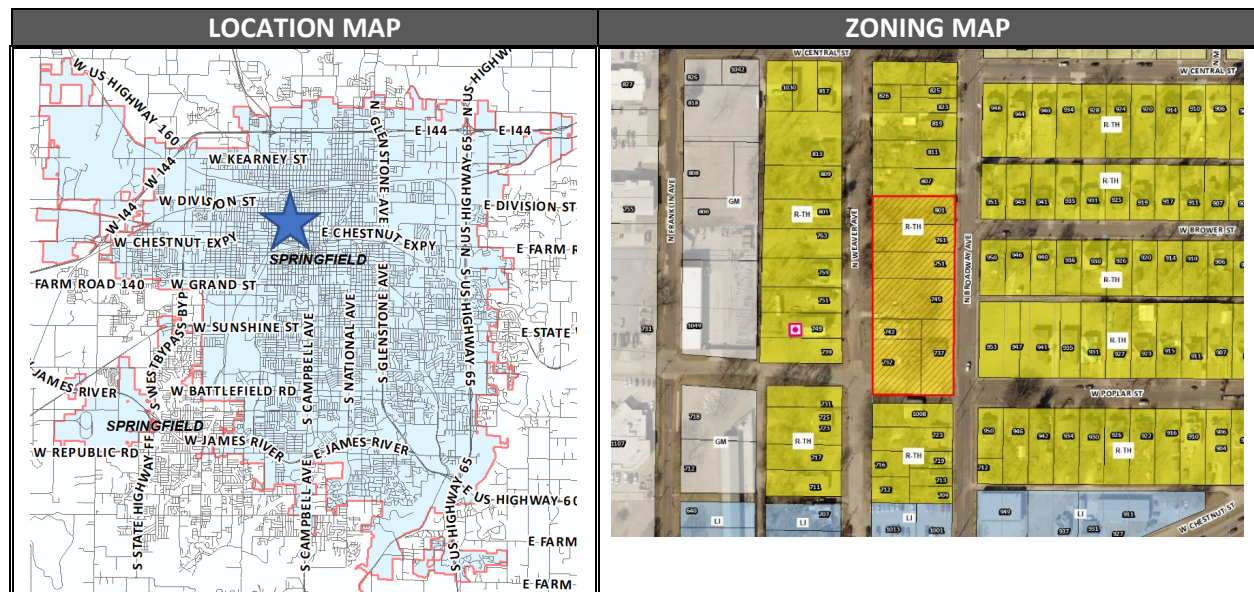
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Planned Development No. 389
Location:	737, 745, 751, 761 & 801 North Broadway Avenue and 732 & 742 North Weaver Avenue
Total Acres:	1.4 acres
Applicant:	Drew Lewis Foundation
Existing Land Use:	Single-family residence, vacant/undeveloped property
Neighborhood Meeting:	June 20, 2024
Planning and Zoning Commission:	September 12, 2024
City Council:	October 7, 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 Planned Development No. 389 (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

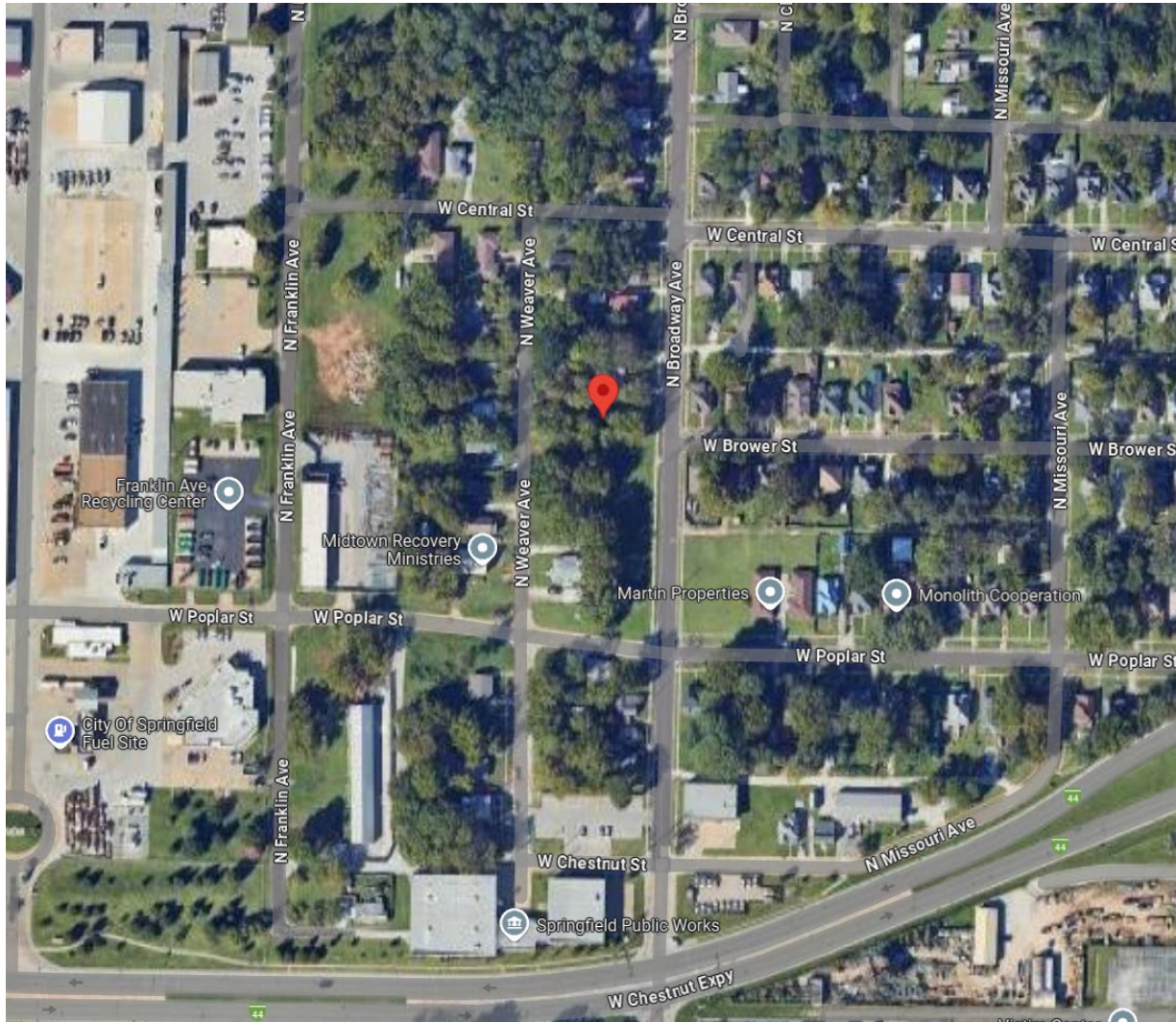
PROJECT SUMMARY:

Request to rezone approximately 1.4 acres of property generally located at 737, 745, 751, 761 & 801 North Broadway Avenue and 732 & 742 North Weaver Avenue from R-TH, Residential Townhouse District to Planned Development District No. 389.



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GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:



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PROPERTY HISTORY:

The subject property was zoned R-TH in the 1995 city-wide remapping.

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 PD 389
Minimum Yard Requirements	See Exhibit 1.

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Maximum Structure Height	1. When side yards are less than 15 feet in width: 35 feet or two and one-half stories above the finished grade. 2. When side yards are 15 feet in width or greater: 45 feet or three stories above the finished grade.
Minimum Open Space	Not less than 20 percent.
Buffering and Landscaping	None.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Center City neighborhood placetype. Center City Neighborhoods are Springfield's oldest residential neighborhoods, dating to before WWII. They are typically characterized by a diverse range of single-family homes with varying architectural styles, setbacks, compact and shared spaces and parcel sizes. Center City neighborhoods historically had small scale neighborhood supporting retail services provided at key intersection, streetcar routes, and neighborhood centers. These building types and commercial uses were integrated into the neighborhood fabric. Most Center City Neighborhoods follow a gridded block pattern with alleys, tree-lined streets, and a well-connected sidewalk network that allows residents to walk to nearby neighborhood amenities. Due to their compact form and proximity to urban centers, these neighborhoods are places where residents should reasonably be able to walk, bike, or ride transit to meet some of their educational, employment, shopping, and recreational needs. Center City Neighborhoods are also integrated with key cultural and institutional uses, such as schools and places of worship that serve surrounding residents. Center City Neighborhoods consist of housing of varying conditions, age, affordability, and vacancies. Opportunities for infill development are pursued where appropriate, diversifying the housing stock. Much of the housing stock uses traditional stick-framed construction with lap siding or masonry veneer. Elevated porches with columns and stoops are focal points common to homes in these areas. Infill can include higher density residential development that should blend with the surrounding character. Vacant and underutilized properties are considered for new uses, such as pocket parks, community gardens, or small neighborhood commercial nodes as well as housing. The creation of neighborhood-scale commercial should focus on the incorporation of context sensitive designs and low intensity uses to ensure integration into the surrounding area. These low intensity uses could include dining, personal services, office, and essential goods. These nodes could be located along historic streetcar routes or higher classification roadways on the edges of the neighborhood. Priority is given to the pedestrian environment to foster a walkable neighborhood. Planning for Center City Neighborhoods should strive to improve infrastructure and support the building types and uses that make these neighborhoods more complete, diverse, and accessible to residents.

PRIMARY USES

1. Single-family detached

SUPPORTING USES

1. Single-family attached
2. Low-intensity multifamily
3. Low-intensity, neighborhood commercial

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4. Parks, greenways, and open space
5. Public and private schools and places of worship
6. Low-intensity urban agriculture

CHARACTERISTICS TRANSPORTATION & INFRASTRUCTURE

1. Traffic-calming measures, such as speed-humps, bump-outs, roundabouts, landscaped chicanes with integrated stormwater management, and on-street parking are used to slow traffic.
2. Best management practices for stormwater management are required in development projects and within public rights-of-way, such as permeable paving, rain gardens, green roofs, native landscaping, and other low impact design strategies.
3. Sidewalk gaps are filled, and sidewalks connect to transit routes, greenways and trails, and supportive uses are located within the neighborhood and around the perimeter.
4. Alleys provide pedestrian connections, alternative access to rear yards, detached garages, and other approved accessory uses.
5. Sense of place and identity is enhanced through neighborhood organization efforts, preservation and planting trees, neighborhood identification signs, and traffic calming improvements that double as streetscape elements.
6. As technology, trends, and funds permit, utilities are buried or are consolidated along rear property lines, reducing conflicts with street trees, pedestrian infrastructure, and viewsheds.
7. Major entrances into neighborhoods are marked by identification signs and landscaping.

URBAN DESIGN - BUILDING AND SITE TYPOLOGY - Urban design characteristics that apply to both Center City and Traditional Neighborhoods include:

1. The main entrances of new residential developments are oriented towards the primary street.
2. Preservation and adaptive reuse of neighborhood schools and surplus buildings are encouraged.
3. When appropriate, adaptive reuse of residential structures for low-intensity, neighborhood-scale nonresidential uses, including missing middle housing types, is encouraged at neighborhood nodes and along edges.
4. Accommodations are made to allow expanded home occupations, without detracting from the character of the neighborhood, being conscious of changing trends and advances in technologies.
5. New and infill buildings maintain the proportions and architectural features common in the existing block.
6. When commercial buildings are located within or adjacent to the neighborhood, they are oriented to the street, focus on pedestrian-scale, and provide limited vehicle parking.

Center City Neighborhood Urban design characteristics unique to Center City Neighborhood character area include:

1. Residential subdivisions are designed and platted in more conventional layouts with shorter blocks.

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2. Lots have a variety of widths, depths, and setbacks creating unique identity from neighborhood to neighborhood.
3. While not as common, attached and detached garages provide limited parking options and create a greater demand for on-street parking.
4. Garages reflect the architectural style and scale of the primary buildings and are often setback well behind the front facade.
5. Driveways are often accessed from the rear alley and are shared or absent in exchange for sidewalks to the front door or porch, which provides increased on-street parking opportunities.
6. Properties and neighborhoods eligible for local historic designation are continually identified and preserved.
7. Key corridors that offer transit and other multimodal, trail, or greenway connections can be enhanced with increased housing and neighborhood scale services, shops, and dining.
8. Low-impact, neighborhood-scale commercial uses should be considered at locations where community facilities and amenities or other informal neighborhood hubs already exist, at former streetcar stops, along the edges of the neighborhood or at other significant neighborhood destinations.
9. Neighborhood parks, community centers, greenway or trailheads, museums, gardens, schools, and churches can serve as anchors for neighborhood commercial hubs.

Transitions:

1. A “stepped down” approach is used to transition from higher density/intensity residential and non-residential uses to single-family residential homes and uses, with greater densities/intensities located on higher functioning roadways, at the periphery of the neighborhood.
2. Lower density residential uses are sufficiently screened and buffered between higher density housing and nonresidential uses.
3. The design of higher density residential uses integrated into the Residential Neighborhood Placetype should complement the scale and character of the surrounding neighborhood. Attention should be given to building height, orientation, architectural style, and setback to ensure the existing neighborhood character is retained.

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FUTURE PLACETYPE MAP:



PLACETYPES	LAND USES													
	Single-Family Detached	Single-Family Attached	Multi-Family	Parks & Open Space	Sports Complexes & Recreational Facilities	Urban Agriculture	Office, Hospitality, Retail Sales & Service	Neighborhood Commercial	Maker, Artisan & Innovation Spaces	Public & Private Schools & Places of Worship	Universities, Colleges & Vocational Schools	Government, 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

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MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-TH	R-TH	R-TH	R-TH
LAND USE	Single-family residential	Single-family residential	Single-family residential	Single-family residential
PLACETYPES	Center City Neighborhood	Center City Neighborhood	Center City Neighborhood	Center City Neighborhood

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues with the proposed rezoning. Underground electric service can be provided on the property, however the existing overhead distribution/transmission lines along the ROW areas will remain as-is. The proposed layout of the street parking will conflict with an existing transmission pole. Per discussion with the applicant, the layout can be adjusted so the pole will

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wind up in an island, and a relocation may not be needed. CU Engineering will review this when the construction plans are submitted.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues or conflicts with public sewer.

FIRE DEPARTMENT:

No objections to rezoning.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

TRAFFIC REPORT

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	N. Broadway Avenue	Collector	City	30	25	NA	No	Yes	Yes
Street 2	W. Poplar Street	Local	City	25	Var.	NA	Yes	Yes	No
Street 3	N. Weaver Avenue	Local	City	25	25	NA	Yes	Yes	No

ACCESS - All new and existing driveway approaches shall comply with the requirements of the planned development.

- Broadway Avenue: No direct access is allowed to Broadway Avenue from the development.

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There are no Greenway Trails near the property. There is one (1) bus stop near the property on N. Broadway Avenue.

IMPROVEMENTS - Public improvements are required for this planned development. All required public improvements must be constructed, or funds escrowed prior to approval of a building permit. Required improvements include:

- Sidewalks along Broadway Ave, Poplar St, and Weaver Ave.
- Curb & gutter, and concrete angled on-street parking along Broadway Ave.
- Concrete median along Broadway Ave and traffic calming measures for the southbound lane of Broadway Ave in advance of and along the on-street angled parking.
- Stormwater conveyance improvements along Weaver Ave.

All public improvements shall be designed and constructed per City of Springfield Public Works Design Standards for Public Improvements. A traffic study is not required for this rezoning.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

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

PW-Stormwater supports the PD language. Please note that development of the property will be subject to the following conditions at the time of development:

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

DETENTION AND DISCHARGE REQUIREMENTS

1. Any development or redevelopment that increases runoff, through the increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3. At time of development the Stormwater Report will analyze the drainage area for improvements.
2. A fee in Lieu of Detention Application approval is dependent on W Poplar St and N Weaver Ave curb and gutter capacity for the 100 yr. storm events. The Public Infrastructure at N Franklin Ave will have to be studied to ensure the new runoff will not jump the inlets and drain to the Public Works Broyles Complex at 1107 W Chestnut Expwy.

WATER QUALITY REQUIREMENTS

1. Water Quality is required for new development projects or redevelopment projects, with new or increased impervious surfacing, within the city limits of Springfield that disturb 1 acre or greater. Including projects less than 1 acre that are part of a larger common plan of development or sale that will disturb 1 or more acres over the life of the project. Chapter 10 Sec. 2.0.
2. A land disturbance permit will be required with disturbing 1 acre or greater per Chapter 4 Section 5 of the City's Flood Control and Water Quality Protection Manual.
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

ADDITIONAL STORMWATER REQUIREMENTS

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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 1.4 acres of property generally located at 737, 745, 751, 761 & 801 North Broadway Avenue and 732 & 742 North Weaver Avenue from R-TH, Residential Townhouse District to Planned Development District No. 389. The applicant is proposing a single-family residential compact pocket neighborhood with 14 dwellings and a resident clubhouse.
2. The applicant states in their PD that they intend to provide an affordable pocket community development in a low-income neighborhood with homes that are both affordable and improve the area. These homes are designed to meet the needs of low-to-moderate income families and individuals, offering them a safe and stable living environment. By providing affordable housing options, The Drew Lewis Foundation aims to address the housing crisis in the Springfield community and promote economic stability. This higher-density, single-family development is unique because it fosters a sense of community through its design, with shared green spaces, communal areas, and a community center encouraging social interaction and support among residents. It aligns with the community's needs, promotes sustainable development, and enhances the overall quality of life for residents. Positive feedback from neighbors includes appreciation for the thoughtful design, affordable housing options, and the positive impact it will have on the neighborhood.
3. The *Comprehensive Plan's Land Use & Development Chapter 6* identifies the subject property as the Center City neighborhood placetype.
4. Center City Neighborhoods consist of housing of varying conditions, age, affordability, and vacancies. Opportunities for infill development are pursued where appropriate, diversifying the housing stock. Much of the housing stock uses traditional stick-framed construction with lap siding or masonry veneer. Elevated porches with columns and stoops are focal points common to homes in these areas. Infill can include higher density residential development that should blend with the surrounding character. Vacant and underutilized properties are considered for new uses, such as pocket parks, community gardens, or small neighborhood commercial nodes as well as housing.
5. The Center City Neighborhoods Placetype gives priority is given to the pedestrian environment to foster a walkable neighborhood. Planning for Center City Neighborhoods should strive to improve infrastructure and support the building types and uses that make these neighborhoods more complete, diverse, and accessible to residents. Center City Neighborhoods should maintain a fully connected pedestrian network of sidewalks that provide safe and efficient walking access to transit routes, nearby schools, parks, and amenities like greenways and trails.

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6. This application is consistent with the Placetypes recommendation that a “stepped down” approach is used to transition from higher density/intensity residential and non-residential uses to single-family residential homes and uses, with greater densities/intensities located on higher functioning roadways, at the periphery of the neighborhood. Also, that the design of higher density residential uses integrated into the Residential Neighborhood Placetype should complement the scale and character of the surrounding neighborhood. Attention should be given to building height, orientation, architectural style, and setback to ensure the existing neighborhood character is retained.
7. New structures in the Center City Neighborhoods Placetype should reflect the character and context of the historic neighborhood fabric and developed area, through the integration of porches, walkways, and the use of alleys for vehicular access and parking.
8. The *Comprehensive Plan’s Housing & Neighborhoods Chapter 7* encourages creative housing solutions in Section 2.2 to add housing diversity and support downsizing households, young professionals and aging-in-place. Creative housing types can play an effective role in increasing housing diversity in a community and providing smaller scale, more affordable housing options. Examples of creative housing types include missing-middle housing types, tiny homes, pocket neighborhoods, and accessory dwelling units (ADUs). The city should ensure the Land Development Code allows for such housing types in the Residential Neighborhood Placetypes, where they can be targeted for infill development.
9. The *Comprehensive Plan’s Housing & Neighborhoods Chapter 7* supports pocket neighborhoods and tiny homes as affordable housing solutions. Pocket neighborhoods are groups of detached dwellings that provide increased opportunity for affordable home ownership. They can come in the form of tiny homes, or small-scale single-family homes typically under 400 square feet. They provide the freedom and appeal of single-family homes at a smaller scale and therefore lower cost and are often developed in clusters surrounding a communal open space to support a sense of community. They also create housing options for those who desire independent living without high maintenance, a minimalistic lifestyle, or are looking to downsize, such as seniors or retired residents. Pocket neighborhoods and tiny homes help diversify the housing stock while matching the character of other low to medium density residential development.
10. The *Comprehensive Plan’s Housing & Neighborhoods Chapter 7* encourages the development of strategically located higher density residential development and promote policies to create attainable, market rate housing in Section 2.3. Springfield currently has a shortage of housing units that are attainable at the lowest income levels. This shortage disproportionately impacts renter-occupied housing, as identified in the *Forward SGF Issues and Opportunities Report*. Providing quality, attainable housing for lower-income families and people in poverty was also a frequent concern expressed by the community during public engagement. By encouraging higher density residential development, the city can provide for a greater range of unit types, sizes, and price points within future development. In addition to helping address lower-income housing needs, smaller-scale housing units are often desirable for young professionals and new families looking to

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make a start in Springfield. They can also be attractive to empty nesters and senior citizens hoping to “age in place” and remain in Springfield for the long term.

11. The proposed Planned Development is proposing the following major differences from the current R-TH zoning District.
 - a. The clubhouse and storm shelter use are listed and defined as a permitted use and will be used and maintained by the homeowner's association as provided in their private covenants.
 - b. The recreation easement use is a listed permitted use and will be maintained and managed by the homeowner's association as provided in their private covenants.
 - c. A solid wood or picket fence at least four (4) tall will be constructed along the north district boundary except in the front yard which requires an open fence that is four (4) feet or less and not to exceed 50 percent screening.
 - d. At least one canopy tree or two understory trees along the perimeter of each residential lot and at least one canopy, one understory or evergreen and 4 shrubs or native grasses along the perimeter of the common area along each street frontage shall be planted and maintained by the homeowner's association. If locations are limited based on stormwater facilities, steep topography, etc., then the ARC may make modifications as needed to meet the Comprehensive Plans recommendations.
 - e. The PD provides some general details about the proposed pocket neighborhood concept and design.
 - f. Minimum lot sizes for single-family detached dwellings in the R-TH are 5,000 square feet. The proposed PD will allow for single-family detached dwellings at 3,500 square feet.
 - g. Minimum lot width in the R-TH District for single-family detached dwellings is 45 feet. The PD is proposing a minimum lot width of 40 feet.
 - h. Access to the public street from lots along Broadway Avenue are only allowed as shown on the Exhibit 2, Site Plan, no driveways are permitted along Broadway Ave. The minimum driveway widths and separation are specified for lots along Weaver Avenue.
 - i. Public improvements are specified and to be approved by the Director of Public Works.
 - i. Sidewalks along Broadway Ave., Poplar St., and Weaver Ave.
 - ii. Curb and gutter, and concrete angled on-street parking along Broadway Ave.
 - iii. Median along Broadway Ave. and traffic calming measures for the southbound lane of Broadway Ave. in advance of and along the on-street angled parking.
 - iv. Stormwater conveyance improvements along Weaver Ave.
 - j. A final development plan shall only be approved if the development is in substantial conformance with Exhibits 1 (text), 2 (site plan) and 3 (elevations) of the PD.
 - k. A Final Plat can be submitted in place of the final development plan if all other PD requirements can be shown to be met.

DEVELOPMENT REVIEW STAFF REPORT

12. If the Planned Development is approved, the applicant will need to subdivide the property following the major subdivision process provided in the Subdivision Regulations. This process will require a preliminary plat to be reviewed and approved by Planning and Zoning Commission and City Council. If approved, the final plat can be submitted for review and approval if in conformance with the preliminary plat and Planned Development requirements.
13. The 30-foot recreation and utility easement will need to be shown on the preliminary and final plat. Private covenants and restrictions for the common area/detention will need to be submitted and reviewed by staff to verify compliance with the Subdivision Regulations. Any provisions of the private covenants and restrictions are not enforced by the City, rather a civil matter.
14. A pocket neighborhood is typically considered a clustered group of houses around a common area or shared open space. Typically, parking is provided in a common area or on an alley or end of a street. The proposed PD has elements of a pocket neighborhood like common area, a recreational trail in an easement and a resident clubhouse. The parking along Broadway Ave. is on public right-of-way, but houses along Weaver Ave. have garages with driveway access.
15. 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. The utility easements will be dedicated on the final plat.
16. There are few changing conditions in the area affected that make the proposed rezoning necessary. Many of the existing residentially zoned properties have been vacant for years.
17. The range of uses in the proposed Planned Development is compatible with the uses permitted on other property in the immediate vicinity. The PD is proposing single-family residential which is currently permitted in the R-TH district. The PD is proposing smaller lots than allowed in the R-TH district.
18. 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. Easements for utilities will be provided on the preliminary and final plat.
19. 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. With the proposed PD improvements, Traffic supports the request. No traffic study is required.
20. 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.

DEVELOPMENT REVIEW STAFF REPORT

21. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The property could be subdivided into about 11-12 single-family lots with the existing R-TH zoning.
22. The proposed rezoning was reviewed by City departments and comments are contained in the staff report (above).
23. The applicant held a neighborhood meeting on June 20, 2024, regarding the rezoning request. A summary of the meeting is attached (Attachment 1). The applicant didn't submit a sign-in sheet.
24. The public notice was advertised in the Daily Events at least 15 days prior to the public hearing. The property was posted by the applicant at least 10 days prior to the public hearing. Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 185 feet.

STAFF RECOMMENDATION:

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

PLANNING AND ZONING OPTIONS:

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

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

Attachment 1

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

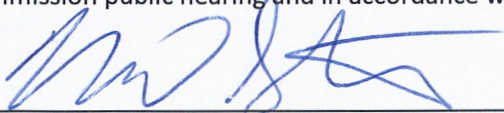
1. Request change to zoning from: R-TH (existing zoning) to Planned Development (proposed zoning)
2. Meeting Date & Time: June 20, 2024 4p - 6:30p
3. Meeting Location: FAIRBANKS COMMUNITY HUB - 1126 N. Broadway
4. Number of invitations that were sent: 197
5. How the mailing list was generated: city
6. Number of neighbors in attendance (attach a sign-in sheet): 20
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).

two property owners wanted to confirm PD would not include multi-family most questions revolved around pricing for new homes and completion dates Relatives of the owners of 742 N. Weaver came to ~~see~~ learn more about the PD that might include their parents property. we discussed at length our plans and they expressed concerns based on past experiences. about being left out of the process. We took their information and offered a follow up meeting w/ the property owners and their relatives.

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

no attendees left written comments

I, MICHAEL STEVENS (print name), attest that the neighborhood meeting was held on 6/20/24 (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

MICHAEL STEVENS

Printed name of person completing affidavit

Neal, Daniel

Subject: FW: Letter in support of DLF Pocket Neighborhood

----- Forwarded message -----

From: **Meghan Storey** <meghanstorey0926@gmail.com>

Date: Mon, Sep 9, 2024 at 5:58 PM

Subject: Letter in support of DLF Pocket Neighborhood

To: chole@weareown.com <chole@weareown.com>

Dear Springfield City Council,

I am writing to express my strong support for the Drew Lewis Foundation's proposed pocket neighborhood development. As a resident of the Grant Beach neighborhood, I have seen firsthand the need for affordable, supportive housing that fosters a sense of connection and well-being. This project will not only provide families with safe, affordable homes but also give them access to vital resources and a strong, supportive community.

The Drew Lewis Foundation has a proven track record of uplifting families through its Blue House Project. We have already witnessed the positive impact in our neighborhood as properties have been transformed from nuisances into well-maintained homes. This new development aligns with their mission and will greatly benefit both current residents and potential homeowners. The pocket neighborhood model, with its emphasis on shared spaces and community engagement, offers a much-needed alternative to traditional housing developments, which often lack a true sense of belonging.

I believe this project will have a positive and lasting impact on the city, and I urge you to approve it. The benefits to our community will be immense, creating opportunities for individuals and families to thrive while contributing to the overall growth and well-being of Springfield.

Thank you for your time and consideration.

Sincerely,

Meghan Storey
Grant Beach Resident

EXHIBIT 1

Requirements and Standards Applicable to Planned Development District No. 389

APPLICATION

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

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

EXECUTIVE SUMMARY

The City of Springfield recognizes the critical role of housing diversity and infill development in revitalizing impoverished neighborhoods and enhancing community well-being as outlined in Forward SGF. Acknowledging the challenges faced by these areas, the city emphasizes the need for diverse housing options and strategic infill development to address issues of poverty, aging infrastructure, and housing affordability. By promoting creative housing solutions and prioritizing infill development over outward expansion, the city aims to maximize existing resources, improve neighborhood livability, and foster economic growth. This planned development underscores the importance of targeted efforts to elevate the standard of living in disinvested neighborhoods while promoting inclusivity, equity, and community resilience.

INTENT

The purpose of this planned development is to provide an affordable pocket community development in a low-income neighborhood with homes that are both affordable and improve the area. These homes are designed to meet the needs of low-to-moderate income families and individuals, offering them a safe and stable living environment. By providing affordable housing options, The Drew Lewis Foundation aims to address the housing crisis in the Springfield community and promote economic stability. This higher-density, single-family development is unique because it fosters a sense of community through its design, with shared green spaces, communal areas, and a community center encouraging social interaction and support among residents. It aligns with the community's needs, promotes sustainable development, and enhances the overall quality of life for residents. Positive feedback from neighbors includes appreciation for the thoughtful design, affordable housing options, and the positive impact it will have on the neighborhood.

DEFINITIONS

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

PERMITTED USES

1. Single-family detached dwellings and any other use allowed within the R-TH district.
2. Clubhouse, as an accessory use.

DESIGN CONCEPT

1. The pocket neighborhood will have a craftsman design incorporating charming, artisanal elements such as woodwork and vintage-inspired façades, seamlessly blending with the historical neighborhood's architectural heritage. The houses will all have a similar overall design, but each one will have varying design elements such as varying vertical and horizontal siding patterns varied wood elements in the eaves and front porch posts. The color palette will be selected from the early 1900's with four primary colors of siding. Additionally, the community layout prioritizes communal green spaces and pedestrian-friendly pathways, mirroring the traditional, close-knit feel of the surrounding area.
2. The clubhouse will have the same general shape and aesthetic as the houses in the neighborhood. The clubhouse must address the public streets with doors and windows and have a pitched roof similar to the houses in the neighborhood. It will double as a storm shelter for residents of the neighborhood. The clubhouse will be used for meeting rooms and storage. It will be managed and maintained by the homeowner's association and no additional parking will be required since this will be used by residents of the PD and subdivision.
3. Refer to Exhibit 3 for elevations and design concepts.
4. A recreation easement to be shared by all property owners is included in this planned development. Maintenance of the recreation easement shall be the responsibility of the homeowner's association.
5. A solid wood or picket fence at least four (4) tall will be constructed along the north district boundary except in the front yard which requires an open fence that is four (4) feet or less and not to exceed 50 percent screening.
6. At least one canopy tree or two understory trees along the perimeter of each residential lot and at least one canopy, one understory or evergreen and 4 shrubs or native grasses along the perimeter of the common area along each street frontage shall be planted and maintained by the homeowner's association. If locations are limited based on stormwater facilities, steep topography, etc., then the ARC may make modifications as needed to meet the Comprehensive Plans recommendations.

USE LIMITATIONS

1. There shall be a separate platted lot of record for each single-family detached, single-family semi-detached or townhouse dwelling unit.
2. Any garages shall be setback a minimum of 20 feet from the front property line.
3. All uses shall operate in accordance with the noise standards contained in *Section 36-485* of the *Springfield Zoning Ordinance*.
4. No use shall emit an odor that creates a nuisance as determined by *Springfield City Code*.

LOT SIZE REQUIREMENTS

1. Single-family detached dwellings: 3,500 square feet.
2. Minimum lot width: 40 feet.
3. Minimum lot depth: 80 feet.

BULK AND OPEN SPACE REQUIREMENTS

1. Side yard: 5 feet.
2. *Section 36-381* of the *Springfield Zoning Ordinance* in effect at the time of development shall apply to all other sections.

ACCESS TO PUBLIC THOROUGHFARES & DRIVEWAYS

1. Access to the public street system will be as generally shown on Exhibit 2.
2. No driveways are permitted along Broadway Ave.
3. Minimum driveway width: 10 feet.
4. Minimum driveway separation: 20 feet.

REQUIRED IMPROVEMENTS

Public and private improvements necessary to adequately accommodate the intensity of development proposed in this District, as determined by the Director of Public Works, shall be constructed prior to or concurrently with the development of the property. If the development of the property is phased, the construction of the improvements may also

be phased provided there is a logical relationship between each phase of the development and the construction of the required improvements. Prior to building permits being issued, the applicant, or subsequent owners shall:

1. Construct the required improvements; or
2. Provide assurances satisfactory to the Director of Public Works guaranteeing that all required improvements will be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department.

No certificate of occupancy shall be issued for any structure within this District, or phase of the development, unless:

1. The required improvements are completed prior to occupancy of the structures; or
2. The Director of Public Works has determined that such required improvements, if not completed, have little or no effect on the occupancy of the facility, or public safety, or conditions beyond the control of the contractor, *i.e.*, strikes, weather, etc., have delayed the completion of the improvements.

If one of these conditions occurs, the Director of Building Development Services may permit occupancy under conditions satisfactory to the Director of Public Works that the required improvements will be completed as required by this ordinance within a reasonable time.

Improvements necessary to adequately accommodate the intensity of development in this District, as determined by the Director of Public Works, include the following.

1. Storm water management facilities.
All storm water management facilities, including detention and water quality, will be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department.
2. Sanitary Sewer Extension.
All sanitary sewers will be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department.
3. Traffic Improvements as approved by the City Traffic Engineer.
 - a. Sidewalks along Broadway Ave., Poplar St., and Weaver Ave.
 - b. Curb and gutter, and concrete angled on-street parking along Broadway
 - c. Median along Broadway Ave. and traffic calming measures for the southbound lane of Broadway Ave. in advance of and along the on-street angled parking
 - d. Stormwater conveyance improvements along Weaver Ave.

Improvements shall conform to the following standards.

1. All utilities and utility connections shall be located underground, including, but not limited to, electrical and telephone cables, security and other telecommunication systems and wires. Transformers, meters of any type (including electric, gas or other meters), or other apparatus shall be adequately screened and landscaped.
2. All public improvements shall be designed and constructed per City of Springfield Public Works Design Standards for Public Improvements.

MAINTENANCE OF COMMON AREAS AND FACILITIES

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

PHASING

Development may be phased if all public improvements directly related to each phase are completed at the time of its development and improvements serving the District as a whole and the adjoining area are completed in a sequence assuring full utility of the District as a whole and all areas within the District and so that future public improvements required by this ordinance or other applicable ordinances of the City are not compromised or rendered unduly difficult.

FINAL DEVELOPMENT PLAN

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

Final development plans designating the location of uses shall be submitted to the Administrative Review Committee, either as a whole or in phases. A final development plan shall only be approved if it is in substantial conformance with Exhibits 1, 2 and 3 as defined by Subsection 36-405 (9) (c) of the Springfield Zoning Ordinance.

1. The final development plan shall only be submitted to the Administrative Review Committee for final review and approval. A Final Plat can be submitted in place of the final development plan if all other PD requirements can be shown to be met. The Administrative Review Committee is hereby authorized, at its discretion, to approve minor adjustments and modifications to the site plan. Such authority shall not, however, be construed to permit:

- a. Any uses within the District other than those specifically prescribed by the ordinance.
- b. Any increase in the intensity of use permitted within the District.



3213 S. West Bypass
Springfield, MO 65807
417.866.2741
weareown.com

**DREW LEWIS
FOUNDATION**

REVISIONS

[illegible]

PROJECT NO: 24SP10075

DRAWN BY: CMH

CH

ISSUED DATE: 06/20/2024

FIELD BOOK: N/A

ISSUED BY: JARED M DAVIS

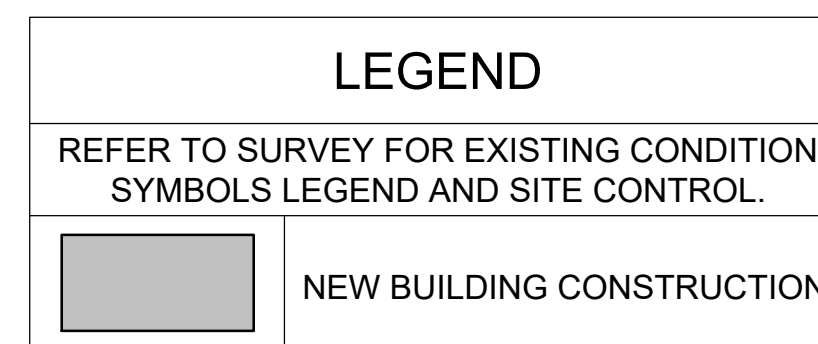
LICENSE NO: 2016017614

A licensed Missouri
Engineering Corporation
COA# 00062

EXHIBIT 2

1

1 OF 1



1 EXHIBIT 2
C1.0 SCALE: 1" = 20'

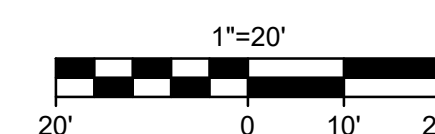


Exhibit 3



9 COMMUNITY FRONT 3
1/8" = 1'-0"



10 STREET (WEAVER) FRONT 3
1/8" = 1'-0"



11 GARAGE SIDE 3
1/8" = 1'-0"



12 HOUSE SIDE 3
1/8" = 1'-0"



5 COMMUNITY FRONT 2
1/8" = 1'-0"



6 STREET (WEAVER) FRONT 2
1/8" = 1'-0"



7 GARAGE SIDE 2
1/8" = 1'-0"



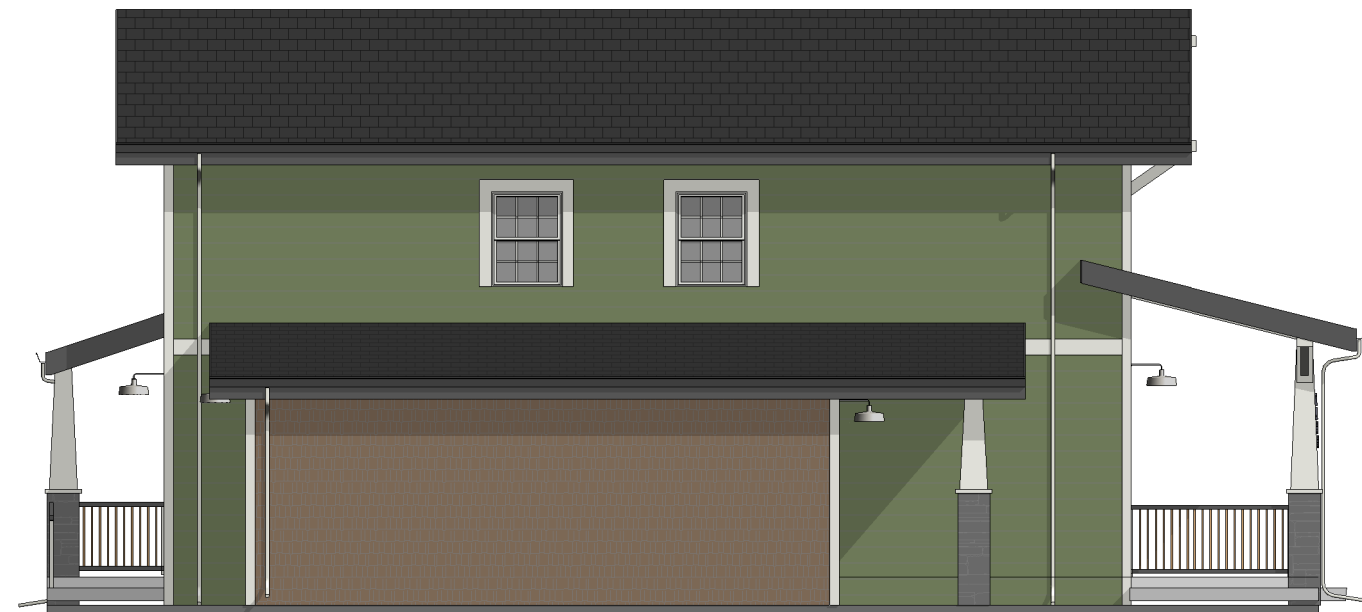
8 HOUSE SIDE 2
1/8" = 1'-0"



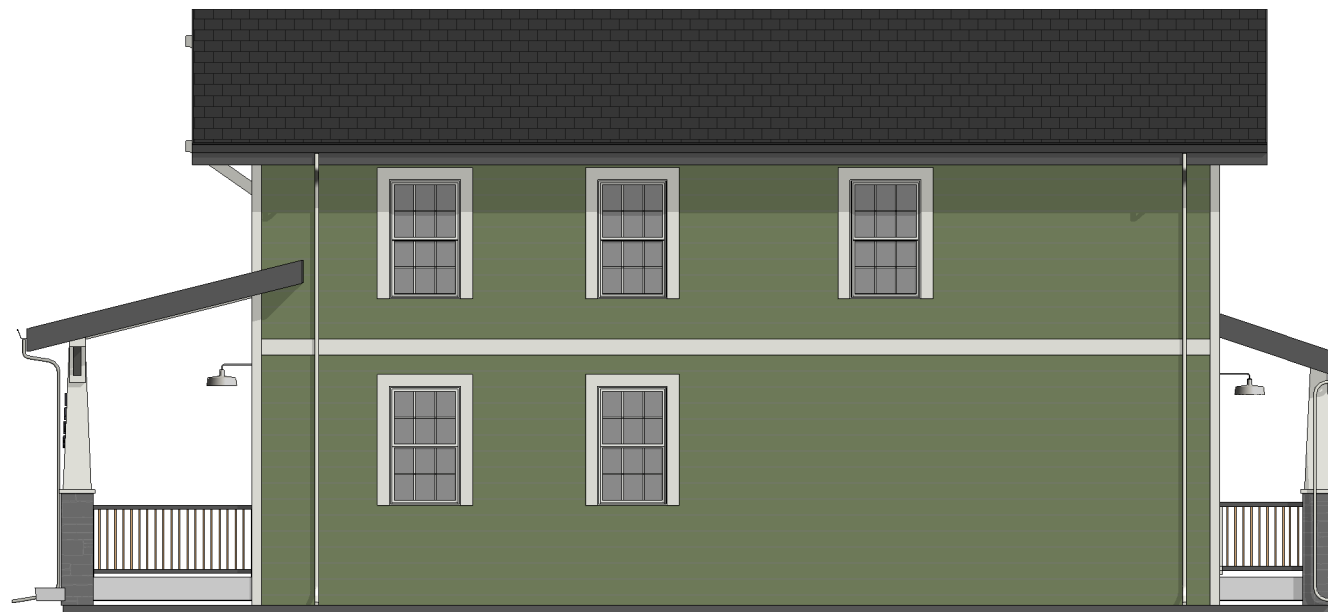
1 COMMUNITY FRONT
1/8" = 1'-0"



2 STREET (WEAVER) FRONT
1/8" = 1'-0"



3 GARAGE SIDE
1/8" = 1'-0"



4 HOUSE SIDE
1/8" = 1'-0"

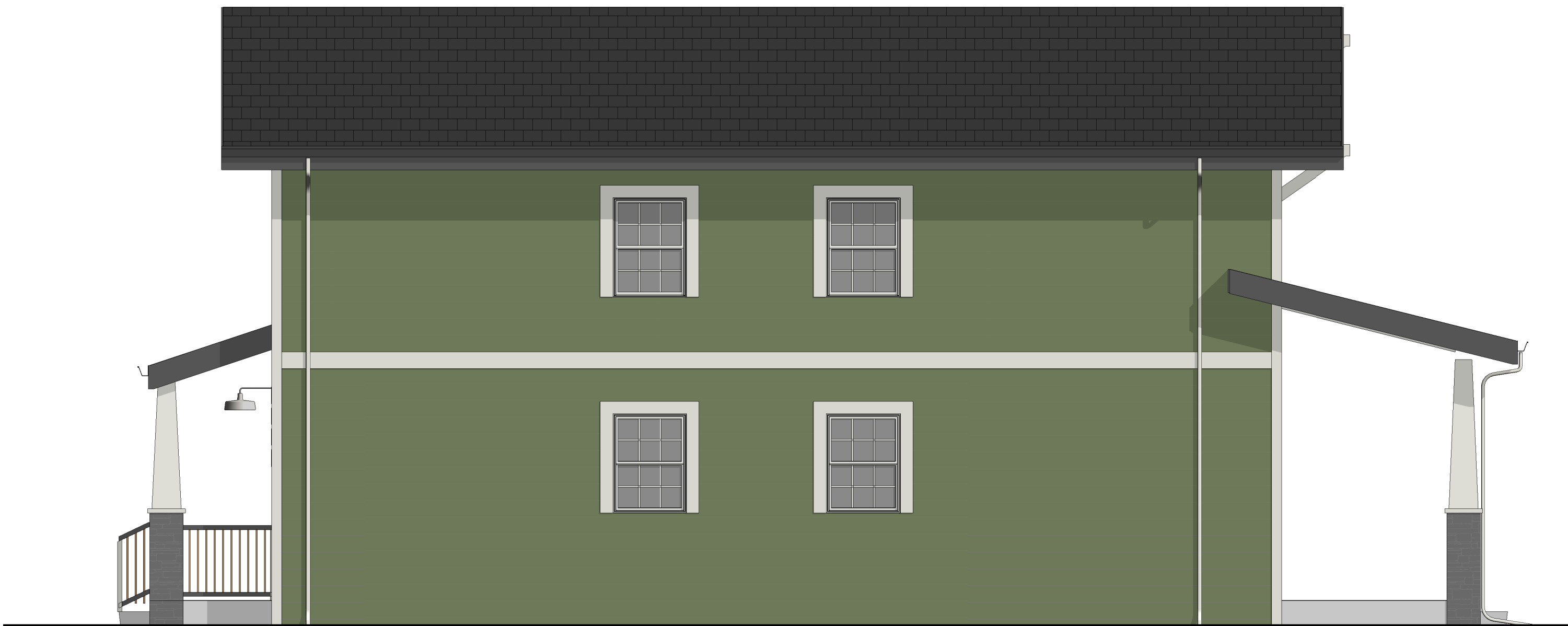
ELEVATION FINISH OPTIONS
DREW LEWIS FOUNDATION - POCKET NEIGHBORHOOD

N. BROADWAY AVE. & W. POPLAR ST.
CONCEPTUAL DESIGN PACKAGE

Exhibit 3



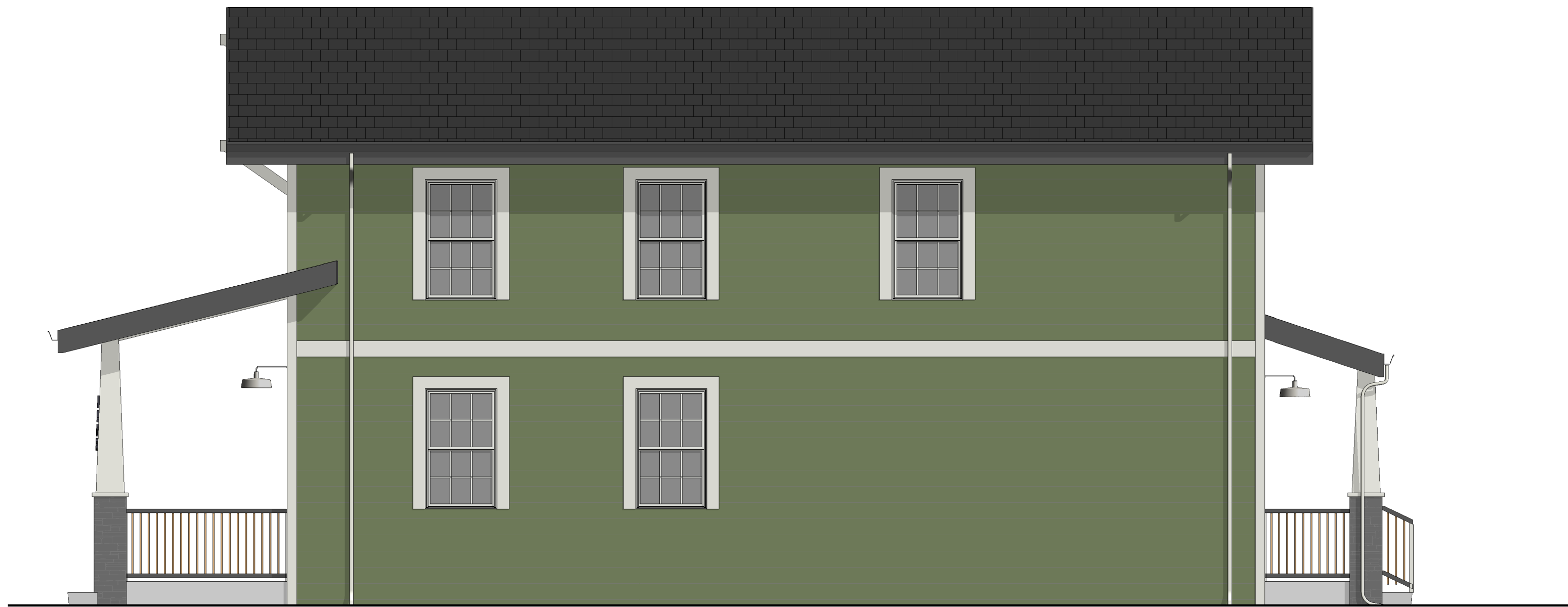
1 STREET (BROADWAY) FRONT - CLUBHOUSE AND UNIT W/O GARAGE
1/4" = 1'-0"



2 SIDE 1 - CLUBHOUSE AND UNIT W/O GARAGE
1/4" = 1'-0"



3 COMMUNITY FRONT - CLUBHOUSE AND UNIT W/O GARAGE
1/4" = 1'-0"



4 SIDE 2 - CLUBHOUSE AND UNIT W/O GARAGE
1/4" = 1'-0"

ELEVATIONS FOR CLUBHOUSE AND UNITS WITHOUT GARAGE
DREW LEWIS FOUNDATION - POCKET NEIGHBORHOOD

N. BROADWAY AVE. & W. POPLAR ST.
CONCEPTUAL DESIGN PACKAGE



138 Park Central Square,
Suite 101
Springfield, MO 65806
Phone: 417.865.6100

www.brparc.com



EXPLANATION TO COUNCIL BILL 2024-208 (JENSON)

FILED: 10/09/2024

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 0.22 acres of property generally located at 1055 South Campbell Avenue from R-HD, High-Density Multi-family Residential District to O-1, Office District; and adopting an updated Official Zoning Map. (By: Family Tax Service LLC; 1055 South Campbell Avenue; Z-16-2024).

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.22 acres generally located at 1055 South Campbell Avenue from R-HD, High-Density Multi-family Residential District to O-1, Office District (Staff and Planning and Zoning Commission recommend approval).

BACKGROUND INFORMATION: ZONING CASE NUMBER Z-16-2024

The applicant is requesting to rezone approximately 0.22 acres generally located at 1055 South Campbell Avenue from R-HD, High-Density Multi-family Residential District to O-1, Office District. The existing office is considered legal non-conforming use. The applicant intends to rezone to establish the office as a permitted and conforming use. The property has been a long-time office use, and no further development is planned.

REMARKS: The Planning and Zoning Commission held a public hearing on September 12, 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 0.22 acres generally located at 1055 South Campbell Avenue from R-HD, High-Density Multi-family Residential District to O-1, Office District. The existing office is considered legal non-conforming use. The applicant intends to rezone to establish the office as a permitted and conforming use.
2. The Mixed Residential placetype contains primarily higher density single-family attached and multi-family residential dwellings. This includes townhomes, rowhomes, duplexes, apartments, student housing, and single-family detached homes that have been converted into multiunit dwellings. Residential uses are supported by key cultural and institutional centers, such as schools and places of worship.
3. The property has been a long-time office use, and no further development is

planned. The applicant is seeking this rezoning to establish office as a permitted and conforming use.

4. Campbell Avenue is designated as a Primary Arterial. This application is consistent with locating the O-1 district on a higher classification street.

5. The subject property has access to City Utilities' infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.

6. There are a few changing conditions in the area affected that make the proposed rezoning necessary. Minor development of property within the vicinity has been occurring.

7. The range of uses in the proposed O-1 is compatible with the uses permitted on other property in the immediate vicinity. There is GR zoning to the north of the subject property.

8. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.

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

10. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.

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

STAFF RECOMMENDATION: Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Mixed Residential placetype and on the finding of facts above.

Submitted By: Michael Sparlin, Senior City Planner

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

Attachments:

1. Z-16-2024 - 1055 South Campbell Avenue_Ord
2. Z-16-2024_exh A
3. Z-16-2024_exhB
4. Z-16-2024_exh C

One-rdg. _____
P. Hrngs. X
Pgs. 18
Filed: 10-01-24

Sponsored by: Jenson

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-208

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 0.22 acres of property generally located at 1055 South Campbell
4 Avenue from R-HD, High-Density Multi-family Residential District to
5 O-1, Office District; and adopting an updated Official Zoning Map.
6
7

8 WHEREAS, an application has been filed for a zoning change of the property
9 generally located at 1055 South Campbell Avenue from R-HD, High-Density Multi-family
10 Residential District to O-1, Office District; and
11

12 WHEREAS, following proper notice, the Planning and Zoning Commission held a
13 public hearing on September 12, 2024, a copy of the Record of Proceedings from said
14 public hearing being attached hereto and incorporated herein by this reference as
15 "Exhibit B," and said Commission made a unanimous recommendation of approval; and
16

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

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

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

27 Section 1 – The property generally located at 1055 South Campbell Avenue and
28 described in "Exhibit A," which is attached hereto and incorporated herein by this
29 reference, is hereby rezoned from R-HD, High-Density Multi-family Residential District
30 to O-1, Office District. Springfield Land Development Code, Section 36-306, 'Official
31 zoning map and rules for interpretation,' is hereby amended, changed, and modified
32 consistent with this Ordinance.
33

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

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

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

45
46 Passed at meeting: _____

47
48 _____
49 Mayor

50
51 Attest: _____, City Clerk

52
53 Filed as Ordinance: _____

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

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

**EXHIBIT A
LEGAL DESCRIPTION**

SOUTH HALF AND EAST 100 FEET OF LOT 1 OF HOLMAN'S MAPLE PARK ADDITION, A
SUBDIVISION IN SPRINGFIELD, GREENE COUNTY, MISSOURI.

EXHIBIT B
RECORD OF PROCEEDINGS
Planning and Zoning Commission – September 12, 2024

Z-16-2024
1055 South Campbell Avenue
Applicant: John Dittrich

Mr. Neal states that this is a request to rezone approximately 0.22 acres from R-HD, High-Density Multi-family Residential District to O-1, Office District.

Mr. John Dittrich, 1055 S. Campbell Avenue is the current owner and here to answer any questions.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Z-16-2024, Commissioner Doennig seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Colony, Commissioner Knuckles, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: Commissioner Lebeck. Abstain: None.

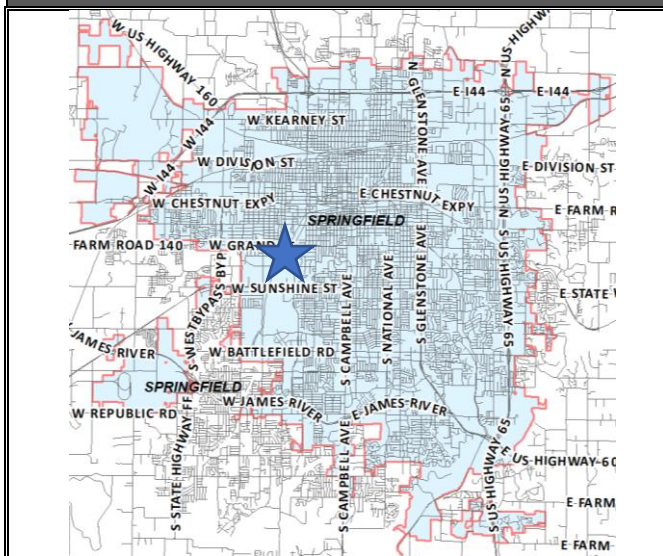
A handwritten signature in black ink, appearing to read 'Bob Hosmer', written over a horizontal line.

Bob Hosmer, AICP
Planning Manager

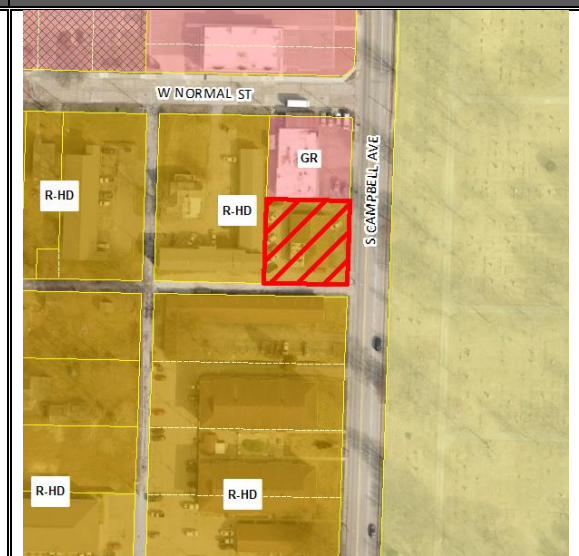
PROJECT INFORMATION

PROJECT SUMMARY:

LOCATION MAP

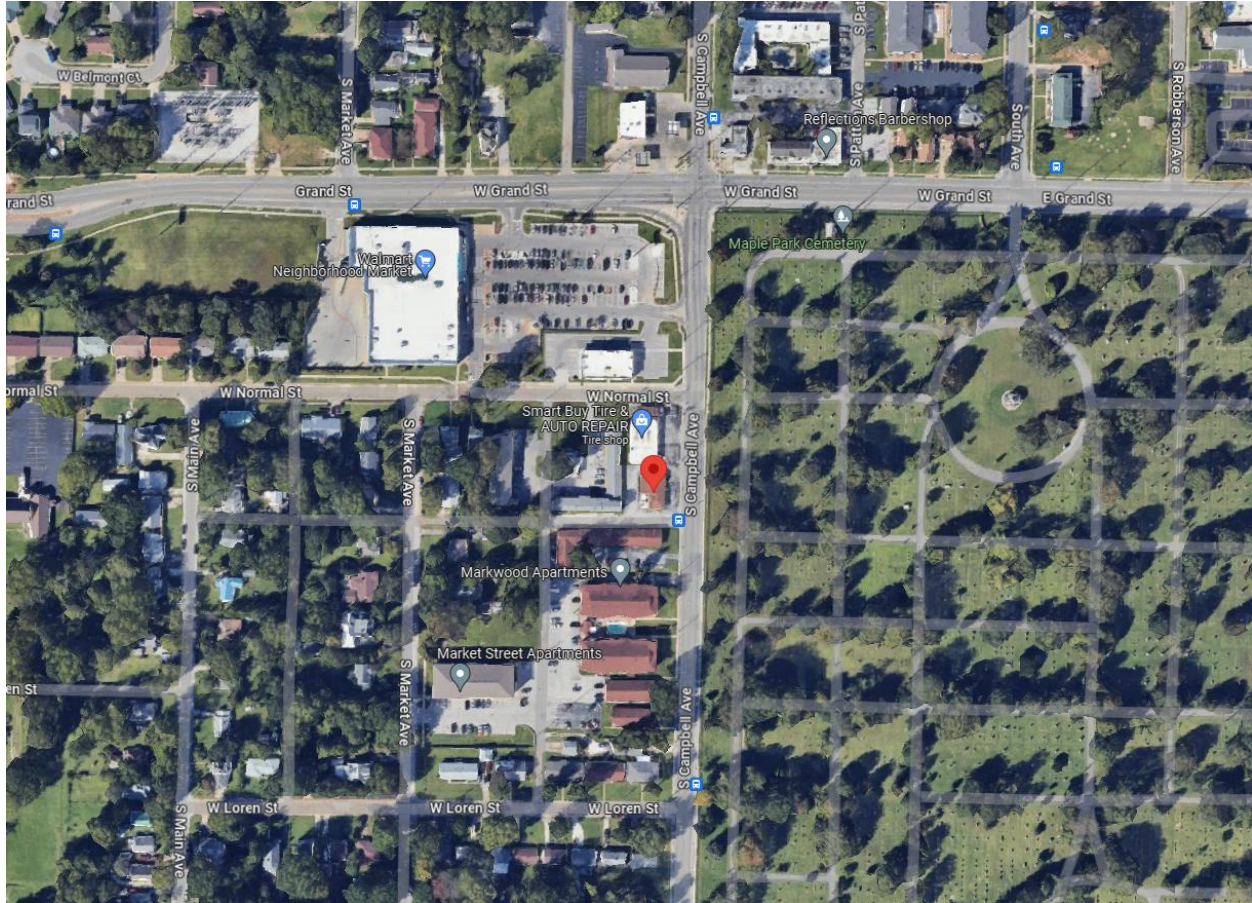


ZONING MAP



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property was zoned R-HD in the 1995 city-wide remapping.

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).

DEVELOPMENT REVIEW STAFF REPORT

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.
Bulk Plane	All structures shall remain below a 45-degree bulk plane as measured from the boundary of any R-SF or R-TH district.
Minimum Open Space	Not less than 20 percent of the total lot area
Buffering and Landscaping	Whenever any development in an O-1 district is located adjacent to a different zoning district, screening and a bufferyard shall be provided in accordance with sections 36-480, screening, and fencing, and 36-482, landscaping and bufferyards.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

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

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

Primary Land Uses:

- Single-family attached
- Single-family detached
- Multi-family

Supporting Land Uses:

- Parks, greenways, and open space
- Low-intensity urban agriculture
- Public and private schools and places of worship
- Low-intensity neighborhood commercial

Characteristics

TRANSPORTATION & INFRASTRUCTURE:

- Access management is improved for vehicles through curb cut consolidation and cross-access between properties, reducing traffic conflicts and backups.

DEVELOPMENT REVIEW STAFF REPORT

- Electric vehicle charging facilities, pedestrian and bicycle infrastructure, and automated vehicle parking and loading spaces are integrated along major corridors and integrated into private development plans.
- Traffic-calming measures, such as speed-humps, bump-outs, roundabouts, landscaped chicanes with integrated stormwater management, and on-street parking are used to slow traffic.
- Quality of place and identity is enhanced through preserving and planting trees, and other landscaping and traffic calming improvements are made that double as streetscape elements.
- As technology, trends, and funds permit, utilities are buried or are consolidated along rear property lines, reducing conflicts with street trees, pedestrian infrastructure, and viewsheds.
- Sidewalk gaps are filled, and sidewalks connect to transit routes, greenways and trails, and supportive uses located within the neighborhood and around the perimeter.
- Transit service is expanded along key commercial corridors over the long term with bus stops enhanced with shelters and live timetables.
- Street network is well-connected, designed for slow traffic, and includes pedestrian facilities.
- The higher density nature of the placetype prioritizes these areas for future transit access and Transit-Oriented Development (TOD) as the City looks to expand the system in the long term.
- Best management practices for stormwater management are required in development projects and within public rights-of-way, such as permeable paving, rain gardens, green roofs, native landscaping, and other low impact design strategies.

URBAN DESIGN - BUILDING AND SITE TYPOLOGY:

- Residential development and neighborhood-scale commercial buildings are oriented to the street and focus on pedestrian scale.
- Parking is to be located behind or beside the primary buildings with abundant landscaping and screening. Pedestrian pathways to provide safe access to business entrances.
- Preservation of neighborhood schools and adaptive reuse of existing residential and non-residential structures is encouraged.
- New structures reflect the character and context of the historic neighborhood fabric and developed area.
- A greater focus on site design, parking access, massing, and building orientation are adopted to ensure new development is complementary to adjacent lower density residential development.
- Multi-story buildings designed with active ground floor spaces are visible and inviting to the pedestrian with transparent, glass windows and doors.
- Quality materials, construction methods, workmanship, and design are 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.
- The main entrance of new development is oriented towards the primary street.
- Windows, balconies, and porches are encouraged on upper stories to provide informal security with “eyes on the street” and activation.

DEVELOPMENT REVIEW STAFF REPORT

- Lighting, signage, landscaping, mail, and delivery accommodations are proactively incorporated into the site design.
- Mechanical equipment, trash receptacles, and recycling bin storage areas are fully screened or located away from major roadway view.

TRANSITIONS:

- Mixed Residential Placetypes near the Downtown and city corridors help generate activity and increase access to local shoppers, while providing high-quality, affordable housing options.
- Mixed Residential developments are prioritized and supported in locations adjacent to major employment centers, activity centers, healthcare facilities, higher education facilities, schools, major parks, greenways, recreational facilities, and existing city corridors in need of an expanded customer-base and reinvestment.
- Higher density residential is sufficiently screened and buffered from lower density uses.

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, Healthcare & Institutional Facilities	Personal Storage, Outdoor Sales & Service	Light Industry
Residential Neighborhood	●	○	◇	○	◇	◇	○							
Mixed Residential	●	●	○	○	◇	◇	○							
Downtown			●	○	○	○	●	○	○	○				
Mixed-Use	○	○	●	○	○	○	●	○						
City Corridor			●	○	○	○	●	○	○	○				
Institutional & Employment Center			○	○	○	○	○	○	○	○				
Business Flex			○	○	○	○	○	○	○	○	○	○	○	○
Industry & Logistics			○	○	○	○	○	○	○	○	○	○	○	○
Urban Green Space & Recreation			●	○										

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

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

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

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	GR	R-HD	R-SF	R-HD
LAND USE	Car Tire install business	Multi-family Residential	Cemetery	Multi-family Residential
PLACETYPES	Mixed Residential	Mixed Residential	Urban Green Space & Recreation	Mixed Residential

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

DEVELOPMENT REVIEW STAFF REPORT

CITY UTILITIES:

No issues

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	S. Campbell Avenue	Primary Arterial	City	50	25	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 two (2) bus stops on Campbell Avenue 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 **Fassnight Creek** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is not** aware of flooding problems in the local or downstream area. The city **is not** aware of a sinkhole 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 the site is built out**.

PW Stormwater has no concerns for the proposed zoning change. 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

DEVELOPMENT REVIEW STAFF REPORT

1. Site is existing impervious area. Any development can replace existing impervious without triggering detention.

WATER QUALITY REQUIREMENTS

N/A

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

SINKHOLES & KARST FEATURES

N/A

ADDITIONAL STORMWATER REQUIREMENTS

N/A

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 0.22 acres generally located at 1055 South Campbell Avenue from R-HD, High-Density Multi-family Residential District to O-1, Office District. The existing office is considered legal non-conforming use. The applicant intends to rezone to establish the office as a permitted and conforming use.
2. The Mixed Residential placetype contains primarily higher density single-family attached and multi-family residential dwellings. This includes townhomes, rowhomes, duplexes, apartments, student housing, and single-family detached homes that have been converted into multiunit dwellings. Residential uses are supported by key cultural and institutional centers, such as schools and places of worship.
3. The property has been a long-time office use and no further development is planned. The applicant is seeking this rezoning to establish office as a permitted and conforming use.
4. Campbell Avenue is designated as a Primary Arterial. This application is consistent with locating the O-1 district on a higher classification street.
5. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.
6. There are few changing conditions in the area affected that make the proposed rezoning necessary. Minor development of property within the vicinity has been occurring.
7. The range of uses in the proposed O-1 is compatible with the uses permitted on other property in the immediate vicinity. There is GR zoning to the north of the subject property.

DEVELOPMENT REVIEW STAFF REPORT

8. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
9. The impact of the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity.
10. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
11. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

STAFF RECOMMENDATION:

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

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

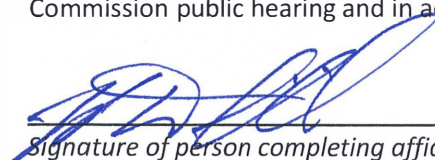
1. Request change to zoning from: R-HD to O-1
(existing zoning) (proposed zoning)
2. Meeting Date & Time: July 16 2024
3. Meeting Location: 1055 S Campbell Ave
4. Number of invitations that were sent: 43
5. How the mailing list was generated: Planning & Development
6. Number of neighbors in attendance (attach a sign-in sheet): 0
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

N/A

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

N/A

John Dittrich (print name), attest that the neighborhood meeting was held on July 16 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

John P Dittrich
Printed name of person completing affidavit



EXPLANATION TO COUNCIL BILL 2024-209 (HORTON)

FILED: 10/09/2024

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 1.1 acres of property generally located at 1403, 1407, 1413, 1417, and 1423 North Beverly Avenue, as well as the unaddressed property to the north at approximately 1428 North Beverly Avenue, from HM, Heavy Manufacturing District to R-TH, Residential Townhouse District; and adopting an updated Official Zoning Map. (By: Amax Properties, LLC; 1403, 1407, 1413, 1417, and 1423 North Beverly Avenue; Z-15-2024).

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.1 acres of property generally located at 1403, 1407, 1413, 1417 and 1423 North Beverly Avenue and the unaddressed property to the north from HM, Heavy Manufacturing District to R-TH, Residential Townhouse District. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION:
ZONING CASE NUMBER Z-15-2024

The applicant is requesting to rezone approximately 1.1 acres of property generally located at 1403, 1407, 1413, 1417 and 1423 North Beverly Avenue and the unaddressed property to the north from HM, Heavy Manufacturing District to R-TH, Residential Townhouse District. This area includes a portion of right-of-way along Lynn St. and Beverly Ave. that is being vacated concurrently with this application. The applicant intends to construct new residential structures on the existing lots. The R-TH district would allow single-family or duplexes. Single-family detached dwellings require a minimum of 6,000 square feet of land area. Duplexes will require at least 7,500 square feet of area, so a replat of lots will likely occur after zoning.

REMARKS: The Planning and Zoning Commission held a public hearing on September 12, 2024, and recommended to approve, by a vote of 8 to 0.

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

FINDINGS FOR STAFF RECOMMENDATION:

1. This application for R-TH is consistent with the Comprehensive Plan's Land Use &

Development chapter which identifies the subject property as within the Traditional Neighborhood placetype. The primary use in this placetype is single-family detached which is a permitted use in the R-TH District. It also lists supporting uses such as single-family attached and low-intensity multi-family.

2. This application is consistent with the Traditional Neighborhood placetype which are 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. Housing in Traditional Neighborhoods ranges from bungalows to expansive ranch-style homes constructed with a variety of materials and methods. Neighborhood parks, schools, and churches are dispersed throughout to serve nearby residents. These neighborhoods can follow a gridded block pattern or curvilinear streets and are well-connected internally with sidewalks and trails.

3. The subject property has access to City Utilities' infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.

4. There are a few changing conditions in the area affected that make the proposed rezoning necessary. The proposed rezoning area has existing single-family residential along Forest Avenue to the west and Lynn Street to the south.

5. The range of uses in the proposed R-TH district is compatible with the existing uses on other properties in the immediate vicinity. This will allow for additional residential uses to be established in a predominantly residential area.

6. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.

7. The impact of the 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. The applicant is proposing a less intense zoning district than what is existing.

8. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.

9. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. New single-family homes or duplexes would not be allowed to be constructed in the Heavy Manufacturing district.

STAFF RECOMMENDATION: Staff recommends approval based on the proposal's



general conformance to the Comprehensive Plan's Traditional Neighborhood placetype and on the finding of facts above.

Submitted By: Daniel Neal, Senior City Planner

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

- Attachments:**
1. Z-15-2024 - 1403, 1407, 1413, 1417, 1423, and 1428 North Beverly Avenue_Ord
 2. Z-15-2024_exh A
 3. Z-15-2024_exhB
 4. Z-15-2024_exh C

One-rdg. _____
P. Hrngs. X
Pgs. 23
Filed: 10-01-24

Sponsored by: Horton

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-209

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official
2 zoning map and rules for interpretation,' by rezoning approximately
3 1.1 acres of property generally located at 1403, 1407, 1413, 1417,
4 and 1423 North Beverly Avenue, as well as the unaddressed
5 property to the north at approximately 1428 North Beverly Avenue,
6 from HM, Heavy Manufacturing District to R-TH, Residential
7 Townhouse District; and adopting an updated Official Zoning Map.
8
9 _____

10 WHEREAS, an application has been filed for a zoning change of the property
11 generally located at 1403, 1407, 1413, 1417, and 1423 North Beverly Avenue, as well
12 as the unaddressed property to the north at approximately 1428 North Beverly Avenue,
13 from HM, Heavy Manufacturing District to R-TH, Residential Townhouse District; and
14

15 WHEREAS, following proper notice, the Planning and Zoning Commission held a
16 public hearing on September 12, 2024, a copy of the Record of Proceedings from said
17 public hearing being attached hereto and incorporated herein by this reference as
18 "Exhibit B," and said Commission made a unanimous recommendation of approval; and
19

20 WHEREAS, the City has reviewed the applicant's request and prepared a staff
21 report concerning the application, which is attached hereto and incorporated herein by
22 this reference as "Exhibit C"; and
23

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

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

30 Section 1 – The property generally located at 1403, 1407, 1413, 1417, and 1423
31 North Beverly Street, as well as the unaddressed property to the north at approximately
32 1428 North Beverly Street, and described in "Exhibit A," which is attached hereto and
33 incorporated herein by this reference, from HM, Heavy Manufacturing District to R-TH,

34 Residential Townhouse District. Springfield Land Development Code, Section 36-306,
35 'Official zoning map and rules for interpretation,' is hereby amended, changed, and
36 modified consistent with this Ordinance.

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

43
44 Section 3 – The Official Zoning Map herein adopted shall be maintained and
45 archived in the same digital form in which this Council has approved its adoption.

46
47 Section 4 – This Ordinance shall be in full force and effect from and after
48 passage.

49
50 Passed at meeting: _____

51
52 _____
53 Mayor

54
55 Attest: _____, City Clerk

56
57 Filed as Ordinance: _____

58
59 Approved as to form: Laura Vales, Assistant City Attorney

60
61 Approved for Council action: Jason A. Hage, City Manager
62
63

EXHIBIT A
LEGAL DESCRIPTION

1423 N Beverly Avenue: Beverly Hills Addition, Lots 19 & 20 Blk 3
1417 N Beverly Avenue: Beverly Hills Addition, Lots 21 & 22 Blk 3
1413 N Beverly Avenue: Beverly Hills Addition, Lots 23 & 24 Blk 3
1407 N Beverly Avenue: Beverly Hills Addition, Lots 25 & 26 Blk 3
1403 N Beverly Avenue: Beverly Hills Addition, Lots 27 & 28 Blk 3 & East 35 Feet, Lots 29 & 30 Blk 3, Springfield, Greene County, Missouri.

And that portion of the vacated right-of-way that is not already zoned R-TH District as specified in Section 36-306(3) as described in the following:

A TRACT OF LAND ADJOINING THE SOUTH LINE OF BLOCK "3" IN BEVERLY HILLS, A SUBDIVISION ON THE CITY OF SPRINGFIELD, IS DESCRIBED AS:

BEGINNING AT AN EXISTING ONE-HALF INCH IRON PIN AT THE SOUTHWEST CORNER OF LOT 28 IN BLOCK "3" OF SAID BEVERLY HILLS; THENCE SOUTH 87 DEGREES 52 MINUTES 35 SECONDS EAST, ALONG THE SOUTH LINE OF SAID LOT 28, A DISTANCE OF 35.13 FEET; THENCE NORTHEASTERLY, ALONG THE SOUTHERLY LINE OF SAID BLOCK 3 AND A CURVE TO THE LEFT, THROUGH AN ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS, WITH A RADIUS OF 100.00 FEET AND A 141.42 FEET LONG CHORD WHICH BEARS NORTH 47 DEGREES 07 MINUTES 25 SECONDS EAST, AN ARC DISTANCE OF 157.08 FEET TO A POINT ON THE EAST LINE OF LOT 25 IN SAID BLOCK "3"; THENCE SOUTH 02 DEGREES 07 MINUTES 25 SECONDS WEST, A DISTANCE OF 148.39 FEET; THENCE NORTH 87 DEGREES 45 MINUTES 50 SECONDS WEST, A DISTANCE OF 169.92 FEET; THENCE NORTH 02 DEGREES 04 MINUTES 44 SECONDS EAST, A DISTANCE OF 48.06 FEET TO A POINT ON THE SOUTH LINE OF LOT 29 IN SAID BLOCK "3"; THENCE SOUTH 87 DEGREES 52 MINUTES 35 SECONDS EAST, ALONG THE SOUTH LINE OF SAID LOT 29, A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON MISSOURI STATE PLANE COORDINATE SYSTEM 1983, CENTRAL ZONE.

CONTAINING 10,342 SQUARE FEET OF RIGHT-OF-WAY VACATION..

EXHIBIT B
RECORD OF PROCEEDINGS
Planning and Zoning Commission – August 22, 2024

Z-15-2024

1403, 1407, 1413, 1417, 1423 & (approximately) 1428 North Beverly Avenue

Applicant: Amax Properties, LLC

Mr. Neal stated that this is a request to rezone approximately 1.1 acres from HM, Heavy Manufacturing District to R-TH, Residential Townhouse District.

Mr. Max Sharshakou, 1844 N. Marlan Avenue and plans to rezone it into single family or duplexes.

Ms. Broekhoven closed the public hearing.

Mr. Knuckles asked about the legal access to the street.

Mr. Neal stated that he will address that question during Vacation 838 being presented later this evening.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Z-15-2024, Commissioner Doennig seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Colony, Commissioner Knuckles, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: Commissioner Lebeck. Abstain: None.



Bob Hosmer, AICP
Planning Manager

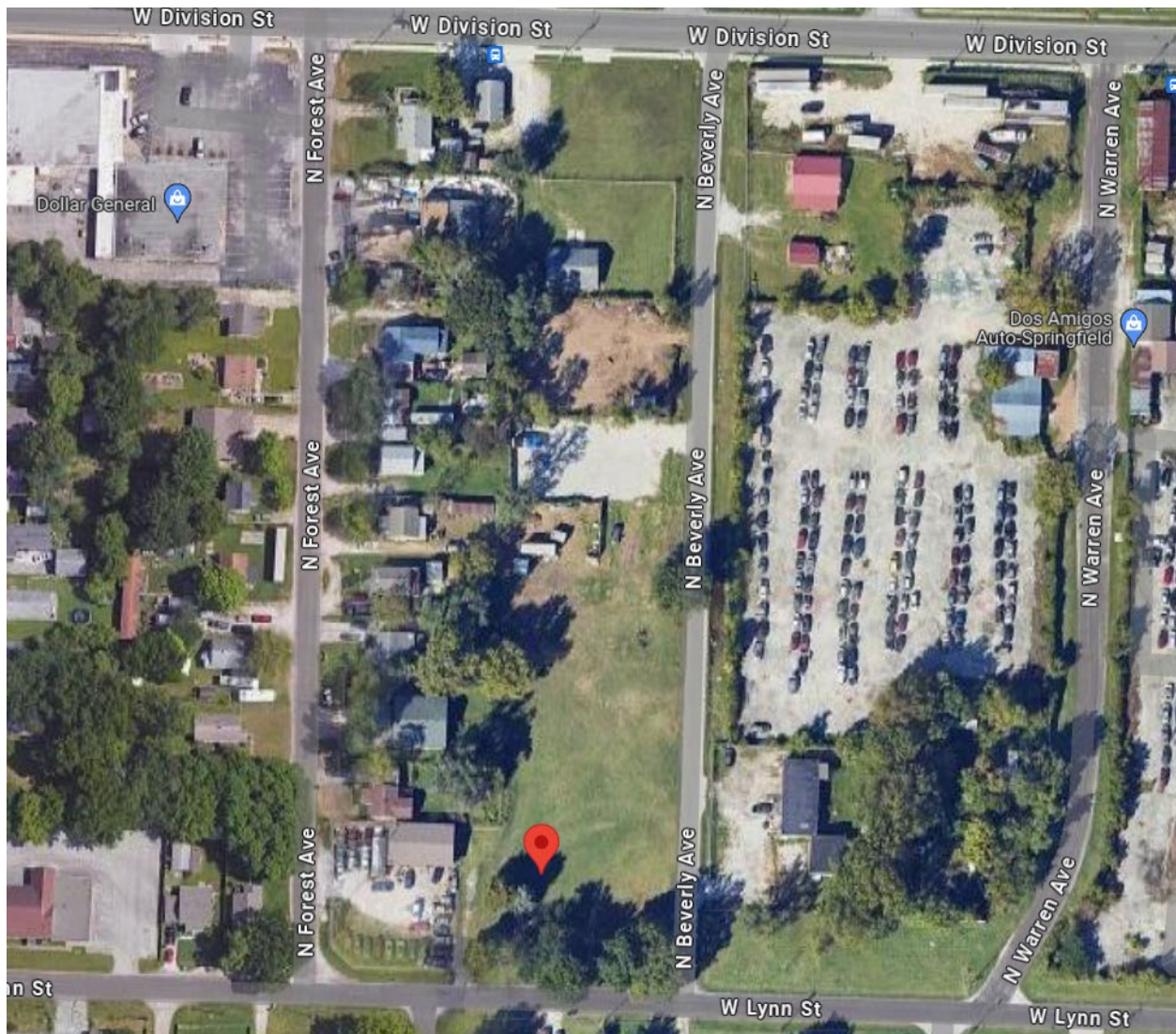
PROJECT INFORMATION

Case Number:	Z-15-2024
Location:	1403, 1407, 1413, 1417 and 1423 N. Beverly Avenue and the unaddressed property to the north
Total Acres:	1.1 acres
Applicant:	Amax Properties, LLC
Existing Land Use:	Vacant/undeveloped
Neighborhood Meeting:	May 23, 2024
Planning and Zoning Commission:	September 12, 2024
City Council:	October 7, 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-15-2024 (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

PROJECT SUMMARY:

DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:

DEVELOPMENT REVIEW STAFF REPORT



PROPERTY HISTORY:

The subject property was zoned HM, Heavy Manufacturing in the 1995 city-wide remapping.

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 R-TH DISTRICT
Use Limitations	(a) There shall be a separate platted lot of record for each single-family semi-detached or townhouse dwelling unit.

DEVELOPMENT REVIEW STAFF REPORT

	(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.
Minimum Lot Size	(a) <i>Minimum lot area:</i> 1. Single-family detached dwellings and residential group homes: 5,000 square feet. 2. Duplexes: 7,500 square feet. 3. Each single-family semi-detached dwelling on a separate platted lot: 3,750 square feet. 4. Each townhouse on a separate platted lot: a. End lots: 4,000 square feet. b. Interior lots: 3,000 square feet. 5. All other uses: 7,500 square feet. (b) <i>Minimum lot width:</i> 1. Single-family detached and duplex dwellings and residential group homes: 45 feet. 2. Townhouses: a. End lots: 40 feet. b. Interior lots with driveway in front yard: 30 feet. c. Interior lots without driveway in front yard: 24 feet. 3. Single-family semi-detached dwelling units: 30 feet. 4. All other uses: 45 feet. (c) <i>Minimum lot depth:</i> 80 feet.
Maximum Height	(a) <i>Maximum structure height:</i> 1. When side yards are less than 15 feet in width: 35 feet or two and one-half stories above the finished grade. 2. When side yards are 15 feet in width or greater: 45 feet or three stories above the finished grade.
Bulk Plane	None
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.

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	3. <i>Rear yards:</i> Ten percent of the lot depth, but may not be less than ten feet nor more than 20 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.
Density Requirements	<i>Density requirements.</i> The maximum density shall be 3,750 square feet per dwelling unit provided the requirements of subsection 36-303(22) are met.
Design Requirements	(a) A site plan meeting the requirements of section 36-360, site plan review, shall be submitted and approved. (b) A landscape plan meeting the requirements of section 36-482, landscaping and bufferyards, and 36-483, off-street parking and loading area design standards, shall be submitted, and approved. (c) All off-street parking and vehicular use areas shall be screened from all residential uses in accordance with section 36-480, screening, and fencing. (d) All outdoor storage and refuse storage areas shall be screened from view in accordance with section 36-480, screening, and fencing. (e) Mechanical and electrical equipment, including air conditioning units, shall be screened from view in accordance with section 36-480, screening, and fencing. (f) Lighting shall be designed to reflect away from any adjacent or nearby residential area and in accordance with section 36-484, lighting standards. (g) Accessory buildings and structures shall meet the requirements of section 36-450, accessory structures and uses.
Buffering and Landscaping	Whenever any development in an R-TH 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.

DEVELOPMENT REVIEW STAFF REPORT

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Traditional neighborhood placetype. Traditional Neighborhoods are 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. Housing in Traditional Neighborhoods range from bungalows to expansive ranch style homes constructed with a variety of materials and methods. Neighborhood parks, schools, and churches are dispersed throughout to serve nearby residents. These neighborhoods can follow a gridded block pattern or curvilinear streets and are well connected internally with sidewalks and trails. Traditional Neighborhoods tend to be expansive, isolating residents from services and resources on the edges, often beyond walking distance. 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.

Redevelopment of traditional single-family residential housing for higher-density housing or commercial should be limited to areas adjacent to identified activity centers, where circulation and access will not negatively affect the adjoining neighborhood.

LAND USES PRIMARY USES

- Single-family detached

SUPPORTING USES

- Single-family attached
- Low-intensity multifamily
- Low-intensity, neighborhood commercial
- Parks, greenways, and open space
- Public and private schools and places of worship
- Low-intensity urban agriculture

CHARACTERISTICS TRANSPORTATION & INFRASTRUCTURE

- Traffic-calming measures, such as speed-humps, bump-outs, roundabouts, landscaped chicanes with integrated stormwater management, and on-street parking are used to slow traffic.

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- 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.
- Sidewalk gaps are filled, and sidewalks connect to transit routes, greenways and trails, and supportive uses are located within the neighborhood and around the perimeter.
- Alleys provide pedestrian connections, alternative access to rear yards, detached garages, and other approved accessory uses. • Sense of place and identity is enhanced through neighborhood organization efforts, preservation and planting trees, neighborhood identification signs, and traffic calming improvements that double as streetscape elements.
- As technology, trends, and funds permit, utilities are buried or are consolidated along rear property lines, reducing conflicts with street trees, pedestrian infrastructure, and viewsheds.
- Major entrances into neighborhoods are marked by identification signs and landscaping.

URBAN DESIGN - BUILDING AND SITE TYPOLOGY

- The main entrances of new residential developments are oriented towards the primary street.
- Preservation and adaptive reuse of neighborhood schools and surplus buildings are encouraged.
- When appropriate, adaptive reuse of residential structures for low-intensity, neighborhood-scale nonresidential uses, including missing middle housing types, is encouraged at neighborhood nodes and along edges.
- Accommodations are made to allow expanded home occupations, without detracting from the character of the neighborhood, being conscious of changing trends and advances in technologies.
- New and infill buildings maintain the proportions and architectural features common in the existing block.
- When commercial buildings are located within or adjacent to the neighborhood, they are oriented to the street, focus on pedestrian-scale, and provide limited vehicle parking.

TRADITIONAL NEIGHBORHOOD

- Residential subdivisions are designed and platted with curvilinear streets in structured layouts that maximize use of land.
- Lots have uniform widths, depths, and setbacks that align with home sizes and densities.
- Attached garages are a standard element, typically integrated into the design of the home and make up a dominant part of the front elevation, reducing the on-street parking demands.
- Vehicular driveways are provided for each home and are accessed almost exclusively from the front or side street, limiting on-street parking opportunities.
- Neighborhoods are often self-regulated by covenants that limit use, size, and design of structures, as well as care and use of private amenities and common areas.

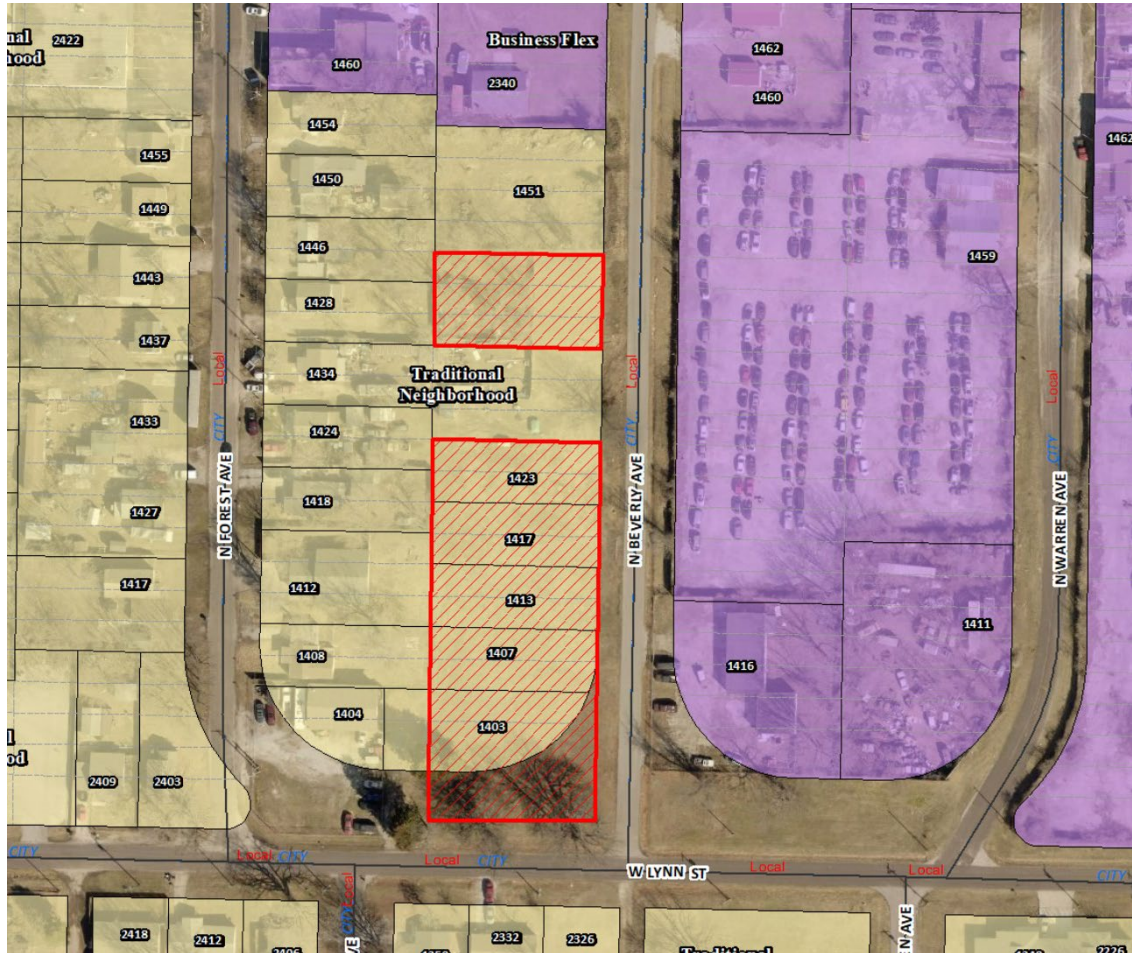
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TRANSITIONS

- A “stepped down” approach is used to transition from higher density/intensity residential and non-residential uses to single-family residential homes and uses, with greater densities/intensities located on higher functioning roadways, at the periphery of the neighborhood.
- Lower density residential uses are sufficiently screened and buffered between higher density housing and nonresidential uses.
- The design of higher density residential uses integrated into the Residential Neighborhood Placetype should complement the scale and character of the surrounding neighborhood. Attention should be given to building height, orientation, architectural style, and setback to ensure the existing neighborhood character is retained.

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	Neighborhood Commercial	Maker, Artisan & Innovation Spaces	Public & Private Schools & Places of Worship	Universities, Colleges & Vocational Schools	Government, Healthcare & Institutional Facilities	Personal Storage, Outdoor Sales & Service	Light Industry
Residential Neighborhood	●	○	◇	○	◇	◇	○							
Mixed Residential	●	●	○	○	◇	◇	○							
Downtown		●	●	●	●	●	●	●	●	●	●	●	●	●
Mixed-Use	○	○	●	○	○	○	○	○	○	○	○	○	○	○
City Corridor		○	○	○	○	○	○	○	○	○	○	○	○	○
Institutional & Employment Center		○	○	○	○	○	○	○	○	○	○	○	○	○
Business Flex			○	○	○	○	○	○	○	○	○	○	○	○
Industry & Logistics			○	○	○	○	○	○	○	○	○	○	○	○
Urban Green Space & Recreation			○	○	○	○	○	○	○	○	○	○	○	○

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

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

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

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	HM	R-TH	HM	R-TH
LAND USE	Vacant/undeveloped	Single-family residential	Industrial, salvage yard	Single-family residential
PLACETYPES	Traditional Neighborhood	Traditional Neighborhood	Business Flex	Traditional Neighborhood

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues with the proposed rezoning, however electric/gas/water are not available to 1407-1423 N Beverly. Main extensions will be needed to provide services.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues with rezoning. Each address has access to public sewer and are in an approved sewer district.

FIRE DEPARTMENT:

A fire hydrant is required to be installed within 250 feet of all lots. (2018 IFC Appendix C).

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

TRAFFIC REPORT

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	N. Beverly Avenue	Local	City	25	25	NA	Yes	Yes	No
Street 2	W. Lynn Street	Local	City	25	25	NA	Yes	Yes	No

ACCESS - All new or modified driveway approaches shall comply with current City of Springfield standards for the street classification.

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There are no Greenway 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

No existing detention or water quality Stormwater Control Measures are present. The property is in the **Upper Wilsons Creek** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is** aware of flooding problems in the local or downstream area. The city **is** aware of a sinkhole or other Karst feature east of this location. The property **does not have a stream buffer on site**. A fee in lieu of on-site stormwater detention **will be dependent on further analysis of the surrounding stormwater infrastructure and downstream impacts**

DEVELOPMENT REVIEW STAFF REPORT

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
 - a. The N Beverly Ave section of road is a known low spot and large amount of pooling occurs on the East side of the street and ROW. Any project on this area is required to drain to Lynn St to drain through the drainage channels and culverts on Lynn St.
 - b. Because the 5 properties are adjacent and connected to Lynn St the project is required to construct drainage channel in the ROW to drain south to Lynn St.
 - c. A fee in lieu of detention application will be reviewed at time of permitting to determine if the project is at risk of flooding the sinkhole to the east.

WATER QUALITY REQUIREMENTS

1. Water Quality is required for new development projects or redevelopment projects, with new or increased impervious surfacing, within the city limits of Springfield that disturb 1 acre or greater. Including projects less than 1 acre that are part of a larger common plan of development or sale that will disturb 1 or more acres over the life of the project. Chapter 10 Sec. 2.0.
2. A land disturbance permit will be required with disturbing 1 acre or greater per Chapter 4 Section 5 of the City's Flood Control and Water Quality Protection Manual.

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

SINKHOLES & KARST FEATURES

1. Sinkhole 26625 is located at 1459 N Warren Ave. The proposed project location drains to this sinkhole through the ROW and overland flow from west to east. The new buildings and driveways are minimal compared to the overall sinkhole drainage area. a future project at the N Warren Ave may reduce the flooding elevation.

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.

DEVELOPMENT REVIEW STAFF REPORT

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 1.1 acres of property generally located at 1403, 1407, 1413, 1417, 1423 and (approx.) 1428 North Beverly Avenue from HM, Heavy Manufacturing District to R-TH, Residential Townhouse District. This area includes a portion of right-of-way along Lynn St. and Beverly Ave. that is being vacated concurrently with this application. The applicant intends to construct new residential structures on the existing lots. The R-TH district would allow single-family or duplexes. Single-family detached dwellings require a minimum of 6,000 square feet of land area. Duplexes will require at least 7,500 square feet of area so a replat of lots will likely occur after zoning.
2. This application for R-TH is consistent with the *Comprehensive Plan's Land Use & Development* chapter which identifies the subject property as within the Traditional Neighborhood placetype. The primary use in this placetype is single-family detached which is a permitted use in the R-TH District. It also lists supporting uses such as single-family attached and low-intensity multi-family.
3. This application is consistent with the Traditional Neighborhood placetype which are 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. Housing in Traditional Neighborhoods range from bungalows to expansive ranch style homes constructed with a variety of materials and methods. Neighborhood parks, schools, and churches are dispersed throughout to serve nearby residents. These neighborhoods can follow a gridded block pattern or curvilinear streets and are well connected internally with sidewalks and trails.
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. The proposed rezoning area has existing single-family residential along Forest Avenue to the west and Lynn Street to the south.
6. The range of uses in the proposed R-TH district is compatible with the existing uses on other properties in the immediate vicinity. This will allow for additional residential uses to be established in a predominantly residential area.
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. The applicant is proposing a less intense zoning district than what is existing.

DEVELOPMENT REVIEW STAFF REPORT

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. New single-family homes or duplexes would not be allowed to be constructed in the Heavy Manufacturing district.
11. The proposed rezoning was reviewed by City departments and comments are contained in the staff report (above).
12. The applicant held a neighborhood meeting on May 23, 2024, regarding the rezoning request. A summary of the meeting is attached (Attachment 1).
13. The public notice was advertised in the Daily Events at least 15 days prior to the public hearing. The property was posted by the applicant at least 10 days prior to the public hearing. Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 185 feet.

STAFF RECOMMENDATION:

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

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

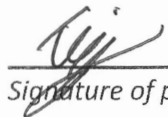
1. Request change to zoning from: HM to R-TH
(existing zoning) (proposed zoning)
2. Meeting Date & Time: 5/23/24 4pm - 6:30pm
3. Meeting Location: 727 W commercial St suite #D, Springfield, MO 65803
4. Number of invitations that were sent: _____
5. How the mailing list was generated: _____
6. Number of neighbors in attendance (attach a sign-in sheet) _____
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).

Property Lines not Straight, Lot w to 1403 not squared

NO objections. Everyone seemed to be OK with multi-family homes.

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

I, Iliy Sharshakov (print name), attest that the neighborhood meeting was held on 5/23/24 (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

Iliy Sharshakov

Printed name of person completing affidavit

Sign in Sheet

5/23/2024

Name

Roger Dunlap & Brenda Pruett
Jerry Lee ~~Ball~~
Earl Pryor Earl Pryor

SUPPLEMENTAL EXPLANATION TO AMENDED COUNCIL BILL 2024-200

DATE: October 17, 2024

ORIGINATING DEPARTMENT: Law

PURPOSE: Amending Council Bill 2024-200 to change the terms of Conditional Overlay District No. 258

REMARKS: Exhibit A, Provisions for Conditional Overlay District No. 258, has been amended as follows:

Section B – to add the following as prohibited uses: all marijuana products, all vape shops, dollar stores, single-story retail strip centers that have a flat roof, and tattoo services; and

Section C – to limit hours of operation to 6AM to 11PM every day of the week, except with regard to the temporary lodges use group.

This amendment was introduced by Councilperson McGull and seconded by Councilperson Hardinger at the October 7, 2024, City Council meeting, and passed by a vote of 5-3.

Submitted by:



Laura Vales, Assistant City Attorney

Approved by:



Jason Gage, City Manager



EXPLANATION TO COUNCIL BILL 2024-200 (LEE)

FILED: 09/04/2024

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 2.6 acres of property generally located at 1739, 1745, and 1755 South National Avenue; 1138 East University Street; and 1111, 1119, 1133, and 1141 East Sunshine Street from R-SF, Single-Family Residential District to GR, General Retail District and establishing Conditional Overlay District No. 258, and adopting an updated Official Zoning Map (By: BK&M, LLC; 1739, 1745, and 1755 South National Avenue; 1138 East University Street; and 1111, 1119, 1133, and 1141 East Sunshine Street; Z-22-2024 w/ Conditional Overlay District No. 258).

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.6 acres of the subject property generally located at 1739, 1745 and 1755 S. National Avenue, 1138 E. University Street and 1111, 1119, 1133 and 1141 E. Sunshine Street from R-SF, Single-Family Residential District to GR, General Retail District and establishing a new Conditional Overlay District No. 258. (Staff recommends approval and Planning and Zoning Commission recommends denial.)

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-22-2024/ CONDITIONAL OVERLAY DISTRICT NO. 258

The applicant is requesting to rezone approximately 2.6 acres of the subject property generally located at 1739, 1745 and 1755 S. National Avenue, 1138 E. University Street and 1111, 1119, 1133 and 1141 E. Sunshine Street from R-SF, Single-Family Residential District to GR, General Retail District and establishing a new Conditional Overlay District No. 258. The applicant is proposing a new commercial development.

The original rezoning application for General Retail (GR) zoning with Conditional Overlay District (COD) was submitted in August of 2022. That application was withdrawn in October of 2022 because the applicant had acquired 3 lots to add to the rezoning so a new application for GR with COD was resubmitted and later postponed until April of 2023. On April 6, 2023, Planning and Zoning Commission recommended denial of the proposed rezoning to GR with COD No. 220. At the May 22, 2023, City Council meeting the applicant proposed changes to the Conditional Overlay District and City Council remanded the rezoning case back to Planning and Zoning Commission. The case was postponed until the Planning and Zoning Commission meeting on December 14, 2023, where it was recommended for denial. The rezoning case was withdrawn in January and the applicant applied for a Planned Development in February.

The PD application was withdrawn in July and the latest GR with COD rezoning application was submitted.

The Comprehensive Plan is a policy guide that outlines the necessary actions for the City of Springfield to achieve the community's vision for its future. It is designed to serve as a guide for decision-making for staff, elected and appointed officials, developers, residents, and other stakeholders. Despite the comprehensive scope of the Plan's vision, goals, objectives, and recommendations, it is not regulatory.

In every city, dissimilar land uses converge at some point. Transitioning within, between, and along the edges is one of the most critical elements to align as Placetypes are implemented, changed, or amended. Typically, a one-to-two-block transition zone on either side of both placetype boundaries would be a practical zone to complete the transition from one placetype to another.

The friction that sometimes exists within and along the edges of neighborhoods, commercial areas, or roadways can be mitigated through a variety of planning strategies and regulatory tools. Design standards appropriate for transition areas should include the following:

- Preservation of mature canopy and understory trees
- Burying and consolidating utilities in areas that do not conflict with tree preservation, landscaping or other bufferyard elements
- Utilizing greater rear and side-yard setbacks and/or a reduction in structure height of more intense uses
- Scaling-down or minimizing the height of exterior lighting, signage, and other building and site elements
- Increasing the intensity or massing of tree plantings, landscaping, fences, and bufferyard features
- Placement of impactful site elements such as access drives, building entrances, windows, refuse, and grease bins
- Utilization of berms, preservation of natural elevation changes, or screening to block headlights, mechanical equipment, or trash receptacles
- Acquisition of additional right of way or easements to screen and separate uses from intense public infrastructure and improvements
- Designing building and site elements to be architecturally compatible with surrounding area

The Institutional and Employment Center placetype contains a variety of major medical and office parks, and a collection of institutional and employer campuses. Large campuses are supported by small commercial sales and service business, and a mix of community-orientated amenities. As Institutional and Employment Centers provide vital jobs and services to the entire metro area, multimodal accessibility and public transit connectivity are key components of this placetype. Underutilized parcels are assembled

and redeveloped into more intense supporting uses or higher density housing developments where appropriate, to increase activity within the center. Planning for Institutional and Employment Center placetype focuses on infrastructure and corridor improvements to facilitate traffic flow, multimodal connectivity, and streetscaping improvements, needed to enhance the character and connectivity of key corridors. As these centers of activity receive high volumes of visitors and commuters into the City, it is essential that the quality of development and visual appeal of the corridors remain attractive and representative of the City's desired image.

Cities are dynamic places where commercial, manufacturing, and residential land uses converge, often creating friction. Residential neighborhoods are particularly sensitive to transitional areas where established homes are adjacent to neighborhood edges, major arterials, or commercial activity centers. While most neighborhoods have a pronounced edge where redevelopment has already occurred and are occasionally challenged by expansion further into the neighborhood, some have persevered and retained residential uses right up to the edge. Battlefield Street, Division Street, Kansas Expressway, National Avenue, and Sunshine Street are among the major thoroughfares where residential properties still exist right up to the edge of the roadway and placetype. More targeted planning and the use of planning tools such as Planned Developments and Conditional Overlay Districts will be made to help strike a balance between neighborhood preservation and the pressure to redevelop these areas for non-residential uses at these edges. In transitional areas, more intense institutional and employment uses and supporting uses are recommended to be sufficiently separated and buffered from lower intensity residential uses.

The Residential Neighborhood and Mixed Residential placetypes include higher density housing, lower-intensity retail and services as supporting uses. Currently, the City's residential districts including the R-SF, R-TH, R-LD, R-MD, R-HD, and RMHC districts do not allow low-intensity neighborhood scale commercial, retail, or service uses. To better align the districts with the placetypes, the City should consider interim text amendments that allow compatible, lower-intensity commercial and higher-density housing conditionally, by requiring the submission of an application for a conditional overlay district or planned developments with a site plan.

REMARKS: The Planning and Zoning Commission held a public hearing on August 22, 2024, and recommended to deny, by a vote of 6 to 2.

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

FINDINGS FOR STAFF RECOMMENDATION:

1. The Comprehensive Plan's Land Use & Development chapter identifies the subject property as the Traditional Neighborhood placetype. While there are some characteristics of a Traditional Neighborhood placetype based upon historic and existing housing patterns along Sunshine and National corridors, staff recognizes there

are other factors that would lend these properties to the Institutional & Employment placetype. These properties are on the edge of the Traditional Neighborhood placetype adjacent to Sunshine Street and National Avenue which are classified as primary arterial roadway on the City's Major Thoroughfare Plan. The intersection of Sunshine & National is a major intersection in the city with an enormous amount of traffic that significantly effects access. The other three corners of this major intersection of the city are designated as Institutional & Employment Placetypes with existing businesses and services that serve the Mercy hospital and medical clinics and offices in the area.

2. The Land Use & Development chapter of the Plan states that underutilized parcels are assembled and redeveloped into more intense supporting uses or higher density housing developments where appropriate, to increase activity within the employment center. The proposed General Retail District with the Conditional Overlay District is consistent with the intent and objectives of the Institutional & Employment placetype in this location. However, it also states that more intense institutional and employment uses and supporting uses are sufficiently separated and buffered from lower intensity residential uses. The proposed COD is meant to provide that appropriate buffering from the single-family residential uses.

3. The proposed General Retail District with COD has similar and, in some cases, more restrictive conditions of development than the northeast corner of Sunshine and National which rezoned and redeveloped starting in 2016.

4. The applicant is proposing to rezone to the GR, General Retail District with a Conditional Overlay District (COD). The conditional overlay district is a floating zone that allows the applicant to voluntarily limit uses to be established in accordance with specific standards and conditions. The applicant has chosen to restrict the ability to establish certain commercial land uses that could be considered more noxious than other land uses allowable in the district. Any office or commercial uses allowed in the GR district could be developed independently unless otherwise prohibited in the Conditional Overlay District; therefore, there is no guarantee that the development will be one particular use.

5. The proposed Conditional Overlay District requirements prohibit many objectionable uses that could be incompatible with the neighborhood and will limit traffic volumes; however, the Growth Management and Land Use Plan of the Comprehensive Plan states it is important to ensure that new land uses are not detrimental to residential areas and to recognize the vulnerability of residential areas to certain adverse impacts. This objective does not mean that non-residential land uses are automatically inappropriate in residential areas; it means that design and location criteria must consider the existing residential areas. The applicant has prohibited eating and drinking establishments with drive-in, pickup window or drive-thru facilities which can be a high-volume traffic generator. Other potentially objectionable uses such as retail sales of adult novelties, standalone vape shops, stores that primarily sell package liquor, and outdoor athletic courts are also prohibited amongst others as listed in the COD (Attachment 1). The compatibility with neighboring residential land uses is enhanced through the elimination of these land uses.

6. The Use Limitations restrict businesses operating within the proposed rezoning district shall be limited to business hours of 6:00 a.m. to 11:00 p.m. on Sunday,

Monday, Tuesday, and Wednesday and 6:00 a.m. to 12:00 a.m. (midnight) on Thursday, Friday, and Saturday. No business activity is allowed on the premises outside of these times. This limitation shall not apply to hotels.

7. The applicant has added design requirements to the COD that are based on the existing code requirements "Revised Multi-Family Location and Design Guidelines" that will be applied to any development of the site. The site will have requirements for pedestrian amenities, orientation of buildings to the street, avoiding blank walls on buildings along all street frontages, blending the building scale and setback with existing developments, street facing walls must be articulated and providing additional bicycle parking that will encourage pedestrian activity. The applicant will be required to provide pedestrian and bicycle connections to adjoining public sidewalks that will provide a good circulation system. The site will be designed to respect the natural environment by incorporating functional amenities in the open space, requiring additional trees with larger caliper to replace existing trees that are removed and requiring tree protection for trees being preserved onsite.

8. The building facades shall be designed to have a similar level of quality and architectural finish on all sides of the buildings visible to the public. This shall be accomplished by integrating architectural variations and treatments such as windows and other decorative features into all sides of a building design.

9. The COD limits building materials and colors to those that will have low reflectance. High-intensity, metallic or fluorescent colors will be prohibited. Façades shall incorporate no less than 60 percent brick, stone, stucco or craftsman style cementitious board or wood into the design. Stone veneer can be engineered stone or natural cut stone. No building shall have more than 50 percent exterior glazing on a frontage facing Sunshine Street or National Avenue and the first floor of any building facade facing a public right-of-way shall include transparent, clear glass windows and/or doors arranged so that the uses inside are visible from and/or accessible to the street. Window and/or doors with reflective or tinted glass that impede views into a building shall be prohibited. If roofs are visible to the public, whether viewed from the public right-of-way or adjacent property, they shall be comprised of architectural asphalt shingle roofing. These design elements will enhance compatibility with neighboring residential structures and are supportive of urban design that emphasizes pedestrian oriented buildings and traditional urban character as recommended by the Comprehensive Plan.

10. The development of the property will require a bufferyard along the west and north property lines immediately adjacent to the R-SF, Single-Family Residential zoning district. The normal bufferyard required between GR and R-SF would be a bufferyard "Type F" at least (20) twenty feet wide. For each one hundred (100) linear feet of bufferyard, there must be three (3) canopy trees, three (3) understory trees, four (4) evergreen tree and twenty (20) shrubs. A six-foot-tall solid wood fence is also required as part of this bufferyard. A bufferyard type S2 is required along the north side of the property that is across from University Street. This bufferyard is a minimum of 15 feet in depth with plantings. A structure (i.e. fence, wall, berm or hedge row) is not required as part of this bufferyard S2.

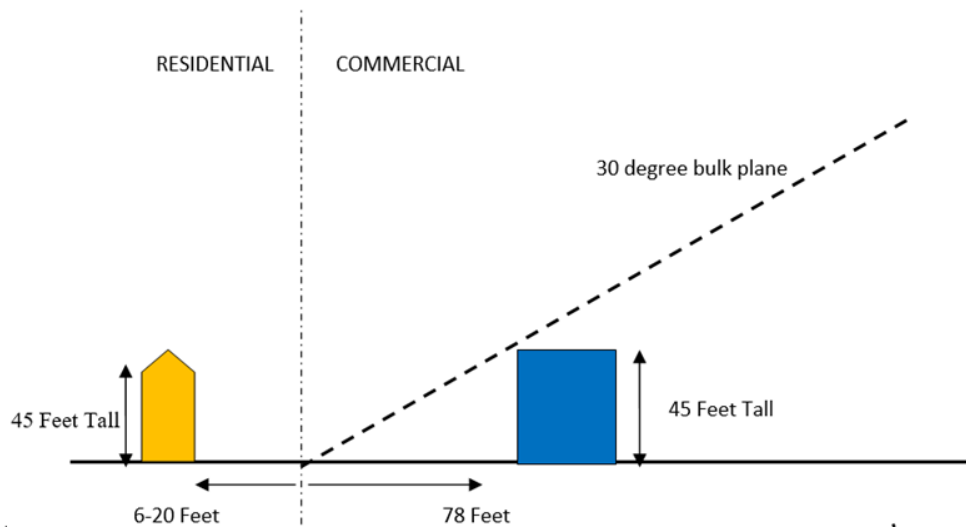
11. The applicant is voluntarily proposing to install more mature landscaping than is

currently required by code or an 8-foot-tall masonry wall and has eliminated the ability to administratively reduce the proposed bufferyard widths below the code required minimum standards. The increased height and bulk of the landscape material will assist with providing an enhanced landscape buffer between the site and the surrounding residential development, thus increasing compatibility between the differing land uses.

12. As part of the COD, the applicant is proposing two bufferyard options. An 8-foot masonry wall (with bufferyard type F plantings) or a minimum total of 60 non-deciduous evergreen trees to be planted in the bufferyard areas adjacent to the R-SF and along University Street. It also stipulates that each tree is to be a minimum of approximately 12 feet tall when planted. This can be a part of the evergreen tree bufferyard requirements; however, anything over and above the standard bufferyard landscaping must be planted in addition to the bufferyard area. It also states that these additional trees and landscaping shall not interfere with sight distance or any other city code requirements.

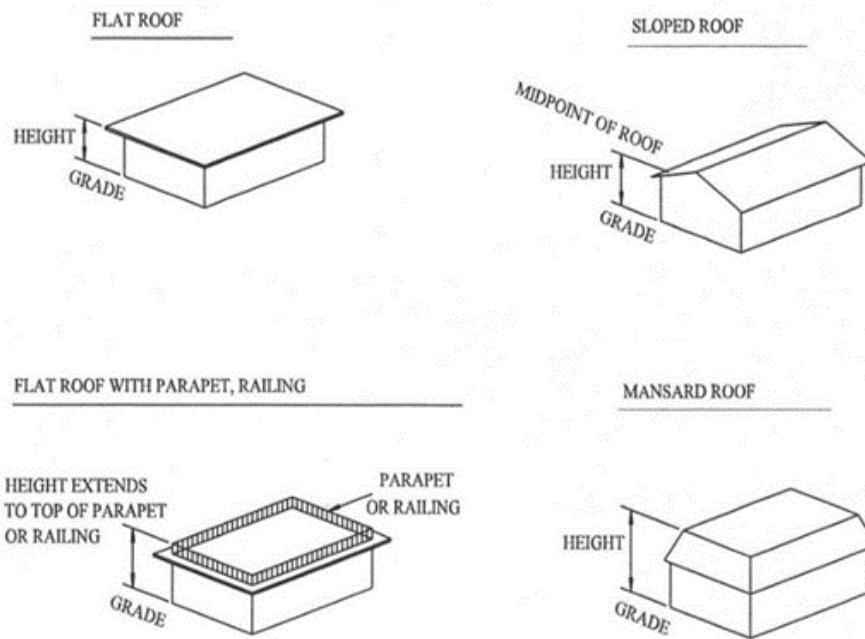
13. The proposed COD will restrict the structure height to 45 feet above finished grade which is the same height requirements as the adjacent R-SF District. This reduces the potential height of any structures to two to three stories. The 30-degree bulk plane will still apply, but in the areas where the bulk plane doesn't limit the height below 45 feet, then this restriction will come into effect. The applicant must meet the bulk plane requirements for the proposed GR zoning district. The bulk plane is a theoretical plane beginning at a district boundary (in this case) and rising over a slope determined by an acute angle measured up from the horizontal.

The bulk plane defines the relationship of the height of a structure and the structure's setback from the district boundary. The Zoning Ordinance requires a 30-degree bulk plane for the height of structures in a GR District measured from the R-SF District boundary line. This means that for every one (1) foot of structure height, the building must be set back 1.73 feet from the district boundary line (example below). This requirement would limit the height of the structure from the R-SF district boundaries to the north (across University Street), northwest (adjacent private property), east (across National Avenue), south (across Sunshine Street) and west (adjacent private property).



The applicant is proposing to limit the height of the structure to 45 feet with the same maximum height language as the R-SF District. The definition of height is the vertical distance of a structure measured from the average established grade at the street lot line or from the average natural ground level, if higher; or if no street grade has been established to the highest point of the roof's surface if a flat surface; to the deck line of mansard roofs; and to the mean height level between eaves and ridge for hip or gable roofs. In measuring the height of a building, the following structures shall be excluded: chimneys, cooling towers, telecommunication towers, ornamental cupolas, domes, or spires, elevator bulk heads, penthouses, tanks, water towers, and parapet walls not exceeding four feet in height.

Figure 2-5



This height limitation of 45 feet would not start limiting the structure until 78 feet from any R-SF district boundary into the site if the site was completely flat. The site increases approximately 10 feet in grade from University Street to Sunshine Street (from northeast to southwest) with the highest points at the southwest portion of the property along Sunshine Street.

14. The exterior lighting and signage requirements of the COD will limit the height of lighting sources to control glare and light spillover, and signage will be required to be compatible with the style of the building.

15. The Additional Requirements in section M. of the COD includes requirements for lot combination that will require additional right-of-way to meet current standards, access restrictions and site plan review.

16. 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.

17. There are changing conditions in the area affected that make the proposed rezoning necessary. The intersection of Sunshine and National has some of the highest traffic volumes in the city.

18. The range of uses in the proposed GR district with COD are compatible with the uses permitted on other property in the immediate vicinity to the east and south of the

intersection. Non-residential uses exist at all other corners of this major intersection. There is an existing retail shopping center at the northeast corner, the Mercy hospital campus at the southeast, and a new Cox hospital clinic at the southwest corner. These properties are on the edge of Placetypes and in a transition area of the Institutional & Employment placetype. The General Retail District allows for uses that provide community-wide personal and business services, shopping centers and specialty shops. This district is intended to be located along or at the intersection of two or more arterial or higher classification streets.

19. 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. City Utilities state that all subject properties have access to CU Electric/Gas/Water.

20. The impact of the proposed uses is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity. A Traffic Impact Analysis (TIA) has been completed and accepted by the city. The improvements required based on the TIA are required to be submitted on Public Improvement Plans (PIP) and the improvements constructed, or funds escrowed prior to approval of a building permit. Required improvements include a raised concrete median on National Avenue restricting access to University Street to Right-in/Right-out only on the west side of National Avenue and Right-in/Right-out/Left-in only on the east side of National Avenue.; a raised concrete median on Sunshine Street restricting access to the development to Right-in/ Right-out/Left-in only; traffic calming measures on University Street and/or Hampton Avenue; the development should be completed in a manner, or right-of-way provided, to allow future construction of the southbound National Avenue to westbound Sunshine Street turn lane; and any change in use that creates an increase in total trip generation, as determined by the Director of Public Works, as presented in the final accepted TIA of more than 500 trips daily and/or 50 trips in the peak hour will require a modified TIA. The requirements of said study shall be incorporated in the site plan, PIP, or other permits as applicable.

21. The following required traffic calming measures are to be installed, as approved by the City Traffic Engineer, and included in the Public Improvement Plans:

- Landscaped island on East University Street west of the proposed access to the development preventing traffic from heading west on East University Street beyond the development.
- Midblock speed cushions on East University Street between Hampton and the development and between S Hampton Ave and S Kings Avenue.
- Midblock speed cushions on S Hampton Avenue between E Sunshine Street and E University Street and between E University Street and E Stanford Street.
- Midblock speed cushion on E Stanford Street between S National Avenue and S Hampton Street.

22. The required dedication of additional right-of-way along National Avenue will facilitate the city's ability to construct a southbound to westbound right turn lane on National Avenue. The addition of this right turn lane on National Avenue will improve the overall level of service and traffic flow of the Sunshine St and National Avenue

signalized intersection.

23. City Code requires access on National Avenue to be a minimum of 400-feet from the nearest right-of-way line of E. Sunshine Street and access on E. Sunshine Street to be a minimum of 300-feet from the nearest right-of-way line of S. National Avenue.

There is not enough property frontage to meet these requirements along S. National Avenue, therefore access will not be allowed on S. National Avenue. Currently, City Code requires the proposed access from E. University Street to be a minimum of 110-feet from the nearest right-of-way line of S. National Avenue. Access to E. University Street can meet this requirement. A Traffic Impact Study has been conducted and right-of-way and traffic improvements will be required to ensure the development is consistent with access management design standards and City Code.

24. 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. There is no error being corrected with this application.

25. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The multiple properties are zoned R-SF and could be developed as such.

STAFF RECOMMENDATION: Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Institutional & Employment placetype and on the finding of facts above.>

Submitted By: Daniel Neal, Senior City Planner

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

Maurice S. Jones, Deputy City Manager 9/12/2024

Attachments:

1. Z-22-2024 COD 258 - Ord
2. Z-22-2024 COD 258_exh A
3. Z-22-2024 COD 258_exh B
4. Z-22-2024 COD 258_exh C
5. Z-22-2024 COD 258_exh D

One-rdg. _____
P. Hrngs. X
Pgs. 99
Filed: 09-17-24

Sponsored by: Lee

First Reading: _____
AMENDED COUNCIL BILL 2024-200

Second Reading: _____
GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official
2 zoning map and rules for interpretation,' by rezoning approximately
3 2.6 acres of property generally located at 1739, 1745, and 1755
4 South National Avenue; 1138 East University Street; and 1111,
5 1119, 1133, and 1141 East Sunshine Street from R-SF, Single-
6 Family Residential District to GR, General Retail District and
7 establishing Conditional Overlay District No. 258, and adopting an
8 updated Official Zoning Map.

9 _____
10
11 WHEREAS, an application has been filed for a zoning change of the property
12 generally located at 1739, 1745, and 1755 South National Avenue; 1138 East University
13 Street; and 1111, 1119, 1133, and 1141 East Sunshine Street from R-SF, Single-Family
14 Residential District to GR, General Retail District with Conditional Overlay District No.
15 258; and

16
17 WHEREAS, Conditional Overlay District No. 258 shall modify the requirements of
18 the Springfield Land Development Code Section 36-421, GR, General Retail District, by
19 requiring that the property described in "Exhibit B" comply with the requirements
20 described in "Exhibit A," both attached hereto and incorporated herein by this reference;
21 and

22
23 WHEREAS, following proper notice, the Planning and Zoning Commission held a
24 public hearing on August 22, 2024, a copy of the Record of Proceedings from said
25 public hearing being attached hereto and incorporated herein by this reference as
26 "Exhibit C," and said Commission made a recommendation for denial by a vote of 6 to
27 2; and

28
29 WHEREAS, the City has reviewed the applicant's request and prepared a staff
30 report concerning the application, which is attached hereto and incorporated herein by
31 this reference as "Exhibit D"; and

32
33 WHEREAS, proper notice was given of a public hearing before City Council, and
34 said hearing was held in accordance with the law.

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

Section 1 – The property described in "Exhibit B" is hereby rezoned from R-SF, Single-Family Residential District to GR, General Retail District with Conditional Overlay District No. 258. 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. 258, which shall contain the requirements and standards provided in "Exhibit A." The requirements of Conditional Overlay District No. 258 shall modify the requirements of the Springfield Land Development Code Section 36-421, GR, 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: Laura Vales, Assistant City Attorney

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

DEVELOPMENT REVIEW STAFF REPORT**ATTACHMENT 1****CONDITIONAL OVERLAY DISTRICT PROVISIONS NO. 258**

The requirements of Section 36-421. of the Springfield Zoning Ordinance shall be modified herein for development within this district to include the following:

A. USES PERMITTED

1. Accessory uses as permitted by section 36-450, accessory structures and uses.
2. Art Galleries, libraries, and museums.
3. Bars, as long as the bar use is not the primary use of the property. Bar uses shall be accessory to other permitted uses.
4. Churches and other places of worship, including parish houses and Sunday schools but excluding overnight shelters.
5. Commercial gardens and/or farmers markets with retail and/or wholesale sales on-site.
6. Community gardens without retail or wholesale sales in accordance with the performance standards of section 36-470, community gardens.
7. Day care centers in accordance with chapter 36, article XI, Springfield City Code.
8. Eating and drinking establishments use group. Excluding the uses listed in section E.
9. Entertainment-oriented use group, excluding outdoor athletic courts.
10. General office use group.
11. Medical office use group.
12. Residential uses provided such uses are located above the first floor or behind nonresidential uses so as to create a continuous nonresidential façade, on the first-floor level. When a lot has multiple street frontages, first-floor non-residential uses will be required on the street with the highest classification. All other street frontages may contain residential uses.
13. Personal service use group.
14. Retail sales use group.
15. Schools or development centers for persons with handicaps or development disabilities
16. Schools, business.
17. Short term rental type 3 in accordance with 36-473, and subject to conditions in subsection (2)(b) or (y) if applicable.
18. Single-family residential dwellings as permitted in Section 36-380 of the Zoning Ordinance.
19. Temporary lodges use group.
20. Temporary uses, as permitted by section 36-452, temporary uses.
21. Temporary vendors as permitted under subsection 36-452(3)(b)2.
22. 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 any 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.

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B. USES PROHIBITED

1. Automotive washing businesses.
2. Bed and breakfast
3. Catering business
4. Commercial amusement, including bowling alleys, dance halls, video game arcades, billiard parlors, roller skating and ice-skating arenas, motion picture theatres, and drive-in theatres. This limitation does not apply to indoor athletic courts.
5. Commercial off-street parking lots and structures.
6. No sales of marijuana, marijuana products, marijuana-infused products, products containing hemp-derived intoxicating cannabinoids, or products containing psychoactive cannabis compounds.
7. Convenience stores with gas pumps.
8. Day care centers in accordance with chapter 36
9. Eating and drinking establishments with drive-ins, pickup windows, or drive-thru facilities.
10. Flea Markets entirely within closed buildings.
11. Food trucks.
12. Funeral homes and mortuaries.
13. Household resource recovery collection centers, screened from all residential districts and public rights-of-way in conformance with section 36-480, screening and fencing.
14. Massage parlors or any adult motion picture theatre, adult store, or cabaret, as defined in section 36-321, definitions.
15. Medical, comprehensive or microbusiness marijuana dispensary facility and Medical Marijuana-infused products manufacturing type-2 post-extraction facility.
16. Pawn shops.
17. Payday loans or payday lending services or other activities related to credit intermediation.
18. Photo processing with drive-through facilities.
19. Police and fire stations.
20. Private clubs and lodges.
21. Public and private parks, outdoor playgrounds, and golf courses, including miniature golf courses and driving ranges.
22. Public service and public utility uses.
23. Satellite rental car offices limited to administrative functions related to the rental car business, drop off and pick up of rental cars, and on-site parking for not more than fifteen (15) rental cars and vans.
24. Seasonal outdoor sales and related storage as permitted by section 36-452, temporary uses.
25. Self-service laundromats.
26. Self-service storage facilities.
27. Recording studios.
28. Retail sales relating to adult bookstores, adult novelty shops, or any adult motion picture theatre, adult store, or cabaret as defined in section 36-321, definitions.
29. Retail stores where more than sixty percent (60%) of gross revenue is derived from package liquor sales.
30. Taverns or nightclubs.

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31. Taxidermists.
32. Television and radio stations.
33. Tier I, III, IV, and V wireless facilities.
34. Towers other than wireless facilities, less than 100 feet in height and related facilities provided telecommunication towers comply with section 36-466, telecommunication tower.
35. Vape shops.
36. Water reservoirs, water stand pipes, and elevated and ground water storage tanks.
37. Dollar Stores.
38. Single-story retail strip centers that have a flat roof (this does not apply to restaurants or a food hall).
39. No tattoo services.

C. USE LIMITATIONS

1. Businesses operating within the proposed rezoning district shall be limited to business hours of:
 - a. 6:00 a.m. to 11:00 p.m. on Sunday, Monday, Tuesday, Wednesday, Thursday, Friday and Saturday, except the temporary lodges use group.
 - b. No business activity is allowed on the premises outside of these times. This limitation shall not apply to hotels.
2. All outdoor automobile parking areas used for the purpose of retail or wholesale storage or sale of motorized or commercial vehicles shall be prohibited.
3. No outdoor storage.
4. No use shall emit an odor that creates a nuisance as determined by chapter 2A, article X, Springfield City Code.

D. INTENSITY OF DEVELOPMENT

Development shall adhere to the following standards.

- a. Maximum multi-family residential density of 29 dwelling units per acres if all design requirements of the Multi-family Location and Design Guideline are met.

E. BULK, AREA AND HEIGHT REQUIREMENTS

Development shall adhere to the following standards.

- a. Maximum structure height: 45 feet above finished grade.
- b. All structures shall remain below a 30-degree bulk plane as measured from the boundary of any R-SF or R-TH district.

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F. DESIGN REQUIREMENTS

1. Building development in the proposed rezoning district shall be based on existing references within the context of the adjacent neighboring community to create harmony between this site and the neighboring community.
2. The site shall be designed to encourage pedestrian activity and shall:
 - a. Provide pedestrian amenities such as pedestrian scale lighting and street furniture to enhance the pedestrian environment.
 - b. Orient buildings to the street or public/common open space and provide pedestrian access to the street;
 - c. Blend the building scale and set back with existing developments along National and Sunshine that are consistent with these guidelines. Street facing walls that are greater than 50' in length must be articulated at least each 25 feet with bays, projections, or recesses. Articulation means a difference in vertical planes of the building of at least 18 inches or more; and
 - d. Provide bicycle parking equal to five percent of required vehicle parking spaces or ten spaces, whichever is less.
3. The site shall be designed to provide a good circulation system and shall:
 - a. Provide pedestrian and bicycle connections to adjoining public sidewalks; and
 - b. Provide connectivity by including direct vehicular, pedestrian and bicycle connections between abutting or adjacent developments.
4. The site shall be designed to respect the natural environment and shall:
 - a. Incorporate functional amenities in the open space and recreational areas such as outdoor seating areas.
 - b. A tree study performed on the site identified five trees that should be preserved if possible. Due to redevelopment of the site, it is only practicable to preserve one tree, the Magnolia tree located in the northeast corner of the property. The Magnolia tree should be preserved to the extent reasonably possible; and
 - c. The remaining four trees being removed must be replaced with a tree of at least two inches (2") in diameter. Trees meeting the landscape requirements in the zoning ordinance may be counted toward this requirement.
5. The building facades shall be designed with the following requirements:
 - a. All sides of buildings visible to the public, whether viewed from the public right-of-way or a nearby property, shall display a similar level of quality and architectural finish. This shall be accomplished by integrating architectural variations and treatments such as windows and other decorative features into all sides of a building design.

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b. Building materials and colors.

(1) Facade colors shall have low reflectance. High-intensity, metallic, or fluorescent colors are prohibited.

(2) Façade shall incorporate no less than 60% brick, stone, stucco, or craftsman style cementitious board or wood into the design. Stone veneer can be engineered stone or natural cut stone.

(3) Façade shall not have more than three materials or changes in color, excluding glass. Metal, Vinyl, or plastic siding is prohibited.

(4) No building(s) shall have more than fifty percent (50%) exterior glazing on any frontage facing Sunshine Street or National Avenue.

(5) The ground level of nonresidential or mixed-use buildings must offer pedestrian interest along sidewalks and pedestrian paths through the placement of window and doors. Therefore, the first floor of any building façade facing a public right-of-way shall include transparent, clear glass windows and/or doors arranged so that the uses inside are visible from and/or accessible to the street. Window and/or doors with reflective or tinted glass that impede views into a building shall be prohibited.

(6) If roofs are visible to the public, whether viewed from the public right-of-way or adjacent property, they shall be comprised of architectural asphalt shingle roofing.

c. Service and Loading Areas. Off-street loading shall be regulated in accordance with Sections 36-456 and 36-483 of the Springfield Municipal Code of Ordinances. The following requirements are supplementary.

(1) All service and loading areas shall be in the side or rear yard of buildings.

(2) Service and loading areas shall be designed so that the entire service and loading operations are conducted on the building site. The visibility of service and loading from public streets shall be minimized.

G. OPEN SPACE, LANDSCAPING & SCREENING

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

1. Open Space Requirements

a. 20% Minimum open space

(1) Pervious pavement will not be allowed to count towards open space requirements.

b. 80% Maximum impervious area.

2. Bufferyards and Screening

a. 20-foot-wide buffer yard adjacent to R-SF zoning consisting of:

(1) An 8-foot-tall stone (natural or engineered), brick, or concrete wall; or

DEVELOPMENT REVIEW STAFF REPORT

- (2) An 6-foot-tall wood privacy fence and non-deciduous evergreen trees planted in the buffer yard at 8 feet on center. Each tree shall be a minimum of approximately 12 feet tall when planted and maintained in the bufferyard. An irrigation system will be installed as well to ensure maintenance, life and growth. Trees and landscaping shall not interfere with sight distance or other city code requirements;
 - b. 15-foot-wide Standard City S2 Buffer along E University Street;
 - c. A minimum 4-foot-tall wall, measured from the finished grade of the north edge of the parking lot adjacent to E University Street, shall be installed for the length of the parking lot where headlights from parking vehicles would face north.
 - d. Required bufferyards on a lot or tract shall be installed when the lot or tract is developed;
 - e. Required bufferyards in common areas shall be installed when any development occurs in the proposed rezoning district unless the installation is specifically delayed by the requirements.
3. Vehicular use area open space
 - a. Perimeter Landscaping. The requirements and standards of Section 36-482(9) of the Springfield Zoning Ordinance, in effect at the time of development shall apply.
 - b. Interior Landscaping. The requirements and standards of *Section 36-482(9) of the Springfield Zoning Ordinance*, in effect at the time of development shall apply.
4. Open space landscaping
 - a. Landscaping plantings. In all open space areas required by this District the following landscaping shall be planted and maintained for each five-hundred (500) square feet of such open space area. Existing trees approved for preservation shall be counted toward satisfaction of this provision.
 - (1) One (1) canopy tree or (2) understory, ornamental or evergreen trees.
 - (2) Six (6) shrubs.
 - b. Landscaping standards
 - (1) Tree species, sizes and spacing shall be approved consistent with the City of Springfield's *Arboricultural Design Guidelines* on file with the Planning and Development Director.
 - (2) Tree preservation shall be per Section I (5) (b-c) of the Planned Development Language.
 - (3) Maintenance of required landscaping. Upon installation or preservation of required landscape materials, appropriate measures shall be taken to ensure their continued health and maintenance. Required materials that do not remain healthy shall be replaced consistent with this article.

H. EXTERIOR LIGHTING

1. All outdoor lighting fixtures shall either have a fixture cutoff classification of “full cutoff” or be fully shielded, unless otherwise expressly permitted.
2. All outdoor lighting utilizing a light-emitting diode (LED) fixture shall meet the following

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standards:

- a. Color rendering. Outdoor LED fixtures shall be rated a minimum color rendering index (CRI) value of 70 or higher.
- b. Color temperature. Outdoor LED fixtures shall have a correlated color temperature between 4,000- and 5,000-degrees Kelvin.
3. Maximum height of lighting poles shall not exceed 20 feet in height.

I. NOISE

The requirements and standards of *Section 36-485 of the Springfield Zoning Ordinance*, in effect at the time of development shall apply; and

Buildings and outdoor use areas such as patios should be placed and oriented in a manner that minimizes noise exposure to the adjoining residential properties. Speakers and noise emitting devices should be directed toward Sunshine Street and National Avenue.

J. ACCESS TO PUBLIC THOROUGHFARES

1. Access to the public street system shall be governed by the Traffic Impact Assessment which has to be approved by the City of Springfield Public Works Director.
 - a. Access P1 (Sunshine Street): Shall construct a raised concrete median on Sunshine Street to restrict access to Right-in/Right-out/Left-in only.
 - b. Access P2 (University Street): Full access driveway.
 - c. University Street at National Avenue: Shall Construct a raised concrete median on National Avenue to restrict access to Right-in/Right-out only on the west side of National Avenue and Right-in/Right-out/Left-in only on the east side of National Avenue.
 - d. University Street and/or Hampton Avenue: Shall install traffic calming measures, as approved by the City Traffic Engineer, and include them in the PIP.
 - e. The development should be completed in a manner, or right-of-way provided, to allow future construction of the southbound National Avenue to westbound Sunshine Street turn lane.
 - f. A 5' permanent sidewalk easement along National Avenue may be required by the City of Springfield.
2. An internal pedestrian system connecting the front doors of each building with one another, and the sidewalks located along Sunshine Street and National Avenue shall be constructed as part of the development.
3. The existing driveway approaches on Sunshine Street and National Avenue in the proposed rezoning district shall be reduced so that there is no driveway or approach on National Avenue and no more than one driveway approach on Sunshine Street for ingress/egress to the subject properties.

K. SIGNS

1. Signs located on any building façade are required to be compatible with the style of the building in

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terms of location, scale, color, and lettering.

2. Signs that are visible from the public right-of-way inside of a window or door are prohibited.
3. All other signage requirements and standards will meet *Section 36-454 of the Springfield Zoning Ordinance*, in effect at the time of development shall apply.

L. REQUIRED IMPROVEMENTS

1. Public improvements to be completed. Public and private improvements necessary to adequately accommodate the intensity of development proposed in this District shall be constructed prior to or concurrently with the development of the property. If the development of the property is phased, the construction of the improvements may also be phased provided there is a logical relationship between each phase of the development and the construction of the required improvements. Prior to building permits being issued to the applicant, or subsequent owners shall:
 - a. construct the required improvements; or
 - b. provide assurances satisfactory to the Director of Public Works guaranteeing that all required improvements will be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department shall be provided to the City.
2. Certificate of occupancy. No certificate of occupancy shall be issued for any structure within this District, or phase of the development, unless:
 - a. the required improvements are completed prior to occupancy of the structures; or
 - b. the Director of Public Works has determined that:
 - (1) any incomplete required improvements have little or no effect on the occupancy of the facility; or
 - (2) conditions beyond the control of the contractor, *i.e.*, strikes, weather, etc., have delayed the completion of the improvements.

If one of these conditions occurs, the Director of Building Development Services may permit occupancy under conditions satisfactory to the Director of Public Works that the required improvements will be completed as required by this ordinance within a reasonable time.

3. Required improvements. Improvements necessary to adequately accommodate the intensity of development in this District include the following.
 - a. Street improvements.
 - (1) Shall construct a raised concrete median on Sunshine Street to restrict access to Right-in/Right-out/Left-in only.
 - (2) Shall Construct a raised concrete median on National Avenue to restrict access to Right-in/Right-out only on the west side of National Avenue and Right-in/Right-out/Left-in only on the east side of National Avenue.
 - (3) Shall install traffic calming measures, as approved by the City Traffic Engineer, and include them in the Public Improvement Plans.

DEVELOPMENT REVIEW STAFF REPORT

- a. Landscaped island on East University Street west of the proposed access to the development preventing traffic from heading west on East University Street beyond the development.
 - b. Midblock speed cushions on East University Street between Hampton and the development and between S Hampton Ave and S Kings Avenue.
 - c. Midblock speed cushions on S Hampton Avenue between E Sunshine Street and E University Street and between E University Street and E Stanford Street.
 - d. Midblock speed cushion on E Stanford Street between S National Avenue and S Hampton Street.
 - b. Sanitary sewer facilities.
 - (1) It is recommended that public sewer be extended onto the site to better serve the development.
 - c. Storm water management facilities.
 - (1) On-site detention and water quality will be required for the site.
4. Improvement Standards.
- Improvements shall conform to the following standards.
- a. All utilities and utility connections shall be located underground, including, but not limited to, electrical and telephone cables, security and other telecommunication systems and wires. Transformers, meters of any type (including electric, gas or other meters), or other apparatus shall be adequately screened and landscaped.

M. ADDITIONAL REQUIREMENTS

1. A lot combination of all subject properties in accordance with all applicable subdivision regulations;
2. Vehicular access shall be limited to Sunshine Street and University Street and approved by the director of Public Works. The Existing driveways on National Avenue and Sunshine Street shall be removed so that there is no driveway approach on National Avenue and no more than one driveway or approach on Sunshine Street for ingress/egress to the proposed rezoning district. Access on Sunshine Street shall be restricted to right-in/right-out/left-in only as approved by the Director of Public Works; and
3. A final site plan, showing conformance with the requirements of this COD, shall be submitted to the Planning and Development Department or review and approval by the Administrative Review committee prior to the issuance of permits for the construction of permanent improvements within the proposed rezoning district.

EXHIBIT B
LEGAL DESCRIPTION

1111 E. Sunshine Street: ALL OF THE EAST FIFTY (50) FEET OF LOT TWENTY-NINE (29), IN UNIVERSITY HEIGHTS, AN ADDITION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

1119 E. Sunshine Street: ALL OF LOT TWENTY-EIGHT (28), IN UNIVERSITY HEIGHTS, AN ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

1133 E. Sunshine Street: ALL OF THE WEST ONE-HALF ($W\frac{1}{2}$) OF LOT THIRTEEN (13), IN UNIVERSITY HEIGHTS, AN ADDITION, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

1138 E. University Street: ALL OF THE EAST SEVENTY (70) FEET OF LOT FOURTEEN (14), IN UNIVERSITY HEIGHTS, AN ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF -

1755 National Avenue and 1141 E. Sunshine Street: TRACT I - ALL OF LOT TWELVE (12), UNIVERSITY HEIGHTS, AN ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. TRACT II - THE EAST ONE HALF ($E\frac{1}{2}$) OF LOT THIRTEEN (13), UNIVERSITY HEIGHTS, AN ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

1739 S. National Avenue: ALL OF LOT TEN (10), IN UNIVERSITY HEIGHTS, AN ADDITION, ACCORDING TO THE RECORDED PLAT THEREOF, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

1745 National Avenue: ALL OF LOT ELEVEN (11), IN UNIVERSITY HEIGHTS, AN ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

EXHIBIT C
RECORD OF PROCEEDINGS
Planning and Zoning Commission – August 22, 2024

Z-22-2024 COD 258

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

Applicant: BK&M, LLC

Christopher Lebeck recused himself with the following note: On the written advice and guidance of the legal department for the City of Springfield, I am recusing from this item as I'm a property owner in the University Heights neighborhood mere blocks from the proposed rezoning, and a putative plaintiff in the pending litigation, the city's legal department has advised that I need to read into the record under the city code of Ethics section 2161, that I have an implied conflict of interest because a decision on this rezoning directly affects the property value of my family's home.

Mr. Neal stated that this is a request to rezone approximately 2.6 acres of the subject property generally located from R-SF, Single-Family Residential District to GR, General Retail District and establishing a new Conditional Overlay District No. 258.

Mr. Scott asked about the traffic study and the measures taken for the two medians, landscape island, and the speed cushions as improvements.

Mr. Brett Foster stated that he believes it will substantially improve the traffic situation and with the development the city will be able to procure right-of-way (ROW) and build a southbound to westbound turn lane on National. With the speed cushions it will dramatically reduce people wanting to cut through and speeding in the neighborhood.

Mr. Colony asked about the traffic calming measures and if Public Works has discussed/consulted with the neighborhood and if there has any feedback on the measures and if they have received any complaints.

Mr. Foster stated that they have spoken with the Neighborhood Advisory Committee, fire department, and others about these specific devices in those specific locations but have not specifically gathered feedback from the neighborhood. He also noted that they do get complaints about speeding in all neighborhoods and this area is not as bad as other neighborhoods.

Mr. Colony asked if the taxpayers would pay for the traffic calming measures.

Mr. Foster noted that the developer has agreed to cover the costs based on the concerns of the neighborhood.

Ms. Ridge wanted to clarify about turning right from National Avenue onto University Street and noting that it will be blocked past the development.

Mr. Foster noted that based on the proposed infrastructure and of the neighborhoods concerns, you cannot proceed westbound on University Street past the development's entrance.

Mr. Chris Wynn, 5051 S. National representing the owner and noted that traffic was a major issue at the neighborhood meeting and stated that they are implementing traffic calming measures based on the neighborhood meeting (landscape island/speed cushions).

He also mentioned about general rezoning with a conditional overlay district versus a planned development and noted that they do not have a committed user for a planned development, so no site plan submitted, but will have to come forward for approval later.

Mr. Doennig asked about what part of the code would prevent a three-story hotel with a flat roof or a strip center.

Mr. Wynn noted that they have height limitations of 45 feet and stating that they are architectural standards that a strip center would have to follow (60% stone, brick, and stucco).

Mr. Knuckles asked about a planted median on University Street and if it only blocks one lane and the types of buffer yards.

Mr. Wynn noted that it would block the westbound lane, but still allows emergency vehicles to have access and they will be putting in an improved buffer yard (green giant trees or 8' tall stone wall).

Mr. Glenn Green, 901 E. Saint Louis representing my parents who has lived in University Heights for 50 years and questions whether the zoning is met in terms of the requirements of changing zoning from what the zoning is currently, and if they justified it and met their burden. He stated that when a developer is seeking spot rezoning that is arbitrary and unreasonable for the sole benefit of the private interest of the owner then it would be invalid. He noted that the applicant has not met the standards of being in harmony with the comprehensive plan and this is a traditional neighborhood and went over other issues and concerns.

Mr. Scott asked about this complying with the Comprehensive Plan and stated that they Comprehensive Plan shows an integration of residential to higher density residential and even fridge commercial and you also infer that it would only apply to development moving forward but wouldn't apply to this neighborhood.

Mr. Green noted that the staff report is trying to indicate that the designation is incorrect of being a traditional residential neighborhood and should not be changed to this institutional place-type and that chapter seven of Forward SFG prioritizes neighborhood identity and this neighborhood was originally developed in 1920 through 1940.

Mr. Don Donbar, 932 E. Kingsbury gave his background and believes he is having to defend his home repeatedly the last couple of years and the neighborhood has lost families (moved) due to the concerns of this development and if they continue knocking down more house, then inevitably it will bring more traffic, more problems, etc., and look to the notion of quality of place.

Mr. Scott thanked Mr. Donbar for his comments about quality of place and asked if this may enhance his quality of life by this development.

Mr. Donbar noted that they are looking exactly what University Heights offers as it stands.

Mr. Colony thanked Mr. Dunbar for this dedication to come back several times to speak on behalf of the neighborhood.

Ms. Dixie Sleight, 1124 E. University stated that is adjacent to her backyard and that her own 8' privacy fence does not block out any issues. She voiced her concern for the demolished homes and trees already gone and noted that Forward SFG states that they quality of place is the guiding principle for redirecting growth and planning for the next 20 years and the rezoning is not consistent with it and her hours of operation are not 6:00am to 11:00pm.

Ms. Barbara Robinson, 1010 E. University noted the neighborhood has been identified as Single Family Residential for 100 years and noted that the proposed rezoning does not allow for plans for traditional single family uses and voiced her concern for traffic issues stating that her neighborhood would have problems just getting out of their driveway. She also noted that there was a threat to sue if an appeal was pursued and said such behavior by the developer and their attorney is not best practices or civility.

Mr. Pauly asked if she was part of the Forward SGF list of volunteers and she stated that she was not.

Mr. John Walstrand, 1116 E. Portland stated that his parents bought the house in 1967 and voiced his concerns for traffic issues and that he is retired and was able to do an informal traffic count on Portland Avenue from 7:30am to 7:30pm with 1038 cars going up and down for 5 days. He also noted that some of the side streets are extremely narrow and hard to get through.

Mr. Kirk Banasik, 947 E. Portland stated that under Forward SGF that the proposed conditional overlay district language does not support the neighborhood's uniqueness and is considered a traditional neighborhood and stated that it has many Bisman homes that favor the traditional English Tudor cottage. He also expressed concerns about fire trucks and needing to navigate the turnarounds as a safety issue.

Ms. Maggie Castrey, 1006 E. Linwood stated that they are opposed to the rezoning by inflicting heavy damage on our neighborhood and property value and quality of life. She also noted that violate the homeowners trust in their 100 years of residential zoning and will greatly include traffic through the neighborhood and reduce its safety. She stated Forward SFG will be violated if rezoned and asked for the project to be rejected.

Ms. Cynthia Bylander, 1005 E. Kingsbury noted that she has two beautiful maples trees that were planted in 1948 and that it was a requirement to plant two maples trees at that time and this is why the neighborhood is so beautiful. She also voiced her concern for the traffic and the [potential of being a hazard to the people who walk every day and has had her house remodeled to meet the standards of the area and has invested a large amount of money and stated that there are a lot of Bisman Homes in University Heights.

Ms. Nancy Cooper, 635 E. University talked about the development of strip malls along Sunshine Street and how many of them are boarded up, noting that the large front yards with mature landscaping and trees and believes that any development will stick out like a sore thumb and cause more water runoff.

Ms. Nancy Williams, 953 E. Linwood talked that the development pattern along Sunshine and National where there is the hospital and clinic, and a strip mall that has been mostly empty since the beginning and asked how this development is going to be successful and does not want it and gave examples of areas that are blighted and empty and looks awful. She also stated that on pages 19 and 35 of Forward SGF it mentions the current and future place types as residential and not commercial.

Mr. Pauly noted his appreciation for Ms. Williams on being involved with the Forward SPF process and gave a small overview of what it entailed.

Mr. Doug Carroll, 815 E. Portland asking the commission not to approve this development and noted the entrances to the proposed development and has looked at other intersections throughout the city and noticed how close some retail stores has caused severe traffic congestion and does not want to see traffic flow through the neighborhood and believes people will just drive around the landscape island.

Mr. Jeff Carney, 920 E. Kingsbury has lived in University Heights for 34 years and how this development has allowed for property to be blighted and less attractive to single family homes and noted the Forward SGF has the area as a traditional family home and currently they are less than a 15 minutes' walk from anywhere in the neighborhood without being concerned about traffic and does not need more retail. He voiced his concerns regarding traffic, and it will be more dangerous with additional traffic and believes that people are selling and moving due to the despair of the proposed development.

Mr. Jeff VanDenBerg, 801 E. Kingsbury is here to speak against the rezoning specifically because of the negative environmental impacts that it will have and the incompatibility with Forward SGF. He asked the commission to consider the sights, sounds, and smells that would attract rodents and nuisance birds if restaurants are built as well as light pollution, increased traffic, increased storm water runoff, noting that a minimum of 1.23 acres will be impermeable if developed. He also noted that City Council voted to have a corridor study for Sunshine and believes this is premature to rezone.

Ms. Norma Capecci, 900 E. Kingsbury stated that she was planning on remodeling her 87-year-old Bisman home when the threat of rezoning the corner made her pause and has been told that the development could cause a decline in home values (20% to 25%). She went over the history of the neighborhood and stated that Forward SGF notes that there should be a one or two block transition between place types, but the developer is using a blank wall and a residential street to transition from commercial to residential.

Ms. Rina Edge, 1030 E. Stanford is against the proposed rezoning stating that it is a place for unique and historically significant single-family homes and not a place for general retail and that the neighborhood is coming up to its 100-year anniversary. She also noted that neighborhood exemplifies the goals placed in Forward SGF and that the proposed rezoning destroys the community and the development on the other corner of National/Sunshine is part empty and that there are areas that have vacancies and has heard suggestions to fill the gap of missing middle housing types by utilizing mixed use buildings.

Ms. Evelyn Mangan, 818 E. Portland opposes the general retail rezoning and stated that she had met with Mr. Duda and talked about the traffic flow and the how impact is going to be had on the neighborhood. Gave out examples of the traffic flow for the area and voiced her concern at the traffic engineer's remarks about traffic calming measures.

Mr. John Stinson, 1110 E. Stanford gave out information that University Heights offers to the city that a business development does not and quoted \$502M (yearly) that is spent by people living in the neighborhood and went over other examples and does not believe that a strip mall would ever generate for Springfield over \$500M a year and stated that the average lease on strip malls is one year. He also noted that upcoming 100-year anniversary and believes we are destroying history.

Ms. Judy Stanfill, 926 E. University asking the commission if they have ever been visited or walked in the neighborhood and that the development of University Heights was a dream and was very successful and Mr. Duda has not invested anything into the neighborhood, and no one will benefit from the development. She voiced her concern regarding traffic and even has problems now with getting through as well as people speeding.

Ms. Broekhoven closed the public hearing.

Mr. Scott noted that Forward SGF was an enormous undertaking and did take hundreds of hours of input and that ownership, neighborhoods, mixed uses, greenfield development, and quality of place were discussed tonight and that what might be a quality of place to one could be a quality of place would be different for someone else and trying to balance work, live and play scenario. He noted that that staff is trying to approach a brand-new Comprehensive Plan and that it is also new to the Commission.

Mr. Colony stated that if done harmoniously, in a manner that protect and even enhances the existing charm and character of the neighborhood, it could be redeveloped successfully and believes that the collaborative creativity to offer a high level of confidence in the finished development is not being proposed by the conditional overlay district language. He also stated that he believes the developer has made revisions and attempts for the neighborhood, but not heard important harmony and character that are in Forward SGF and will not be supporting the proposal.

Ms. Ridge stated that she wants the best of Springfield preserved and move forward and believes that because it is a busy intersection that it does not have to be commercial and gave out examples of other cities with similar areas (large houses that have reuses) and noted that she has no problems with the previous proposals but if they were at another location and will not be able to support it.

Ms. Gunther wanted clarification on what is being proposed on University Street.

Mr. Foster stated from University Street you will only be able to do a right turn on National Avenue and that westbound traffic will not be able to go past the proposed entrance to the development. Again, she noted that University Street is a problem which has held her back each time and it is not ideal.

Mr. Doennig went over what his thoughts were – developer speculatively purchased the properties, and that the applicant has failed to prove any changed conditions making the rezoning necessary and stated the new homes built on University and Sunshine Steet in the past 20 years. He also noted that the developer has not proven the conditional overlay district is compatible with the neighborhood and that the commercial development across the way was built on mostly vacant property and did not negatively impact the neighborhood along University Street due to lack of access requirement from that street and believes it is incompatible with Comprehensive Plan and the traffic plan is a disaster and will not be in support.

Mr. Pauly stated even though it has been brought forward previously there has not been the right or enough information to go ahead and yes and so will not be able to support it.

Ms. Ridge also stated that when people come to the intersection it is noted that it is a beautiful stretch of homes between Sunshine and Grand Street and like preserving quality neighborhoods that give a positive impression.

Ms. Broekhoven noted that she does drive through the neighborhood and sees that people have put in a lot of personal investment into their homes and believes that the Comprehensive Plan would want to protect and buffer against development that may damage it. She also noted that the traffic layout drive is the foundation of what is happening, and that developer could have proposed a more meaningful design and proposition and that this is an opportunity to have less intense buffer zone development and will not recommend approval.

Mr. Scott went over his history of historic restoration and stated that his viewpoints has evolved and likes the residential aspects of it as a transitional type of solution. He noted that there are other solutions and would like to see it as compatible to the neighborhood and believes that it follows Forward SGF. He noted that the constraints on the site and building development have been negotiated positively and provide good protections for the neighborhood as well as the traffic reducing and safety measure. He voiced his opinion on stand-alone vape shops and would add an additional limited use of land and buildings (definition of uses) and believes that Forward SFG is a correction of errors in the past and see a greater need to step forward in the commissions approach.

Mr. Knuckles stated that it is a tough intersection to work with, but believes that the island and limited turn lanes would work and that development of this corner is inevitable and the proposed development fits in the neighborhood, noting that the conditional overlay district does limit what the developer can do but would like to see that it is less intense than a three story building, but will support it, however he still has concerns.

COMMISSION ACTION:

Planning and Zoning Commissioner Colony moved to approve Z-22-2024 COD 258; Commissioner Doennig seconded the motion. It **Failed** with the following vote: Ayes: Commissioner Knuckles and Commissioner Scott. Nays: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Colony, and Commissioner Doennig. Absent: None. Abstain: None. Christopher Lebeck recused himself.

A handwritten signature in black ink, appearing to read 'Bob Hosmer', is written over a horizontal line.

Bob Hosmer, AICP
Planning Manager



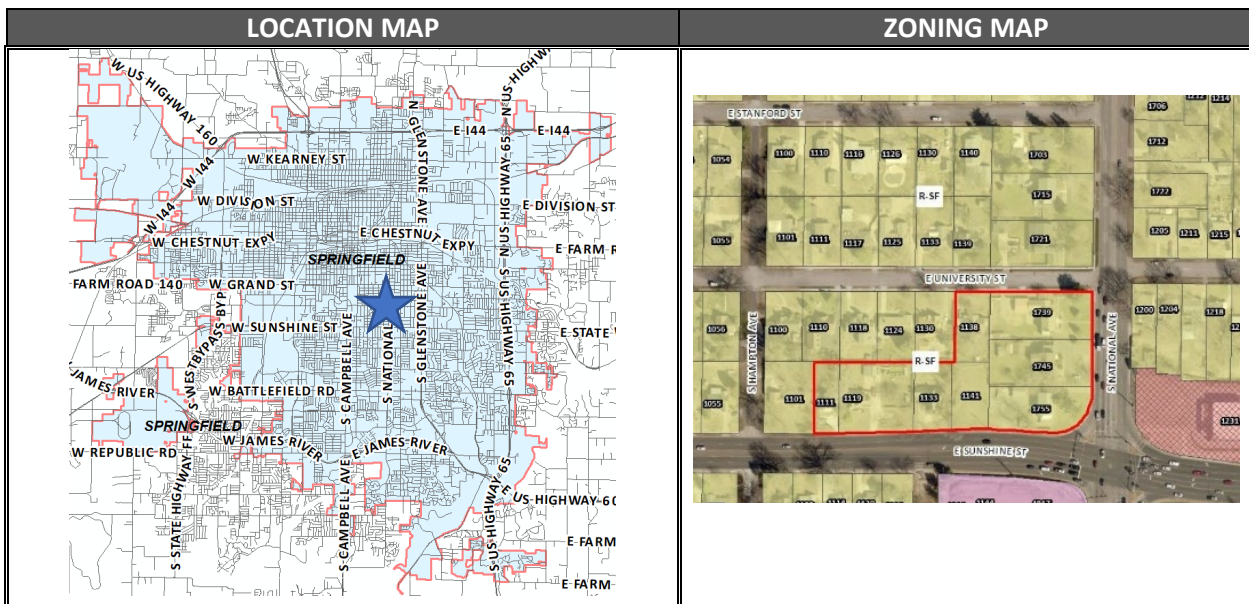
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-22-2024 with Conditional Overlay District No. 258
Location:	1739, 1745 and 1755 S. National Avenue and 1138 E. University Street and 1111, 1119, 1133 and 1141 E. Sunshine Street
Total Acres:	2.6 acres
Applicant:	BK&M, LLC
Existing Land Use:	Single-family residential and vacant lots
Neighborhood Meeting:	July 18, 2024
Planning and Zoning Commission:	August 22, 2024
City Council:	September 23, 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-22-2024 with Conditional Overlay District No. 258 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).

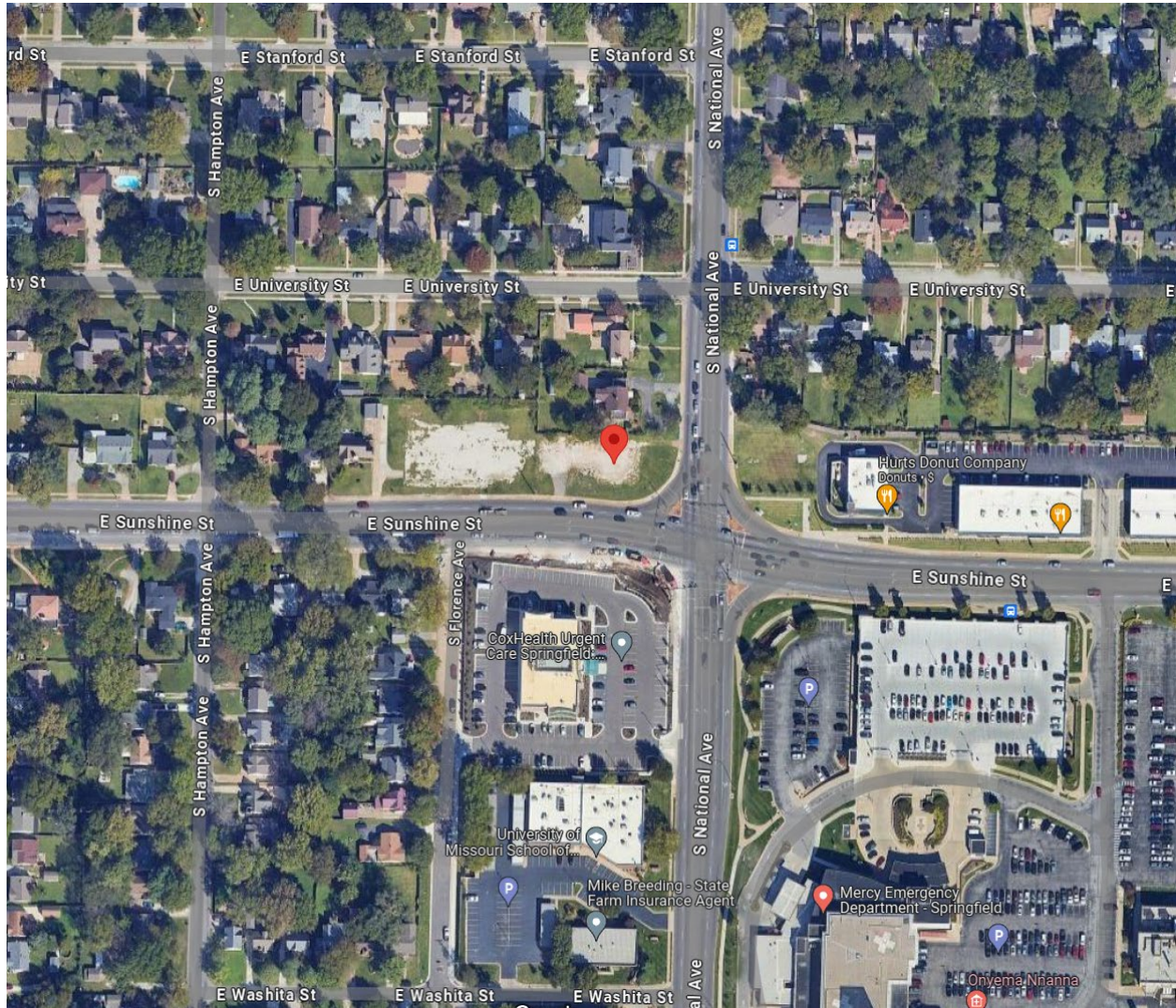
PROJECT SUMMARY:

Request to rezone approximately 2.6 acres of the subject property generally located at 1739, 1745 and 1755 S. National Avenue, 1138 E. University Street and 1111, 1119, 1133 and 1141 E. Sunshine Street from R-SF, Single-Family Residential District to GR, General Retail District and establishing a new Conditional Overlay District No. 258.

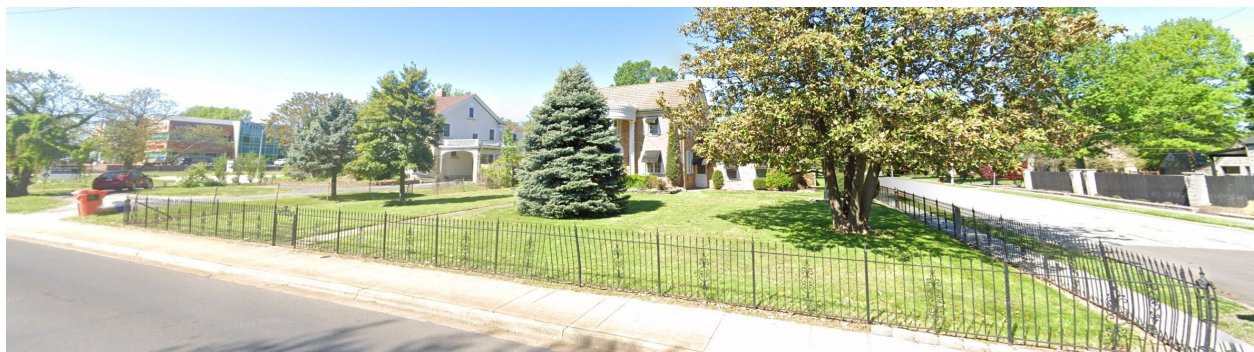


DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



DEVELOPMENT REVIEW STAFF REPORT



PROPERTY HISTORY:

The subject property has been zoned R-SF, Single-Family Residential District since the Citywide remapping in 1995.

The original rezoning application for General Retail (GR) zoning with Conditional Overlay District (COD) was submitted in August of 2022. That application was withdrawn in October of 2022 because the applicant had acquired 3 lots to add to the rezoning so a new application for GR with COD was resubmitted and later postponed until April of 2023. On April 6, 2023, Planning and Zoning Commission recommended denial of the proposed rezoning to GR with COD No. 220. At the May 22, 2023, City Council meeting the applicant proposed changes to the Conditional Overlay District and City Council remanded the rezoning case back to Planning and Zoning Commission. The case was postponed until the Planning and Zoning Commission meeting on December 14, 2023, where it was recommended for denial. The rezoning case was withdrawn in January and the applicant applied for a Planned Development in February. The PD application was withdrawn in July and the latest GR with COD application was submitted.

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;

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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
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 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 chapter 2A, article X, Springfield City Code. (e) Uses on parcels not served by public water and public sewer shall meet the requirements of subsection 36-303(22). (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.

DEVELOPMENT REVIEW STAFF REPORT

Maximum Structure Height	None, except that all structures shall remain below a 30-degree bulk plane as measured from the boundary of any R-SF or R-TH district.
Minimum 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. c. The front yard setback may be reduced below the minimum required above if a conditional use permit is approved in accordance with section 36-363, conditional use permits, or an approved preliminary plat in accordance with the city's subdivision regulations. 2. <i>Side and rear yards:</i> None, except as required by section 36-453, supplemental open space and yard regulations, and the bufferyard requirements in subsection 36-421(8). However, in no event may a structure be erected closer to the centerline of an existing or planned street than as prescribed below, except as permitted by subsection 36-303(17)(b) and subsection 36-303(17)(d).
Minimum Open Space	Not less than 20 percent of the gross site area

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject properties as the Traditional neighborhood placetype; however, this is considered a transition area that is better suited as an Institutional & Employment placetype (see Staff Analysis and Recommendations). The Institutional and Employment Center placetype contains a variety of major medical and office parks, and a collection of institutional and employer campuses. Large campuses are supported by small commercial sales and service business, and a mix of community-orientated amenities. Student housing is also a common component. In the case of universities or colleges, along with mixed housing types located along the fringes and transitional areas, providing housing near major employers is important. Areas within this placetype act as centers of culture, education, and business development, while providing numerous employment opportunities for residents of Springfield and others from the region. As Institutional and Employment Centers provide vital jobs and services to the entire metro area, multimodal accessibility and public transit connectivity are key components of this placetype. Underutilized parcels are assembled and redeveloped into more intense supporting uses or higher density housing developments where appropriate, to increase activity within the center.

DEVELOPMENT REVIEW STAFF REPORT

Planning for Institutional and Employment Center placetype focuses on infrastructure and corridor improvements to facilitate traffic flow, multimodal connectivity, and streetscaping improvements, needed to enhance the character and connectivity of key corridors. As these centers of activity receive high volumes of visitors and commuters into the City, it is essential that the quality of development and visual appeal of the corridors remain attractive and representative of the City's desired image.

LAND USES PRIMARY USES

- Universities, colleges, and vocational schools
- Government, healthcare, and institutional facilities

SUPPORTING USES

- Single-family detached
- Single-family attached
- Multi-family
- Parks, greenways, and open space
- Sports complexes and recreational facilities
- Office, hospitality, retail sales and service
- Maker, artisan and innovations spaces
- Public and private schools and places of worship

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 integrated 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 prioritized at key employment centers, institutions, and along major corridors with bus stops enhanced with shelters and live timetables.
- The pedestrian environment is enhanced with expanded sidewalks and pedestrian infrastructure, such as benches, pedestrian-scaled lighting, and street trees.
- Best management practices for stormwater management are required in development projects and within public rights-of-way, such as permeable paving, rain gardens, green roofs, native landscaping, and other low impact design strategies.

URBAN DESIGN - BUILDING AND SITE TYPOLOGY

- 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.

DEVELOPMENT REVIEW STAFF REPORT

- Pedestrian pathways within large parking lots provide safe access to business entrances.
- Character is enhanced by gateway features, landscaping, and branding elements, particularly within university, health care campuses, and innovation districts, to identify entry into campus areas.
- 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.
- Lighting, signage, landscaping, mail, and delivery accommodations should also be proactively incorporated into the site design.
- Multi-story buildings designed with active ground floor spaces should be visible and inviting with a high degree of transparency using clear glass windows and doors 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.
- Design should discourage the placement of mechanical equipment along the adjacent streets or should be completely screened, along with trash receptacles, and recycling bins.

TRANSITIONS

- Strong connections to local universities, innovation districts, and neighborhoods are established through branding and connectivity.
- More intense institutional and employment uses and supporting uses are sufficiently separated and buffered from lower intensity residential uses.

PLACETYPE ASSIGNMENTS AND TRANSITIONS

Assignments

Placetype designations are based on a variety of factors but largely represent desired future land use patterns. Placetype assignments also reflect existing development patterns, take into consideration historical value, as well as the impact and relationship to the built and natural environment. The following conditions and land characteristics should be considered when changes or amendments are proposed to and within a placetype.

Primary use - The predominate historical use and development pattern of a geographic area that exists within the built and natural environment.

Proximity – The location with respect to significant landmarks and geographic places

Edges and boundaries – Natural boundaries and geographic edges, including major roadways, railways, waterways, parks, and geographical land features.

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Roadway classifications – Functional use and type of roadways on the edges or at crossroads

Regulatory – Existing zoning, permitted and conditional uses, historic designations, and redevelopment plans.

Forecasts – Anticipated major land use shifts, changes in use, or trends.

Other Considerations –

- Decreasing or increasing market demand for commercial or housing in non-traditional districts or corridors
- Greater focus on integrating diverse uses at the edges and areas of transition.
- Community expectations
- More walkable, livable integrated neighborhoods and districts
- Documented increases in nuisances, code violations, disinvestment, and other related trends
- More diversity in housing types, affordability, and availability
- Increased beautification, aesthetics, and identity
- Greater focus on preservation, adaptation, and reuse of existing homes and structures

Transitions

In every city, dissimilar land uses converge at some point. Transitioning within, between, and along the edges is one of the most critical elements to align as Placetypes are implemented, changed, or amended. Typically, a one-to-two-block transition zone on either side of both placetype boundaries would be a practical zone to complete the transition from one placetype to another.

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FUTURE PLACETYPE MAP:



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

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

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

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

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DEPARTMENT COMMENTS:

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues with proposed rezoning or COD. All subject properties have access to CU Electric/Gas/Water. Note that the requirement for underground utilities may impact electric/telecom services to neighboring properties.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No objection to the rezoning.

FIRE DEPARTMENT:

No issues with zoning.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

TRAFFIC REPORT

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	S. National Avenue	Primary Arterial	City	50	40	31,910	No	Yes	Yes
Street 2	E. Sunshine Street	Primary Arterial	City	50	50	28,940	No	Yes	Yes
Street 3	E. University Street	Local	City	25	25	260	Yes	Yes	Yes
				Daily		AM Peak		PM Peak	
Existing Trips Generated (R-SF)				125		11		13	
*Proposed Trips Generated (GR w/COD)				1872		42		244	
Additional Trips Generated				1747		31		231	
*Proposed Trips Generated is based on the highest, most intense use permitted in the proposed rezoning, Conditional Overlay District, and traffic impact analysis.									

ACCESS - All new and existing driveway approaches shall comply with the accepted traffic study and planned development.

- National Avenue: No direct access is allowed to S. National Avenue from the development.

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- Sunshine Street: Access P1 will serve as a Right-in/Right-out/Left-In only access driveway, providing ingress and egress to the development.
- University Street: Access P2 will serve as a full access driveway, providing ingress and egress to the development.

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There are no Greenway Trails near the property. There is one (1) bus stop near the property on S. National Avenue.

IMPROVEMENTS - A Traffic Impact Analysis (TIA) has been completed and accepted by the City. The improvements required based on the TIA are required to be submitted on Public Improvement Plans (PIP) and the improvements constructed, or funds escrowed prior to approval of a building permit. Required improvements include:

- a raised concrete median on National Avenue restricting access to University Street to Right-in/Right-out only on the west side of National Avenue and Right-in/Right-out/Left-in only on the east side of National Avenue.
- a raised concrete median on Sunshine Street restricting access to the development to Right-in/Right-out/Left-in only.
- traffic calming measures on University Street and/or Hampton Avenue, as approved by the Director of Public Works.
- the development should be completed in a manner, or right-of-way provided, to allow future construction of the southbound National Avenue to westbound Sunshine Street right turn lane.
- any change in use that creates an increase in total trip generation, as determined by the Director of Public Works, as presented in the accepted TIA of more than 500 trips daily and/or 50 trips in the peak hour will require a modified TIA.
- The requirements of said study shall be incorporated in the site plan, PIP, or other permits as applicable.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

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

PW Stormwater only concerns with the property is based on the large amount of new impervious surface area draining to R-SF properties and the National Ave right-of-way (Primary Arterial). The PW-Stormwater concerns are addressed through the Flood Control and Water Quality Protection manual standards for Stormwater Control Measures and would not prevent a rezoning to a higher usage zoning. Please note that development of the property will be subject to the following conditions at the time of development:

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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, must meet current detention requirements per Chapter 3 Sec. 2.3.3.

a. Detention of stormwater runoff is required. A fee in lieu of detention for this development will not be permitted. The proposed job description and future site plan has eight properties combining into one lot. The combined lot and future development will add 1.23 acres of impervious area (see table below).

Estimated Impervious Area from GIS

Total Combined Area	2.6 acres
Existing Impervious Area	0.85 acres
Proposed Impervious Area	2.08 acres
New Impervious Area	1.23 acres

b. The current property has two drainage areas draining West and East/Northeast with the high point at 1119 E Sunshine St. The West drainage area is 0.3 acres and drains to 1111 E Sunshine St and 1110/1118 E University St. The East drainage area is 2.3 acres and drains to S National Ave along with part of E Sunshine St. The proposed site plan does not show elevations but is capable of being graded to change the drainage patterns to all 2.6 acres draining to the east.

c. PW-Stormwater would recommend the onsite detention connect to the 48"x30" Box Culvert running North along the East side of S National Ave. The development can possibly connect to the street curb inlet box on S National Ave by 1721 E University St. The area inlet is connected the Box Culvert through an 18-inch diameter RCP.

d. The Exhibit 2 Site Plan is describing an underground detention in the North section.

2. Any Stormwater infrastructure serving more than one property needs to be submitted on public improvement plans. City Code 98-14 requires all PIP work completed prior to issuance of the building permit or Final Plat. PIP must be approved and Completed or Escrowed through the Bond or Security.

WATER QUALITY REQUIREMENTS

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

a. Water Quality is required for the project with over 1 acre disturbed and over 1 acre of new impervious area. For the approximately 0.85 acres of area that can qualify as redevelopment the Rainfall Factor, $P=0.5$ inches can be used in the volume calculations.

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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

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 2.6 acres of the subject property generally located at 1739, 1745 and 1755 S. National Avenue, 1138 E. University Street and 1111, 1119, 1133 and 1141 E. Sunshine Street from R-SF, Single-Family Residential District to GR, General Retail District and establishing a new Conditional Overlay District No. 258.
2. The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Traditional Neighborhood placetype. While there are some characteristics of a Traditional Neighborhood placetype based upon historic and existing housing patterns along Sunshine and National corridors, staff recognizes there are other factors that would lend these properties to the Institutional & Employment placetype. These properties are on the edge of the Traditional Neighborhood placetype adjacent to Sunshine Street and National Avenue which are classified as primary arterial roadway on the City's Major Thoroughfare Plan. The intersection of Sunshine & National is a major intersection in the city with an enormous amount of traffic that significantly effects access. The other three corners of this major intersection of the city are designated as Institutional & Employment Placetypes with existing businesses and services that serve the Mercy hospital and medical clinics and offices in the area.
3. The *Land Use & Development* chapter of the Plan states that underutilized parcels are assembled and redeveloped into more intense supporting uses or higher density housing developments where appropriate, to increase activity within the employment center. The proposed General Retail District with the Conditional Overlay District is consistent with the

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intent and objectives of the Institutional & Employment placetype in this location. However, it also states that more intense institutional and employment uses and supporting uses are sufficiently separated and buffered from lower intensity residential uses. The proposed COD is meant to provide that appropriate buffering from the single-family residential uses.

4. The proposed General Retail District with COD has similar and, in some cases, more restrictive conditions of development than the northeast corner of Sunshine and National which rezoned and redeveloped starting in 2016.
5. The applicant is proposing to rezone to the GR, General Retail District with a Conditional Overlay District (COD). The conditional overlay district is a floating zone that allows the applicant to voluntarily limit uses to be established in accordance with specific standards and conditions. The applicant has chosen to restrict the ability to establish certain commercial land uses that could be considered more noxious than other land uses allowable in the district. Any office or commercial uses allowed in the GR district could be developed independently unless otherwise prohibited in the Conditional Overlay District; therefore, there is no guarantee that the development will be one particular use.
6. The proposed Conditional Overlay District requirements prohibit many objectionable uses that could be incompatible with the neighborhood and will limit traffic volumes; however, the *Growth Management and Land Use Plan* of the *Comprehensive Plan* states it is important to ensure that new land uses are not detrimental to residential areas and to recognize the vulnerability of residential areas to certain adverse impacts. This objective does not mean that non-residential land uses are automatically inappropriate in residential areas; it means that design and location criteria must consider the existing residential areas. The applicant has prohibited eating and drinking establishments with drive-in, pickup window or drive-thru facilities which can be a high- volume traffic generator. Other potentially objectionable uses such as retail sales of adult novelties, standalone vape shops, stores that primarily sell package liquor, and outdoor athletic courts are also prohibited amongst others as listed in the COD (Attachment 1). The compatibility with neighboring residential land uses is enhanced through the elimination of these land uses.
7. The Use Limitations restrict businesses operating within the proposed rezoning district shall be limited to business hours of 6:00 a.m. to 11:00 p.m. on Sunday, Monday, Tuesday, and Wednesday and 6:00 a.m. to 12:00 a.m. (midnight) on Thursday, Friday, and Saturday. No business activity is allowed on the premises outside of these times. This limitation shall not apply to hotels.
8. The applicant has added design requirements to the COD that are based on the existing code requirements "Revised Multi-Family Location and Design Guidelines" that will be applied to any development of the site. The site will have requirements for pedestrian amenities, orientation of buildings to the street, avoiding blank walls on buildings along all street frontages, blending the building scale and setback with existing developments, street facing walls must be articulated and providing additional bicycle parking that will encourage pedestrian activity. The applicant will be required to provide pedestrian and bicycle connections to adjoining public sidewalks that will provide a good circulation system. The site will be designed to respect the natural environment by incorporating functional

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amenities in the open space, requiring additional trees with larger caliper to replace existing trees that are removed and requiring tree protection for trees being preserved onsite.

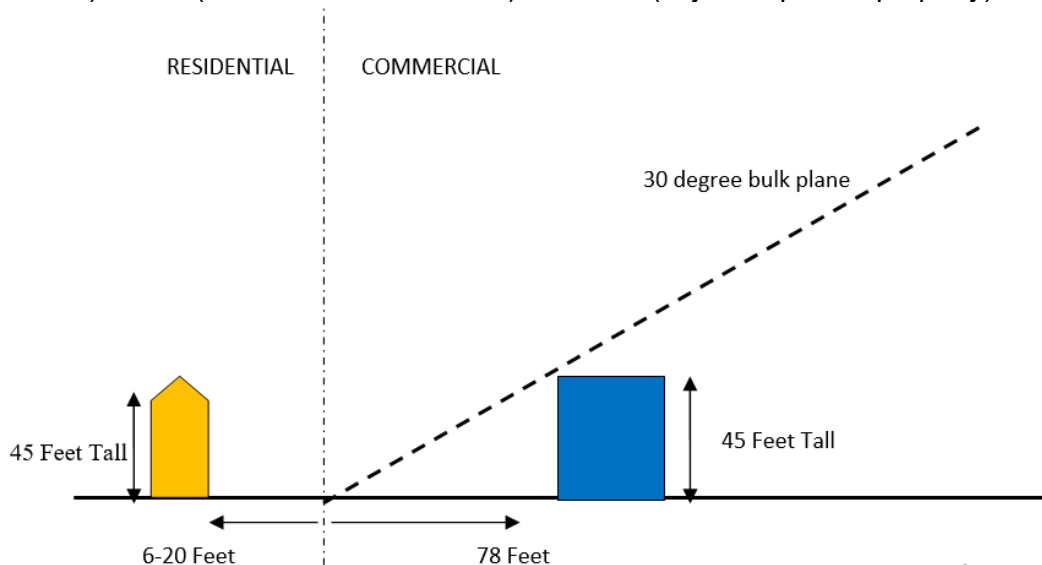
9. The building facades shall be designed to have a similar level of quality and architectural finish on all sides of the buildings visible to the public. This shall be accomplished by integrating architectural variations and treatments such as windows and other decorative features into all sides of a building design.
10. The COD limits building materials and colors to those that will have low reflectance. High-intensity, metallic or fluorescent colors will be prohibited. Façades shall incorporate no less than 60 percent brick, stone, stucco or craftsman style cementitious board or wood into the design. Stone veneer can be engineered stone or natural cut stone. No building shall have more than 50 percent exterior glazing on a frontage facing Sunshine Street or National Avenue and the first floor of any building facade facing a public right-of-way shall include transparent, clear glass windows and/or doors arranged so that the uses inside are visible from and/or accessible to the street. Window and/or doors with reflective or tinted glass that impede views into a building shall be prohibited. If roofs are visible to the public, whether viewed from the public right-of-way or adjacent property, they shall be comprised of architectural asphalt shingle roofing. These design elements will enhance compatibility with neighboring residential structures and are supportive of urban design that emphasizes pedestrian oriented buildings and traditional urban character as recommended by the Comprehensive Plan.
11. The development of the property will require a bufferyard along the west and north property lines immediately adjacent to the R-SF, Single-Family Residential zoning district. The normal bufferyard required between GR and R-SF would be a bufferyard "Type F" at least (20) twenty feet wide. For each one hundred (100) linear feet of bufferyard, there must be three (3) canopy trees, three (3) understory trees, four (4) evergreen tree and twenty (20) shrubs. A six-foot-tall solid wood fence is also required as part of this bufferyard. A bufferyard type S2 is required along the north side of the property that is across from University Street. This bufferyard is a minimum of 15 feet in depth with plantings. A structure (i.e. fence, wall, berm or hedge row) is not required as part of this bufferyard S2.
12. The applicant is voluntarily proposing to install more mature landscaping than is currently required by code or an 8-foot-tall masonry wall and has eliminated the ability to administratively reduce the proposed bufferyard widths below the code required minimum standards. The increased height and bulk of the landscape material will assist with providing an enhanced landscape buffer between the site and the surrounding residential development, thus increasing compatibility between the differing land uses.
13. As part of the COD, the applicant is proposing two bufferyard options. An 8-foot masonry wall (with bufferyard type F plantings) or a minimum total of 60 non-deciduous evergreen trees to be planted in the bufferyard areas adjacent to the R-SF and along University Street. It also stipulates that each tree is to be a minimum of approximately 12 feet tall when planted. This can be a part of the evergreen tree bufferyard requirements; however, anything over and above the standard bufferyard landscaping must be planted in addition to

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the bufferyard area. It also states that these additional trees and landscaping shall not interfere with sight distance or any other city code requirements.

14. The proposed COD will restrict the structure height to 45 feet above finished grade which is the same height requirements as the adjacent R-SF District. This reduces the potential height of any structures to two to three stories. The 30-degree bulk plane will still apply, but in the areas where the bulk plane doesn't limit the height below 45 feet, then this restriction will come into effect. The applicant must meet the bulk plane requirements for the proposed GR zoning district.

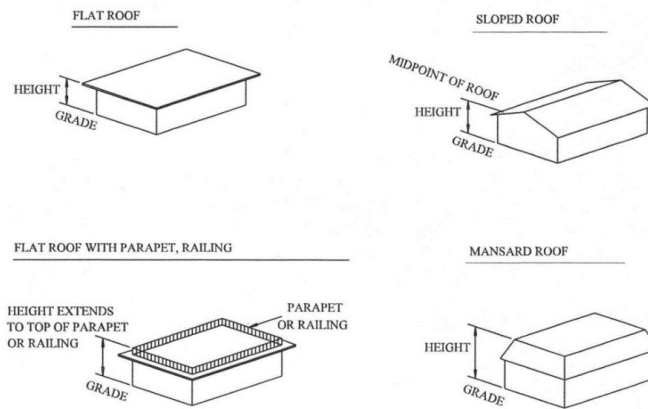
The bulk plane is a theoretical plane beginning at a district boundary (in this case) and rising over a slope determined by an acute angle measured up from the horizontal. The bulk plane defines the relationship of the height of a structure and the structure's setback from the district boundary. The Zoning Ordinance requires a **30-degree bulk plane** for the height of structures in a GR District measured from the R-SF District boundary line. **This means that for every one (1) foot of structure height, the building must be set back 1.73 feet from the district boundary line (example below).** This requirement would limit the height of the structure from the R-SF district boundaries to the north (across University Street), northwest (adjacent private property), east (across National Avenue), south (across Sunshine Street) and west (adjacent private property).



The applicant is proposing to limit the height of the structure to 45 feet with the same maximum height language as the R-SF District. The definition of height is the vertical distance of a structure measured from the average established grade at the street lot line or from the average natural ground level, if higher; or if no street grade has been established to the highest point of the roof's surface if a flat surface; to the deck line of mansard roofs; and to the mean height level between eaves and ridge for hip or gable roofs. In measuring the height of a building, the following structures shall be excluded: chimneys, cooling towers, telecommunication towers, ornamental cupolas, domes, or spires, elevator bulk heads, penthouses, tanks, water towers, and parapet walls not exceeding four feet in height.

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Figure 2-5



This height limitation of 45 feet would not start limiting the structure until 78 feet from any R-SF district boundary into the site if the site was completely flat. The site increases approximately 10 feet in grade from University Street to Sunshine Street (from northeast to southwest) with the highest points at the southwest portion of the property along Sunshine Street.

15. The exterior lighting and signage requirements of the COD will limit the height of lighting sources to control glare and light spillover, and signage will be required to be compatible with the style of the building.
16. The Additional Requirements in section M. of the COD includes requirements for lot combination that will require additional right-of-way to meet current standards, access restrictions and site plan review.
17. 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.
18. There are changing conditions in the area affected that make the proposed rezoning necessary. The intersection of Sunshine and National has some of the highest traffic volumes in the city.
19. The range of uses in the proposed GR district with COD are compatible with the uses permitted on other property in the immediate vicinity to the east and south of the intersection. Non-residential uses exist at all other corners of this major intersection. There is an existing retail shopping center at the northeast corner, the Mercy hospital campus at the southeast, and a new Cox hospital clinic at the southwest corner. These properties are on the edge of Placetypes and in a transition area of the Institutional & Employment placetype. The General Retail District allows for uses that provide community-wide personal and business services, shopping centers and specialty shops. This district is intended to be located along or at the intersection of two or more arterial or higher classification streets.

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20. 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. City Utilities state that all subject properties have access to CU Electric/Gas/Water.
21. The impact of the proposed uses is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity. A Traffic Impact Analysis (TIA) has been completed and accepted by the city. The improvements required based on the TIA are required to be submitted on Public Improvement Plans (PIP) and the improvements constructed, or funds escrowed prior to approval of a building permit. Required improvements include a raised concrete median on National Avenue restricting access to University Street to Right-in/Right-out only on the west side of National Avenue and Right-in/Right-out/Left-in only on the east side of National Avenue.; a raised concrete median on Sunshine Street restricting access to the development to Right-in/ Right-out/Left-in only; traffic calming measures on University Street and/or Hampton Avenue; the development should be completed in a manner, or right-of-way provided, to allow future construction of the southbound National Avenue to westbound Sunshine Street turn lane; and any change in use that creates an increase in total trip generation, as determined by the Director of Public Works, as presented in the final accepted TIA of more than 500 trips daily and/or 50 trips in the peak hour will require a modified TIA. The requirements of said study shall be incorporated in the site plan, PIP, or other permits as applicable.
22. The following required traffic calming measures are to be installed, as approved by the City Traffic Engineer, and included in the Public Improvement Plans:
- Landscaped island on East University Street west of the proposed access to the development preventing traffic from heading west on East University Street beyond the development.
 - Midblock speed cushions on East University Street between Hampton and the development and between S Hampton Ave and S Kings Avenue.
 - Midblock speed cushions on S Hampton Avenue between E Sunshine Street and E University Street and between E University Street and E Stanford Street.
 - Midblock speed cushion on E Stanford Street between S National Avenue and S Hampton Street.
23. The required dedication of additional right-of-way along National Avenue will facilitate the city's ability to construct a southbound to westbound right turn lane on National Avenue. The addition of this right turn lane on National Avenue will improve the overall level of service and traffic flow of the Sunshine St and National Avenue signalized intersection.
24. City Code requires access on National Avenue to be a minimum of 400-feet from the nearest right-of-way line of E. Sunshine Street and access on E. Sunshine Street to be a minimum of 300-feet from the nearest right-of-way line of S. National Avenue. There is not enough property frontage to meet these requirements along S. National Avenue, therefore access will not be allowed on S. National Avenue. Currently, City Code requires the proposed access from E. University Street to be a minimum of 110-feet from the nearest right-of-way line of S. National Avenue. Access to E. University Street can meet this

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requirement. A Traffic Impact Study has been conducted and right-of-way and traffic improvements will be required to ensure the development is consistent with access management design standards and City Code.

25. 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. There is no error being corrected with this application.
26. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The multiple properties are zoned R-SF and could be developed as such.
27. The proposed rezoning was reviewed by City departments and comments are contained in the staff report (above).
28. Water quality measures and detention of stormwater runoff is required. A fee in lieu of detention for this development will not be permitted. The proposed development has 8 properties combining into one lot. The combined lots and future development will add approximately 1.23 acres of impervious area.
29. Private covenants or restrictions on private property are a civil matter. The City does not consider or enforce such matters as their legal status must be determined by a court.
30. The applicant held a neighborhood meeting on July 18, 2024, regarding the rezoning request. A summary of the meeting is attached (Attachment 2).
31. The public notice was advertised in the Daily Events at least 15 days prior to the public hearing. The property was posted by the applicant at least 10 days prior to the public hearing. Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 185 feet.

STAFF RECOMMENDATION:

1. Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Institutional & Employment 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

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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. 258**

The requirements of Section 36-421. of the Springfield Zoning Ordinance shall be modified herein for development within this district to include the following:

A. USES PERMITTED

1. Accessory uses as permitted by section 36-450, accessory structures and uses.
2. Art Galleries, libraries, and museums.
3. Bars, as long as the bar use is not the primary use of the property. Bar uses shall be accessory to other permitted uses.
4. Churches and other places of worship, including parish houses and Sunday schools but excluding overnight shelters.
5. Commercial gardens and/or farmers markets with retail and/or wholesale sales on-site.
6. Community gardens without retail or wholesale sales in accordance with the performance standards of section 36-470, community gardens.
7. Day care centers in accordance with chapter 36, article XI, Springfield City Code.
8. Eating and drinking establishments use group. Excluding the uses listed in section E.
9. Entertainment-oriented use group, excluding outdoor athletic courts.
10. General office use group.
11. Medical office use group.
12. Residential uses provided such uses are located above the first floor or behind nonresidential uses so as to create a continuous nonresidential façade, on the first-floor level. When a lot has multiple street frontages, first-floor non-residential uses will be required on the street with the highest classification. All other street frontages may contain residential uses.
13. Personal service use group.
14. Retail sales use group.
15. Schools or development centers for persons with handicaps or development disabilities
16. Schools, business.
17. Short term rental type 3 in accordance with 36-473, and subject to conditions in subsection (2)(b) or (y) if applicable.
18. Single-family residential dwellings as permitted in Section 36-380 of the Zoning Ordinance.
19. Temporary lodges use group.
20. Temporary uses, as permitted by section 36-452, temporary uses.
21. Temporary vendors as permitted under subsection 36-452(3)(b)2.
22. 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 any 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.

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B. USES PROHIBITED

1. Automotive washing businesses.
2. Bed and breakfast
3. Catering business
4. Commercial amusement, including bowling alleys, dance halls, video game arcades, billiard parlors, roller skating and ice-skating arenas, motion picture theatres, and drive-in theatres. This limitation does not apply to indoor athletic courts.
5. Commercial off-street parking lots and structures.
6. No sales of marijuana, marijuana products, marijuana-infused products, products containing hemp-derived intoxicating cannabinoids, or products containing psychoactive cannabis compounds.
7. Convenience stores with gas pumps.
8. Day care centers in accordance with chapter 36
9. Eating and drinking establishments with drive-ins, pickup windows, or drive-thru facilities.
10. Flea Markets entirely within closed buildings.
11. Food trucks.
12. Funeral homes and mortuaries.
13. Household resource recovery collection centers, screened from all residential districts and public rights-of-way in conformance with section 36-480, screening and fencing.
14. Massage parlors or any adult motion picture theatre, adult store, or cabaret, as defined in section 36-321, definitions.
15. Medical, comprehensive or microbusiness marijuana dispensary facility and Medical Marijuana-infused products manufacturing type-2 post-extraction facility.
16. Pawn shops.
17. Payday loans or payday lending services or other activities related to credit intermediation.
18. Photo processing with drive-through facilities.
19. Police and fire stations.
20. Private clubs and lodges.
21. Public and private parks, outdoor playgrounds, and golf courses, including miniature golf courses and driving ranges.
22. Public service and public utility uses.
23. Satellite rental car offices limited to administrative functions related to the rental car business, drop off and pick up of rental cars, and on-site parking for not more than fifteen (15) rental cars and vans.
24. Seasonal outdoor sales and related storage as permitted by section 36-452, temporary uses.
25. Self-service laundromats.
26. Self-service storage facilities.
27. Recording studios.
28. Retail sales relating to adult bookstores, adult novelty shops, or any adult motion picture theatre, adult store, or cabaret as defined in section 36-321, definitions.
29. Retail stores where more than sixty percent (60%) of gross revenue is derived from package liquor sales.
30. Taverns or nightclubs.

DEVELOPMENT REVIEW STAFF REPORT

31. Taxidermists.
32. Television and radio stations.
33. Tier I, III, IV, and V wireless facilities.
34. Towers other than wireless facilities, less than 100 feet in height and related facilities provided telecommunication towers comply with section 36-466, telecommunication tower.
35. Vape shops.
36. Water reservoirs, water stand pipes, and elevated and ground water storage tanks.
37. Dollar Stores.
38. Single-story retail strip centers that have a flat roof (this does not apply to restaurants or a food hall).
39. No tattoo services.

C. USE LIMITATIONS

1. Businesses operating within the proposed rezoning district shall be limited to business hours of:
 - a. 6:00 a.m. to 11:00 p.m. on Sunday, Monday, Tuesday, Wednesday, Thursday, Friday and Saturday, except the temporary lodges use group.
 - b. No business activity is allowed on the premises outside of these times. This limitation shall not apply to hotels.
2. All outdoor automobile parking areas used for the purpose of retail or wholesale storage or sale of motorized or commercial vehicles shall be prohibited.
3. No outdoor storage.
4. No use shall emit an odor that creates a nuisance as determined by chapter 2A, article X, Springfield City Code.

D. INTENSITY OF DEVELOPMENT

Development shall adhere to the following standards.

- a. Maximum multi-family residential density of 29 dwelling units per acres if all design requirements of the Multi-family Location and Design Guideline are met.

E. BULK, AREA AND HEIGHT REQUIREMENTS

Development shall adhere to the following standards.

- a. Maximum structure height: 45 feet above finished grade.
- b. All structures shall remain below a 30-degree bulk plane as measured from the boundary of any R-SF or R-TH district.

DEVELOPMENT REVIEW STAFF REPORT

F. DESIGN REQUIREMENTS

1. Building development in the proposed rezoning district shall be based on existing references within the context of the adjacent neighboring community to create harmony between this site and the neighboring community.
2. The site shall be designed to encourage pedestrian activity and shall:
 - a. Provide pedestrian amenities such as pedestrian scale lighting and street furniture to enhance the pedestrian environment.
 - b. Orient buildings to the street or public/common open space and provide pedestrian access to the street;
 - c. Blend the building scale and set back with existing developments along National and Sunshine that are consistent with these guidelines. Street facing walls that are greater than 50' in length must be articulated at least each 25 feet with bays, projections, or recesses. Articulation means a difference in vertical planes of the building of at least 18 inches or more; and
 - d. Provide bicycle parking equal to five percent of required vehicle parking spaces or ten spaces, whichever is less.
3. The site shall be designed to provide a good circulation system and shall:
 - a. Provide pedestrian and bicycle connections to adjoining public sidewalks; and
 - b. Provide connectivity by including direct vehicular, pedestrian and bicycle connections between abutting or adjacent developments.
4. The site shall be designed to respect the natural environment and shall:
 - a. Incorporate functional amenities in the open space and recreational areas such as outdoor seating areas.
 - b. A tree study performed on the site identified five trees that should be preserved if possible. Due to redevelopment of the site, it is only practicable to preserve one tree, the Magnolia tree located in the northeast corner of the property. The Magnolia tree should be preserved to the extent reasonably possible; and
 - c. The remaining four trees being removed must be replaced with a tree of at least two inches (2") in diameter. Trees meeting the landscape requirements in the zoning ordinance may be counted toward this requirement.
5. The building facades shall be designed with the following requirements:
 - a. All sides of buildings visible to the public, whether viewed from the public right-of-way or a nearby property, shall display a similar level of quality and architectural finish. This shall be accomplished by integrating architectural variations and treatments such as windows and other decorative features into all sides of a building design.

DEVELOPMENT REVIEW STAFF REPORT

b. Building materials and colors.

(1) Facade colors shall have low reflectance. High-intensity, metallic, or fluorescent colors are prohibited.

(2) Façade shall incorporate no less than 60% brick, stone, stucco, or craftsman style cementitious board or wood into the design. Stone veneer can be engineered stone or natural cut stone.

(3) Façade shall not have more than three materials or changes in color, excluding glass. Metal, Vinyl, or plastic siding is prohibited.

(4) No building(s) shall have more than fifty percent (50%) exterior glazing on any frontage facing Sunshine Street or National Avenue.

(5) The ground level of nonresidential or mixed-use buildings must offer pedestrian interest along sidewalks and pedestrian paths through the placement of window and doors. Therefore, the first floor of any building façade facing a public right-of-way shall include transparent, clear glass windows and/or doors arranged so that the uses inside are visible from and/or accessible to the street. Window and/or doors with reflective or tinted glass that impede views into a building shall be prohibited.

(6) If roofs are visible to the public, whether viewed from the public right-of-way or adjacent property, they shall be comprised of architectural asphalt shingle roofing.

c. Service and Loading Areas. Off-street loading shall be regulated in accordance with Sections 36-456 and 36-483 of the Springfield Municipal Code of Ordinances. The following requirements are supplementary.

(1) All service and loading areas shall be in the side or rear yard of buildings.

(2) Service and loading areas shall be designed so that the entire service and loading operations are conducted on the building site. The visibility of service and loading from public streets shall be minimized.

G. OPEN SPACE, LANDSCAPING & SCREENING

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

1. Open Space Requirements

a. 20% Minimum open space

(1) Pervious pavement will not be allowed to count towards open space requirements.

b. 80% Maximum impervious area.

2. Bufferyards and Screening

a. 20-foot-wide buffer yard adjacent to R-SF zoning consisting of:

(1) An 8-foot-tall stone (natural or engineered), brick, or concrete wall; or

DEVELOPMENT REVIEW STAFF REPORT

- (2) An 6-foot-tall wood privacy fence and non-deciduous evergreen trees planted in the buffer yard at 8 feet on center. Each tree shall be a minimum of approximately 12 feet tall when planted and maintained in the bufferyard. An irrigation system will be installed as well to ensure maintenance, life and growth. Trees and landscaping shall not interfere with sight distance or other city code requirements;
 - b. 15-foot-wide Standard City S2 Buffer along E University Street;
 - c. A minimum 4-foot-tall wall, measured from the finished grade of the north edge of the parking lot adjacent to E University Street, shall be installed for the length of the parking lot where headlights from parking vehicles would face north.
 - d. Required bufferyards on a lot or tract shall be installed when the lot or tract is developed;
 - e. Required bufferyards in common areas shall be installed when any development occurs in the proposed rezoning district unless the installation is specifically delayed by the requirements.
3. Vehicular use area open space
 - a. Perimeter Landscaping. The requirements and standards of Section 36-482(9) of the Springfield Zoning Ordinance, in effect at the time of development shall apply.
 - b. Interior Landscaping. The requirements and standards of *Section 36-482(9) of the Springfield Zoning Ordinance*, in effect at the time of development shall apply.
4. Open space landscaping
 - a. Landscaping plantings. In all open space areas required by this District the following landscaping shall be planted and maintained for each five-hundred (500) square feet of such open space area. Existing trees approved for preservation shall be counted toward satisfaction of this provision.
 - (1) One (1) canopy tree or (2) understory, ornamental or evergreen trees.
 - (2) Six (6) shrubs.
 - b. Landscaping standards
 - (1) Tree species, sizes and spacing shall be approved consistent with the City of Springfield's *Arboricultural Design Guidelines* on file with the Planning and Development Director.
 - (2) Tree preservation shall be per Section I (5) (b-c) of the Planned Development Language.
 - (3) Maintenance of required landscaping. Upon installation or preservation of required landscape materials, appropriate measures shall be taken to ensure their continued health and maintenance. Required materials that do not remain healthy shall be replaced consistent with this article.

H. EXTERIOR LIGHTING

1. All outdoor lighting fixtures shall either have a fixture cutoff classification of “full cutoff” or be fully shielded, unless otherwise expressly permitted.
2. All outdoor lighting utilizing a light-emitting diode (LED) fixture shall meet the following

DEVELOPMENT REVIEW STAFF REPORT

standards:

- a. Color rendering. Outdoor LED fixtures shall be rated a minimum color rendering index (CRI) value of 70 or higher.
- b. Color temperature. Outdoor LED fixtures shall have a correlated color temperature between 4,000- and 5,000-degrees Kelvin.
3. Maximum height of lighting poles shall not exceed 20 feet in height.

I. NOISE

The requirements and standards of *Section 36-485 of the Springfield Zoning Ordinance*, in effect at the time of development shall apply; and

Buildings and outdoor use areas such as patios should be placed and oriented in a manner that minimizes noise exposure to the adjoining residential properties. Speakers and noise emitting devices should be directed toward Sunshine Street and National Avenue.

J. ACCESS TO PUBLIC THOROUGHFARES

1. Access to the public street system shall be governed by the Traffic Impact Assessment which has to be approved by the City of Springfield Public Works Director.
 - a. Access P1 (Sunshine Street): Shall construct a raised concrete median on Sunshine Street to restrict access to Right-in/Right-out/Left-in only.
 - b. Access P2 (University Street): Full access driveway.
 - c. University Street at National Avenue: Shall Construct a raised concrete median on National Avenue to restrict access to Right-in/Right-out only on the west side of National Avenue and Right-in/Right-out/Left-in only on the east side of National Avenue.
 - d. University Street and/or Hampton Avenue: Shall install traffic calming measures, as approved by the City Traffic Engineer, and include them in the PIP.
 - e. The development should be completed in a manner, or right-of-way provided, to allow future construction of the southbound National Avenue to westbound Sunshine Street turn lane.
 - f. A 5' permanent sidewalk easement along National Avenue may be required by the City of Springfield.
2. An internal pedestrian system connecting the front doors of each building with one another, and the sidewalks located along Sunshine Street and National Avenue shall be constructed as part of the development.
3. The existing driveway approaches on Sunshine Street and National Avenue in the proposed rezoning district shall be reduced so that there is no driveway or approach on National Avenue and no more than one driveway approach on Sunshine Street for ingress/egress to the subject properties.

K. SIGNS

1. Signs located on any building façade are required to be compatible with the style of the building in

DEVELOPMENT REVIEW STAFF REPORT

terms of location, scale, color, and lettering.

2. Signs that are visible from the public right-of-way inside of a window or door are prohibited.
3. All other signage requirements and standards will meet *Section 36-454 of the Springfield Zoning Ordinance*, in effect at the time of development shall apply.

L. REQUIRED IMPROVEMENTS

1. Public improvements to be completed. Public and private improvements necessary to adequately accommodate the intensity of development proposed in this District shall be constructed prior to or concurrently with the development of the property. If the development of the property is phased, the construction of the improvements may also be phased provided there is a logical relationship between each phase of the development and the construction of the required improvements. Prior to building permits being issued to the applicant, or subsequent owners shall:
 - a. construct the required improvements; or
 - b. provide assurances satisfactory to the Director of Public Works guaranteeing that all required improvements will be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department shall be provided to the City.
2. Certificate of occupancy. No certificate of occupancy shall be issued for any structure within this District, or phase of the development, unless:
 - a. the required improvements are completed prior to occupancy of the structures; or
 - b. the Director of Public Works has determined that:
 - (1) any incomplete required improvements have little or no effect on the occupancy of the facility; or
 - (2) conditions beyond the control of the contractor, *i.e.*, strikes, weather, etc., have delayed the completion of the improvements.

If one of these conditions occurs, the Director of Building Development Services may permit occupancy under conditions satisfactory to the Director of Public Works that the required improvements will be completed as required by this ordinance within a reasonable time.

3. Required improvements. Improvements necessary to adequately accommodate the intensity of development in this District include the following.
 - a. Street improvements.
 - (1) Shall construct a raised concrete median on Sunshine Street to restrict access to Right-in/Right-out/Left-in only.
 - (2) Shall Construct a raised concrete median on National Avenue to restrict access to Right-in/Right-out only on the west side of National Avenue and Right-in/Right-out/Left-in only on the east side of National Avenue.
 - (3) Shall install traffic calming measures, as approved by the City Traffic Engineer, and include them in the Public Improvement Plans.

DEVELOPMENT REVIEW STAFF REPORT

- a. Landscaped island on East University Street west of the proposed access to the development preventing traffic from heading west on East University Street beyond the development.
 - b. Midblock speed cushions on East University Street between Hampton and the development and between S Hampton Ave and S Kings Avenue.
 - c. Midblock speed cushions on S Hampton Avenue between E Sunshine Street and E University Street and between E University Street and E Stanford Street.
 - d. Midblock speed cushion on E Stanford Street between S National Avenue and S Hampton Street.
 - b. Sanitary sewer facilities.
 - (1) It is recommended that public sewer be extended onto the site to better serve the development.
 - c. Storm water management facilities.
 - (1) On-site detention and water quality will be required for the site.
4. Improvement Standards.
- Improvements shall conform to the following standards.
- a. All utilities and utility connections shall be located underground, including, but not limited to, electrical and telephone cables, security and other telecommunication systems and wires. Transformers, meters of any type (including electric, gas or other meters), or other apparatus shall be adequately screened and landscaped.

M. ADDITIONAL REQUIREMENTS

1. A lot combination of all subject properties in accordance with all applicable subdivision regulations;
2. Vehicular access shall be limited to Sunshine Street and University Street and approved by the director of Public Works. The Existing driveways on National Avenue and Sunshine Street shall be removed so that there is no driveway approach on National Avenue and no more than one driveway or approach on Sunshine Street for ingress/egress to the proposed rezoning district. Access on Sunshine Street shall be restricted to right-in/right-out/left-in only as approved by the Director of Public Works; and
3. A final site plan, showing conformance with the requirements of this COD, shall be submitted to the Planning and Development Department or review and approval by the Administrative Review committee prior to the issuance of permits for the construction of permanent improvements within the proposed rezoning district.

Attachment 2

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: R-SF to GR w/ COD
(existing zoning) (proposed zoning)
2. Meeting Date & Time: July 18th 2024 - 4:00 to 6:30 PM
3. Meeting Location: Springfield Art Museum - 1111 E Brookside Dr Springfield MO 65807
4. Number of invitations that were sent: 156
5. How the mailing list was generated: City of Springfield provided
6. Number of neighbors in attendance (attach a sign-in sheet): 55
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).

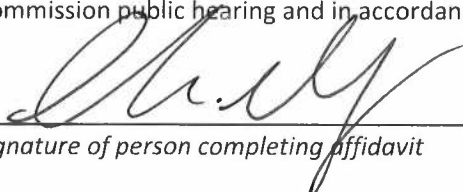
Traffic
Noise
Landscaping
Uses
Light
Architectural

See attached Summary list

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

No written comments

I, Chris Wynn (print name), attest that the neighborhood meeting was held on 7-18-24 (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

Chris Wynn
Printed name of person completing affidavit

Neighborhood Concerns summary / Response

Traffic Concerns – Major concern with new cut through traffic. Developers will install traffic calming measures including speed cushions and a landscape island preventing traffic from heading west on University. Also, as part of the development the City will get ROW for new southbound left turn lane on National which will help traffic on National and reduce existing cut through traffic.

Noise - Building to be orientated toward intersection of National and Sunshine. Additionally, trash pickup occurs during business hours.

Uses – Neighborhood requested that daycares and food trucks be added to the prohibited uses. This has been added. Additionally, they asked that multi-family be added to the prohibited list. However, the developer is not in favor of adding this.

Architectural (flat roofs) – It was requested that flat and/or low sloped roofs be prohibited. This language was not added to the COD. Previous renderings for the site did not include flat or low sloped roofs.

Landscaping – Some neighbors raised concerns with the proposed row of Green Giant trees. Others liked the idea. They stated they were susceptible to disease and drought. The COD calls out that the trees shall be maintained, and irrigation provided so we feel this concern is already addressed. Additionally, the developer met with the neighborhood and came up with an alternative which is a 8' tall stone wall. Both options are included in the COD and the decisions of which to use will be left to the developer.

Light – One neighbor asked to have the development meet dark sky requirements. This is already included in the COD language.

Please Sign-In

Welcome !



18-Jul-24
4:00 - 6:30 PM

National & Sunshine Neighborhood Meeting
Thank you for coming. Please leave your name and contact information.

	NAME	ADDRESS	EMAIL	PHONE
1	Jack McGee	media	jmcgee@sfgate.com	4177295229
2	Don Dumbler	932 E. Kingsbury	diver84@yahoo.com	4177555706
3	Cindy Helfer	1215 E. University	Cindy my friend@yahoo	417-209-3167
4	Tracy McKay	952 E. Kingsbury	TREZSAR@GMAIL.COM	
5	Trish McKay	1505 S. CLAY AVE	McKayt@verizon.net	
6	Barb Hughes	951 E PortHaul St.	cyclonegate@yahoo.com	417-861-1783
7	Annette West	1515 S. Kings Ave		417.830.4362
8	Jackie Moore	925 E. Stanford St	jackie@glmooretire.com	417 840 5193
9	Kathy Pulley	826 E Kingsbury	kathypulley@missouri-state.edu	
10	Kevin R. Evans	953 E. University Dr	stratigraphix@gmail.com	417-459-0691
11	Cynthia Bylander	1005 E. Kingsbury St	cbylander36@gmail.com	417-496-4042
12	Norma Capecci	900 E Kingsbury		417 883 3379
13	DARRON HEMANN	1039 E UNIVERSITY	DARRON.HEMANN@wellfargo.com	417-496-5167
14	Greg Lawson	1024 E. Stanford St.	Boo Zoo 4321@sbcglobal.net	417-899-5080
15	Wise Dixon	1118 E University		417 827 8208
16	Nicole Massey	1041 E. Stanford	n-massey415@yahoo.com	573-489-9338
17	Gabby & Michael Lampe	702 E. Stanford St	GabbyBodet@gmail.com	4174961212
18	ROWENA PAROBATZ	1127 E STANFORD ST		510 926 0078
19	Match Munkatzky	959 E. Kingsbury		417-725-2691 x150
20	Lisa Munkatzky	" " "	lmunkatzky@yahoo.com	

21	Renee Fogle	1125 E Kingsbury	anfogle@aol.com	417-882-2622
22	Nancy Cooper	635 E University	nancyjcooper@outlook.com	417-459-8830
23	JEANETTE ROUSE	1125 E University		
24	Nancy Karasik	947 E Portland	Nancy.Karasik@gmail.com	
25	Kirk Karasik	" "	" "	" "
26	Karla Carroll	815 E Portland	Karla.gcarroll@google.com	417-368-8015
27	Doug Carroll	" "	doug.c@mst.edu	" "
28	Nancy Williams	953 E Linwood Dr	whimsicalwms@gmail.com	
29	Evelyn Mangen	818 E. Portland	emangen@culpmangen.com	818-811x
30	Maggie Castrey	1006 E Linwood Dr -07	maggie@maggiecastrey.com	
31	Anne Griffin	1512 S Kings	aggwta@gmail.com	
32	Sherry Wirth	1035 E PORTLAND	SWIRTH98@AOL.COM	
33	Peta Wirth	1043 E, PORTLAND		
34	Julia Fuller	945 E. University		
35	Geri Miller	1025 E. Linwood Gr.	gerimiller@gmail.com	417-839-7234
36	Mike Miller	" "	" "	" "
37	Peggy Wise.			
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46	Dane Carroll	1657 S. Kimbrough	DaneCarroll@MissouriState.edu	459-8362
47	SEAMUS MCKENZIE	1127 E. STANFORD ST	smckenzie@missouri-state.edu	417-426-5404
48	Jason Ray	1136 E. Kingsbury	jasonray@missouri-state.edu	
49	Lois Shufeldt	1008 E. Kingsbury	lmshufeldt@aol.com	417-619-7115
50	Gayla Gary	1653 S. National	gayla@wrcary.com	417-866-7484
51	Donna Carey	930 E. Kingsbury	donnecarey@gmail.com	417-881-1161
52	Dixie Sleight	1124 E. University		417-881-3518
53	Barbara S. Robinson	1010 E. University St	Barbara S. Robinson	417-225-2522
54	ASHTON LEWIS	1032 E. UNIVERSITY ST	Ashton LEWIS	417-830-2337
55	MIKE O'BRIEN	1031 E. UNIVERSITY ST.	Mike O'Brien	417-887-0373
56	RINA EDGE	1030 E STANFORD ST	rina@edgeimmigrationlaw.com	4175008472
57	Rick Walker	1124 E. Linwood Terrace		
58	Holly Acharya	972 E. Linwood Dr	har545s@gmail.com	
59	Sreekanth Acharya	972 E. Linwood Dr	sreekanth.ach@gmail.com	
60	Ray Green	1055 E Kingsburg	Ray - byars - green	417-881-5068
61	Walter Green	" " " " "	" " " " "	" " " " "
62	STEPHANIE SHADNICK	1101 E STANFORD ST	SSHADNICK@GMAIL.COM	417-343-9222
63	LISA Munkatchy	959 E. Kingsburg St.	Lmunkatchy@yahoo.com	417-429-7297
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Attachment 3

From: [Greg Lawson](#)
To: Zoning@springfieldmo.gov
Subject: B, K, & M's proposed development at Sunshine St. & National Ave. Springfield, MO 07-11-2024
Date: Thursday, July 11, 2024 11:56:25 AM

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Secured by Check Point

07-11-2024

Planning and Zoning Commision
Springfield, MO

Good day,

My name is Gregory Lawson, I live at 1024 E. Stanford Street and my wife and I own our home.

I am completely against the rezoning of B,K, & M's property at Sunshine Street and National Ave.

I have attended all of the meetings concerning this issue and I am convinced that it is a wrong decision to rezone it.

My wife and I bought our property thinking that it wouldn't be harmed by an entity like BKM because of the zoning requirements of our neighborhood.

I have no faith in anything that BKM does or says, as I have found them to be unreliable, unfaithful, condescending, and dishonest.

I feel that anything that they would be allowed to build would be poorly built and poorly managed.

I remember at the meeting at the Double Tree Hotel, they told the 145 in attendance that the development that they were proposing was going to be what we all wanted, we just didn't know it.

I know what I want and I don't want anything to do with B,K, & M.

Sincerely,

Gregory Lawson
1024 E. Stanford St.
Springfield, MO 65807
417-849-5086

From: [Matthew Calihman](#)
To: Zoning@springfieldmo.gov; [Council](#)
Subject: resident opposed to rezoning the corner Sunshine and National
Date: Thursday, July 11, 2024 3:23:20 PM

Dear City Council and Planning and Zoning Commission:

I am a resident of University Heights, and I am writing to urge you to reject the proposal to rezone the corner of Sunshine and National.

That corner is part of a stable, safe, clean middle-class neighborhood of single-family historic residences. Almost without exception, these homes are very well maintained and add a lot of value to the city. And the residents of University Heights love it as it is. The neighborhood would be the envy of many other municipalities, and the Springfield city government ought to do everything in its power to preserve University Heights as it is. The city does not have many such neighborhoods.

A redevelopment project of the sort being proposed would do great harm to the University Heights.

Thank you for your consideration.

Sincerely,
Matthew Calihman
1533 S. Clay Ave., Springfield, MO 65807

From: boyer50@mediacombb.net
To: Zoning@springfieldmo.gov
Subject: Rezoning of 2.60 acres located at the northwest corner of Sunshine and National: Comment Card
Date: Friday, July 12, 2024 11:27:30 AM

Date: July 12, 2024

Telephone: (417) 887-4811

Your Name: Mark G. Boyer

Your Address: 1140 E. Stanford St., Springfield, MO 65807

Project Address: 1755 S. National Ave., Northwest Corner of Sunshine and National

Comments:

I wish to comment on the Christopher Wynn, PE--CJW Transportation Consultants, LLC proposal to change the zoning of 2.60 acres on the northwest corner of Sunshine and National in the University Heights Neighborhood.

Whatever is located there will add to the number of additional cars passing through the University Heights Neighborhood; already, there are many cars cutting through the neighborhood to avoid the light at Sunshine and National. And those who do that speed through the neighborhood streets with no police around to give tickets! Any business on the corner of Sunshine and National would only increase the traffic on and through neighborhood streets.

A neighborhood is where people live, not where businesses are located. Businesses are located in business districts. Neighborhoods should be kept neighborhoods. Business space is available on the northeast corner of National and Sunshine, and that business strip has been open for several years already. It is very difficult to get to those businesses and very difficult to get out of those businesses, and the same bottle neck will be created if businesses are allowed to occupy the northwest corner of Sunshine and National.

University Heights Neighborhood contains some of the oldest houses in Springfield. I live in one built in 1918 before the neighborhood was founded in 1925. While in principle I am not opposed to the development of businesses, I am opposed to the destruction of old neighborhoods. Once it begins, there is no end to how much will be lost block by block. Part of a city's grandeur is appreciating and preserving its heritage in old buildings. There is an integrity to an old building that needs to be preserved. In University Heights there are no cookie cutter houses; every home is different and needs to be preserved.

Property values throughout the neighborhood will drop if businesses begin to be added; no one wants to live next to or near a business; no one will want to buy a house next to or near a business; there is enough noise on National and Sunshine without adding more traffic. People who live in University Heights Neighborhood do not want a business in their neighborhood. They have expressed this several times in the past and several times more recently. How loud do they need to shout before they are heard by the people they elected to hear and serve them? Is the Planning and Zoning Commission going to listen to them? They have lived in the neighborhood long before someone wanted to build a business there. Would YOU want a business removing houses and increasing traffic and noise going into your neighborhood?

Please do not rezone the northwest corner of Sunshine and National for business purposes. Please do not grant any more requests to have homes demolished in the University Heights Neighborhood. Please keep the neighborhood intact.

From: [Jeff VanDenBerg](#)
To: Zoning@springfieldmo.gov
Subject: Opposition to BK&D rezoning request for University Heights
Date: Monday, July 15, 2024 7:18:03 PM

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Secured by Check Point

Dear Planning and Zoning Committee,

I am writing to urge that P&Z deny the request to rezone residential properties in University Heights to commercial. I am a resident of University Heights, and my opposition to rezoning these properties is both out of concern for its impact on my neighborhood and for city-wide quality of place reasons.

Rezoning these homes does not follow the city's existing comprehensive plan or Forward SGF. In these plans, University Heights is designated as Single Family Residential and classified as a "Residential Neighborhood-Traditional." There are no changing conditions that make rezoning necessary. University Heights is a flourishing historic residential neighborhood, one of the few left in Springfield, and property values are among the highest in the city. It is essential that we protect this neighborhood from commercial encroachment.

The likely negative impacts of commercial development include increased traffic and safety hazards, especially on University Street, increased crime with commercial development, and declining property values for residences in the neighborhood.

Furthermore, City Council has recently authorized a comprehensive corridor study for Sunshine Street that would include this stretch near the intersection of National. It would be quite premature (and irreversible) to approve a rezoning request ahead of this study.

Thank you for your service to our community,

Jeff VanDenBerg
801 E. Kingsbury St.
Springfield 65807

From: [Lisa Dixon](#)
To: Zoning@springfieldmo.gov
Subject: 1755 S National Ave. Springfield, MO 65807
Date: Monday, July 22, 2024 7:27:50 PM

We are writing to comment on the proposed rezoning of the 2.60 acres at the corner of National and Sunshine Streets. We oppose the rezoning from (R-SF) to (GR). We do not think this will improve anything for our neighborhood and will be extremely detrimental. Traffic is already a problem and any increase in traffic around and directly in our neighborhood will result in loss of walk ability, biking, and beauty. The increased traffic will increase noise, lower property values, and destroy the historic homes that have been in this city for 100 years. We live on University Street behind the proposed development, so this directly affects us. When we talk to friends and acquaintances, they all want to know what is going on and they ALL agree with us that the development is wrong for the neighborhood and the city. They ALL are sad that the white house on the corner has already been torn down and that our neighborhood will be so negatively impacted by any future commercial development.

S Hampton, S Kings, S Dollison, and S Holland have NO homes facing them on either side and only S Holland has a sidewalk on one side. They are alleys in our neighborhood, not true streets. They cannot accommodate 2 large vehicles going opposite directions. They cannot be widened because they lead directly into homes' yards and driveways. Any increased traffic through the neighborhood would overwhelm these alleys and lead to frustration for drivers and neighbors and would ultimately lead to accidents. People from all over the city regularly walk through our neighborhood and use these alleys to walk on. Increased traffic from the development would make this impossible and impact the entire city.

Please consider the current homeowners of University Heights, who keep their homes and properties beautiful. It is not worth destroying our neighborhood so that one developer can build something the entire city doesn't want or need.

Rodney and Lisa Dixon
1118 E University Street
Springfield, MO 65807
417 827 8208

DEVELOPMENT REVIEW NOTICE/COMMENT CARD

Enclosed you have received a notice of a "Neighborhood Meeting" submitted by the applicant to discuss a change in land use or zoning in your neighborhood. For all development applications involving an advertised public hearing, City Council requires developers to hold a neighborhood meeting and invite the property owners within 500 feet of the property and to the officers of neighborhood association on file with the Department.

A "Neighborhood Meeting" is held early enough to provide adequate time for the developer to negotiate with the neighborhood in order to resolve any issues and provide any proposed changes to City staff to evaluate and include in City staff reports.

If the developer submits an application for a change in land use or zoning, the property will be posted and there will be public notifications in the newspaper and notification by mail to the property owners within 185 feet of the project.

The Land Use or Zoning Change Process:

1. Application
2. Neighborhood Meeting (500 feet notification from subject property)
3. Planning and Zoning Commission Public Hearing (185 feet notification from subject property)
4. 1st City Council Public Hearing (185 feet notification from subject property)
5. 2nd City Council Meeting to decide either to approve or to deny the change in land use or zoning

City staff is available to meet with you or your neighborhood association representative(s) to discuss the proposed change in land use or zoning and answer questions at 417-864-1611.

Staff submits a report with a recommendation one week prior to the date of the public hearing at the Planning and Zoning Commission. You can provide comments on the attached "Comment Card" by mail or by email at zoning@springfieldmo.gov. Please include your name, address and telephone number as well as the address of the project in your correspondence.

Bob Hosmer, AICP Planning Manager
City of Springfield Development Review Office
840 Boonville Avenue
Springfield, Missouri 65801

Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	10 JULY - 24	Telephone No.	417-839-1584
YOUR NAME:	ALAN DE BRUL		
YOUR ADDRESS:	1126 E. SUNSHINE ST. SPRINGFIELD, MO 65807		
PROJECT ADDRESS:	1755 S. NATIONAL SPRINGFIELD, MO 65807		
COMMENTS:	THIS PROJECT WILL INCREASE TRAFFIC - A PREVIOUS PROJECT TO CONVERT A LARGE HOUSE TO A 4-PLX, AT THIS SAME LOCATION WAS TURNED DOWN FOR TRAFFIC ISSUES. IT WILL EXAGGERATE THE FLOODING IN THIS AREA - THE CITY'S EXISTING PLANS CALL FOR THIS AREA TO BE RESIDENTIAL. THIS WILL ATTRACT A CRIMINAL ELEMENT AND DECREASE PROPERTY VALUES. IT WILL CAUSE EVENTUAL ELIMINATION OF THE RESIDENTIAL NEIGHBORHOOD -		

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

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Comment Card: Mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	10 JULY - 24	Telephone No.	417. 839-1584
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7/20/24

To

PLANNING & ZONING COMMISSION,

SPFLD, MO

DEAR SIRs:

My wife AND I HAVE LIVED AT
1455 SO CLAY AVE, JUST NORTH OF THE UNIVERSITY
HEIGHTS AREA FOR THE PAST 42 YEARS.

IT IS OUR REQUEST THAT YOU LEAVE THE
UNIVERSITY HEIGHTS ZONING AS IT NOW IS.
"RESIDENTIAL NEIGHBORHOOD (R-SF)".

NO CHANGES HAVE OCCURED THAT WOULD
REQUIRE REZONING, PROPERTY VALUES ARE
HIGH AND WILL STAY THAT WAY WITH THE
ZONING REMAINING AS IT NOW IS.

INCREASED TRAFFIC, LOWER PROPERTY
VALUES, CHANCES OF FLOODING, AND A
HIGHER CRIME RATE COULD OCCUR AS
A RESULT OF THE PROPOSED ZONING
CHANGES. PLEASE LEAVE THE ZONING AS IS.

THANK YOU FOR YOUR CONSIDERATION

Sincerely

Freddie D. Rabeen
Wilma Rabeen

Planning and Zoning Commission
840 N Boonville, 1st Floor
Springfield, MO 65802

We are writing in opposition to the rezoning of the properties at the northwest corner of National and Sunshine. Re-zoning this area does not follow Springfield's existing Comprehensive Plan or the now ratified Forward SGF. These plans designate all of University Heights as Single Family Residential. There are no changing conditions that make re-zoning necessary. The goal of Forward SGF is improving "quality of place". Currently the University Heights neighborhood has that "quality". We have a variety of well-maintained homes in a livable, walkable, center city neighborhood. The rezoning and commercial development of the National/Sunshine corner will change that for the worse. University Heights is enjoying the highest property values in its history and the vast majority of residents do not support commercial development. University Heights has always been residential and has never had commercial development within its borders.

The proposed entrance from University Street to the commercial development will greatly increase the traffic on University, which is a quiet, interior residential street. We oppose any commercial development in the University Heights neighborhood, but adding an entrance to a quiet neighborhood street is the most egregious concern. The developer (BK&M) has held several meetings and claims that the "City" will not allow him to put a property entrance on National and will only allow one entrance on Sunshine. The developer says that he is required to put an entrance on University Street. We do not believe that he is being truthful. There are similar commercial developments at similar intersections in the city that have multiple entrances in both directions. We oppose any commercial development in University Heights, but if there must be a commercial development on the property, please require that entrances be from National and Sunshine and do not allow an entrance on University Street.

In the following four pages we have compared the intersection at National and Sunshine to the three closest busy intersections in the city, including Sunshine and Campbell, Sunshine and Glenstone, and National and Battlefield. These are all busy intersections that carry approximately the same amount of traffic as the intersection in question (National and Sunshine). We have shown that for a development the size of the proposed (BK&M) development there is space for one entrance off National into the property and multiple entrances off Sunshine. There is no need to have an entrance from University Street into the proposed development, and there will be much less impact to the neighborhood if the entrances are from National and/or Sunshine. Please see pages 2-5 for the analysis.

In summary, we oppose the commercial development at National and Sunshine. The City's existing Comprehensive Plan and the now ratified Forward SGF show University Heights to be a residential neighborhood. The City should follow through with the planning and not allow commercial development in University Heights.

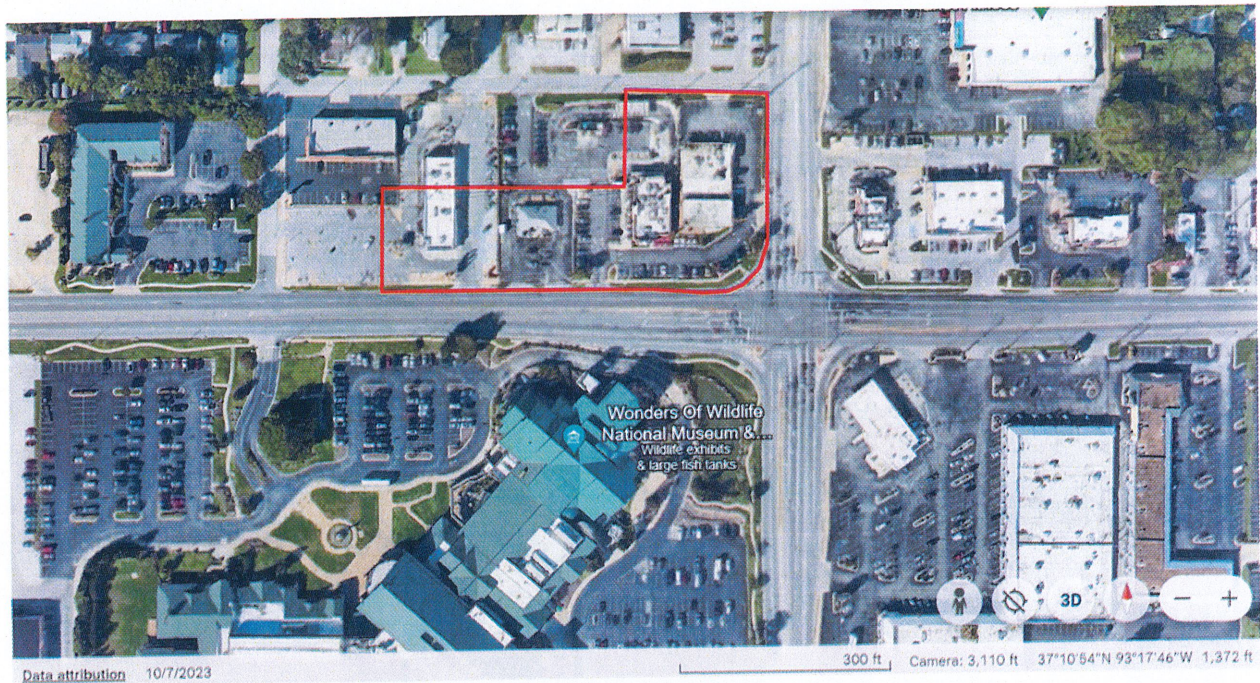
Sincerely,

Doug & Karla Carroll
815 E Portland



National and Sunshine

The figure above shows the intersection of National and Sunshine. The proposed development is outlined in red. The figure is from Google Earth and there is a scale at the bottom. The same scale was used for all figures in this document. Please notice that there is a commercial development on the southwest corner of the street that has an entrance from National located about 250 ft from the intersection. It would be possible to put an entrance into the proposed development from National that is about the same distance from the intersection. The business on the southwest corner also has an entrance from Sunshine Street about 300 ft from the intersection. There is plenty of space to put two entrances into the proposed development from Sunshine Street.



Campbell and Sunshine

The figure above shows the intersection of Campbell and Sunshine streets. The red outline is the size and shape of the BK&M proposed development at National and Sunshine. Please notice that there are 4 business entrances from Sunshine Street, and one business entrance from Campbell that would fit into the proposed development. This intersection is similar to National and Sunshine, so if there is space to have 5 business entrances at this intersection, then there should be plenty of space to have 5 business entrances to the proposed BK&M development for National and Sunshine.

Also please look at the northeast corner of the intersection. There are 4 business entrances from Sunshine and one from Campbell on this corner in a space the same size as the proposed BK&M development. If you examine the southeast corner, there are 3 business entrances from Sunshine and one from Campbell in a space the size of the BK&M development. The intersection of Campbell and Sunshine is comparable in size and traffic to National and Sunshine. If we can put all of these business entrances at this intersection, then we should be able to provide the necessary business entrances to the proposed BK&M development from National and Sunshine. It is not necessary to put an entrance from University Street.



Glenstone and Sunshine

The figure above shows the intersection of Glenstone and Sunshine. The red outline is the size and shape of the proposed development at National and Sunshine. Please notice that there are 4 business entrances from Sunshine Street that would fit into the proposed development. There is an entrance from Glenstone into the business that would partially fit into the proposed development. This intersection is similar to National and Sunshine, so if there is space to have 4 business entrances from Sunshine Street at this intersection, then there should be plenty of space to have 4 business entrances to the proposed BK&M development from Sunshine street. The entrance from Glenstone into the business is on the edge of the footprint for the proposed BK&M development, but it is close.

The intersection of Glenstone and Sunshine is comparable in size and traffic to National and Sunshine. If we can put all these business entrances at this intersection, then we should be able to provide the necessary business entrances to the proposed BK&M development from National and Sunshine streets. It is not necessary to put an entrance from University Street.



National and Battlefield

The figure above shows the intersection of National and Battlefield. The red outline is the size and shape of the proposed development at National and Sunshine. Please notice that there are 3 business entrances from Battlefield, and 3 business entrances from National that would fit into the proposed development. This intersection is similar to National and Sunshine, so if there is space to have 6 business entrances at this intersection, then there should be plenty of space to have 6 business entrances to the proposed BK&M development for National and Sunshine.

Please notice that on the northeast corner there is one business entrance from National and 3 business entrances from Battlefield that would fit into the footprint of the proposed development. On the southeast corner there are 4 business entrances from Battlefield that would fit into the proposed development footprint. On the southwest corner there is one business entrance from National that would fit into the proposed development footprint. If we can put all these business entrances at this intersection, then we should be able to provide the necessary business entrances to the proposed BK&M development from National and Sunshine streets. It is not necessary to put an entrance from University Street.

From: [Kevin Ray Evans](#)
To: Zoning@springfieldmo.gov
Subject: Forward SGF guidelines and proposed rezoning of Sunshine and National
Date: Wednesday, July 31, 2024 8:30:54 AM
Importance: High

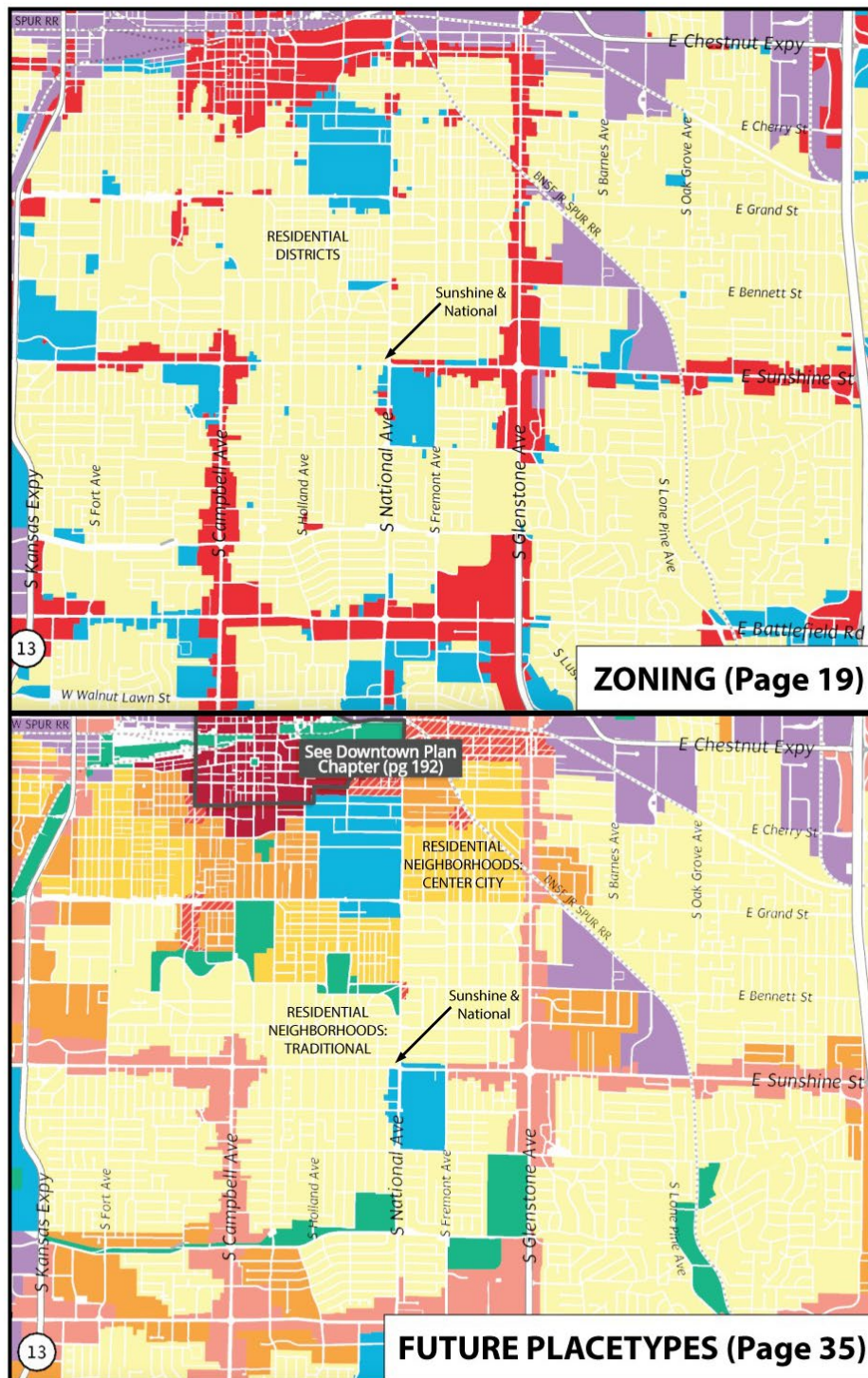
This is the first time you received an email from this sender (kevinrayevans@gmail.com). Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

Secured by Check Point

Dear Chair and Members of the Planning and Zoning Commission,

BK&M, developers, recently resubmitted an application to rezone the area at Sunshine Street and National Avenue as a conditional overlay district, changing zoning from single-family residential to general retail. Like all new proposals, BK&M are bound by the *current* Comprehensive Plan (Forward SGF), which was adopted 14 November 2022. On pages 19 and 35 of the Forward SGF document (see figure below), current and future placetypes for University Heights neighborhood are shown on maps. The former(current) regards the area at Sunshine and National as "Residential District" and future placetype map refers to it as "Residential Neighborhood: Traditional". These are the sentiments of nearly all of the residents of University Heights and the way we would like to see it remain, residential rather than general retail. Did the City waste taxpayer money on consultants and countless hours of citizens' and staff's time on a meaningless document, performing an exercise in futility? I don't think it should be so. The City needs to follow through with the plan as it was adopted. I view the document as a contract in which the Planning and Zone Commission and City Council *must* abide. This area is *only* suitable for residential re-development rather than General Retail zoning. Thank you for your consideration.

Best regards,
Kevin Ray Evans
953 E. Linwood Dr. (Zone 4)



From SPRINGFIELD, MISSOURI | FORWARD SGF
COMPREHENSIVE PLAN (adopted 14 November 2022)

From: [Chris Wynn](#)
To: doug@mst.edu; karlagcarroll@gmail.com
Cc: [Ralph Duda](#)
Subject: National and Sunshine Rezoning - Comment Card / Response
Date: Wednesday, July 31, 2024 5:01:59 PM

Good Afternoon Doug and Karla,

I received comment letters this afternoon that were submitted to the City of Springfield regarding the rezoning case at National and Sunshine. I wanted to follow up on some of the concerns that were presented.

At the neighborhood meeting and in your letter, you brought up the CoxHealth development located on the southwest corner of National and Sunshine and how they have a new access to S National Ave. I tried to explain this at the meeting but in the heat of the moment may not have gotten the information across properly or clearly. If we were to put an access onto S National approximately 200 feet north of the intersection right-of-way for National and Sunshine, it would put the proposed access less than 100 feet from the intersection of National and University St. Access spacing code does not allow for a new access that close to an existing intersection (I have attached a clip from the zoning code referencing access to primary arterials, this is just a portion of the requirements we have to follow). Additionally, the City plans to install a new southbound right turn lane on S National Ave with the right-of-way that is being dedicated as part of this redevelopment. A new access in the middle of a turn lane is not encouraged.

Looking at the CoxHealth development I would agree it is very similar to our development. They were allowed one limited access on S National Ave and no access to W Sunshine St, in part due to the spacing between the intersections of Sunshine and National and Sunshine and Florence as well as the existing eastbound right turn lane. The access to Sunshine you mention in your letter is actually S Florence Ave (a public street). CoxHealth ultimately took a second access to Florence since access to Sunshine was not allowable. CoxHealth has the same access as we are proposing just reversed between National and Sunshine.

At the end of the day if the City would support access on S National Ave we would do it without question. Developers always want access to a major thoroughfare when possible.

Looking at the other examples you provided of similar intersections, the overwhelming majority of these access are existing non-conforming accesses. If these properties were to be re-developed, submit a lot combination, replat, or any other formal development request to the City they would be required to update the access spacing to current standards. Many of the commercial access points along major streets in Springfield were constructed in the 1960s or earlier. The City and MoDOT have since updated their access standards to improve access management.

I would like to let you know that we met with the City of Springfield Traffic, Planning, and Fire Departments yesterday and they are agreeable to allowing us to place a landscape

island in the westbound lane of W University Street just west of our proposed development to prevent traffic from the development entering the neighborhood while still allowing traffic to exit on to National. Additionally, we are proposing the installation of speed cushions at approved locations along University, Hampton, and Stanford. I also feel that the installation of the southbound right turn lane on National will greatly reduce the amount of existing cut through traffic that the University Heights Subdivision currently receives due to the back up at the intersection.

If you have further questions regarding the access spacing and requirements, please contact the City of Springfield Traffic Engineers Brett Foster or Chad Zickafoose at 417-864-1980

Sincerely,
Chris

Christopher J. Wynn, P.E., LSI

President

CJW Transportation Consultants, LLC

cwynn@gocjw.com | www.GoCJW.com

5051 S. National, Suite 7A | Springfield, MO 65810

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Neal, Daniel

Subject: University Heights - Communication

From: Aimee Jackson <aimeemj76@gmail.com>

Sent: Thursday, August 1, 2024 8:55 AM

To: Gage, Jason <jgage@springfieldmo.gov>

Subject: University Heights.

Dear Jason, I'm asking you nicely to consider what I have to say. We don't need any more businesses put up in the area because eventually it will lead to entirely too much traffic. We don't need this. Please sir consider what I'm saying. I would invite anyone that is concerned with this to my home so they understand what having entirely too much traffic does to an area. You are more than welcome in my home so that you can understand what this means. Please don't just let people come into town and do whatever they want. Please consider this.

From: [Walstrand, Gwen](#)
To: [Council](#); Zoning@springfieldmo.gov
Subject: Z-22-2024 COD 258
Date: Tuesday, August 13, 2024 12:07:43 PM
Attachments: [future-strip.pdf](#)

Dear Zoning Commission and City Council,

I am writing in opposition of the rezoning **proposal Z-27-2022 COD #220** for 1739, 1745, 1755 S National, 1141, 1131, 1119, 1111 E Sunshine, and 1138 University St. Removing eight (or any) historic homes in good or easily maintainable condition should not be considered. Destruction of livable, beautiful, historic neighborhoods and inviting further blight and retail sprawl into areas that are well established residential areas with deed restrictions preventing such actions should not be allowed by the city and would have a long-term negative effect on the entire city and surrounding area.

Preservation, planning: Preservation and enhancement of residential architecture, livable green spaces, safe streets and neighborhoods, and integrity of history should be foremost considered. Already our city is known for strip malls, sprawl, poorly constructed chain stores and restaurants. If we allow those areas to further sprawl into irreplaceable historic areas, we trade away the character and desirability of our city and its residential areas for quick dollars and future blight issues. Arguably, nearly every strip center/retail/restaurant structure erected in this town in the last twenty or thirty years has been constructed for short-term use, eventual blight, demolition, then similar new construction/rebuild. The retail shops along National Ave across from the Missouri State University have lived this cycle, as have the East Sunshine areas east and west of Fremont Ave, nearly all of Glenstone Avenue, Campbell Ave near Sunshine Street, and pockets of Chestnut Expressway. These commercial strip centers have compromised each of our historic urban neighborhoods in some way by the noise and other unattractive qualities of cheap construction and devaluation of property. This is true of the Delaware neighborhood, Rountree neighborhood, Phelps Grove neighborhood, and Midtown neighborhood, and of University Heights. If left as single family residential homes, the structures will be beautiful, historic, well-built and designed homes that will last for centuries more. The life span of any retail, strip center, or 'mixed-used' new construction is on average about 15 years before it must be rehabbed or demolished.

Empty nearby retail spaces and deed restrictions: Destruction of historic residential homes in neighborhoods with deed restrictions and residential-only zoning is not necessary to build business! There are, throughout the streets named above, empty retail centers that the population of Springfield would LOVE to see renovated into more attractive, solidly constructed shops and restaurants. Very near the site where Mr Duda and Mr Tolliver hope to destroy homes to build general retail strip centers there are empty and near empty commercially zoned structures and parking lots. They would have the same access to the same customers if they were to build there instead.

It does not make sense for Springfield to allow re-zoning and destruction of historic residential areas when there is empty commercial and retail space throughout the city and near the proposed location. It's a direct hit on the character and integrity of our city. The minimally increased property tax revenue it may generate in the short term to have retail business there will be negated long-term and reversed when those new structures become the ubiquitous half-empty, poorly maintained, hideous strip centers Springfield is known for, and the historic homes that would have been welcome sights for all and quality homes for future centuries would be forever lost. The area will become blighted and property values and taxes will go down throughout the area. Please see the link below and the attached document regarding studies highlighting the very short life of retail centers such as what Mr. Duda proposes and the blight, under-utilized, and short-sightedness of such endeavors.

<http://www.urbanindy.com/2015/11/01/the-case-in-greenwood-why-america-deserves-its-retail-blight/>

Quality of life + noise/environmental impact: The University Heights neighborhood has spoken clearly and repeatedly that the re-zoning is not welcome. We have been joined by the neighborhood associations all around the city center. At each P&Z and City Council meeting, so many speakers strongly, lucidly oppose the destructive nature of Mr Duda's proposals. Only those who may financially benefit will speak on behalf of those proposals. It's very clear that through the two years of everchanging and ill-conceived rezoning requests concerning the corner of National Ave and Sunshine St., that the residents of this city do not want the neighborhood destroyed and rezoning approved. To truly hear and represent the residents of the city, particularly those who live in the beautiful urban neighborhoods most affected, you must deny these destructive requests. This is why we have zoning laws; to protect the character of the city and the residents of the city.

The footprint of our neighborhood is small and bound by busy streets. But within the bounds of Sunshine, National, Grand, and Jefferson, there are mature trees, streets with sidewalks, family homes, runners, walkers, children playing, neighbors talking, Fourth of July parades, a couple of quiet, small neighborhood restaurants neatly tucked into the architecture of the surrounding houses, a few churches, a park, an Art Museum, and two elementary schools. The traffic noise from the surrounding busy corridors is always heard. The trees do a bit to buffer the sound, but we continually hear motorcycles, sirens, loud vehicles, and we are right under the flight path of helicopters landing on the nearest corner of Mercy hospital. We hear construction projects at Mercy, football games at MSU, fireworks from Hammons' Field, and other sounds of being tucked into the middle of a busy city. Most of Springfield is not inviting to pedestrians or cyclists. We chose to live in University Heights partially because we are able to walk or cycle to work, reduce our carbon footprint, and live and enjoy a neighborhood that welcomes outdoor

activity. But the ever-increasing noise levels and traffic from the surrounding busy corridors have reduced the wildlife, birdlife, and safety is less assured when out walking the neighborhood. The limited green space we have due to road-widening and surrounding parking lots also causes flooding due to the lack of drainage areas. Removing more green spaces in favor of parking lots will cost the entire neighborhood and the city. There are simply no more ways for University Heights to compromise for business and still have a livable neighborhood. The activity, parking issues, and traffic already created by our elementary schools, churches, and Art museum results in commercial dumpsters being emptied multiple times per week between 4am and 6am and voices of crowds coming and going to school, church, and museum activities late into the evenings. This has a real impact on the surrounding neighbors, but does not compare to the extremely negative and potentially dangerous impact that retail and restaurant crowds, delivery trucks, trash collectors, increased parking, increased traffic, and increased traffic crashes at the busy intersections would cause. Inviting that into the interior of the neighborhood, via University Street and all the other streets affected by it would reduce the quality of life in all of Springfield and in University Heights. If you measure Hampton Ave at its narrowest point between Kingsbury and Portland, it is 15 feet wide, barely one lane wide and it has no sidewalks. Between University Street and Stanford, Hampton Ave is only narrows from 18 feet wide to 16 feet wide. It is an alley that cannot handle the flow of increased traffic.

Traffic: Portland St. is a thoroughfare for motorists wishing to avoid the intersection at Sunshine and National. Without stop signs or traffic calming features, motorists drive easily at speeds of 40 or 50 miles per hour with no need to stop between National and Kimbrough. If University St. is made an ingress of the proposed retail center, the entire neighborhood will have increased traffic. Entry from National or Sunshine would cause the blocks long traffic jams at rush hour to worsen. There are frequent auto crashes on National, at the intersections of all the east-west streets around the neighborhood. This will not be reduced by adding commercial structures *within* our neighborhood. A newer traffic count than what is available online (2004, 2011, etc) will show that the neighborhood and the intersection at National and Sunshine is overwhelmed with traffic. It's an area to be avoided, not an attractive retail spot. University and Hampton, and most of the nearby streets are not wide enough to handle a lot of two-way traffic plus parking. None of the neighborhood streets have that ability, and it would become quite dangerous for children and pedestrians.

Conclusion: I sincerely hope that the good of the city, the good of the neighborhood and its residents, and the quality of life in Springfield will be foremost in the decision making regarding this re-zoning proposal. The desire to live in Springfield at all is much reduced when we allow our neighborhoods and our history to be destroyed so easily. Even more than has already been the case, the destruction of beautiful neighborhoods will result in

the residents moving out of the city to join the sprawl on the edges. Forward-thinking city planning should not allow this. Destruction of history and character in favor of re-zoning for commercial would be horribly short-sighted and the kind of loss **forever** felt by this city. Please think of the future by regarding highly the **best** of our past.

Thank you for your consideration. The desirability and livability of the city is in your hands.

Gwen Walstrand
1116 East Portland
Springfield, MO 65807
417-234-0745

THE FUTURE OF STRIP MALLS

Merle Patchett and Rob Shields

In many neighbourhoods across North America, small, 5-8 store strip malls, once anchors of local retail activity, are increasingly being framed as today's suburban blight. Intended as community hubs of consumption and services, many of these places are being abandoned or becoming underutilized and dilapidated as the services move out of local neighbourhoods in favour of larger-scale malls and shopping districts serving greater catchment areas. At the CRSC, we believe it is time to rethink our relationship with the strip mall. This design competition and touring exhibit proceed from the thesis that the social vitality and community sustainability of mature suburban neighbourhoods can be improved by reviving and re-purposing under-utilized strip malls. It is our contention that small-scale strip malls can play a vital public role in the urbanization of the postwar suburbs. Strip malls can become as important to these communities as the old warehouse and market districts have been to the inner city.

The shopping mall reached its peak - in terms of its ubiquitous presence in the North American urban landscape and popular psyche, as well as the amount of scholarly attention paid to it - towards the end of the twentieth century.ⁱ Now into the second decade of the twenty first century, local malls, especially small-scale strip malls, are rarely of interest or attachment, undercut in cost by auto-orientated "big box" "power centres" and regional and super regional malls.ⁱⁱ Contemporary academic work continues to focus on spectacular, larger-scale, enclosed "mega-" and regional malls,ⁱⁱⁱ or on the "mall-ing" of formerly non-consumer spaces, such as airports, universities, office buildings, hospitals and other civic spaces.^{iv} There is very little academic literature about small-scale local malls or neighbourhood strip malls beyond urban designers' disparagement of the form.^v Similarly, policy focus has been on revitalizing heritage^{vi} and downtown shopping cores,^{vii}

or on creating "town square" versions of power centres (including "lifestyle centres") generally in newly erected suburbs^{viii} along with other novel retail spatial configurations.^{ix} By contrast, the local strip mall, with a convenience-oriented mission but often not a particularly locally-responsive retail provision, has been in decline: "many of them dying, bleak and waiting for reinvention."^x

We initiated our design competition - *Strip Appeal* - to "reinvent the strip mall," recognizing its potential to produce innovative solutions and design visions for the rejuvenation of strip mall retail. The specific focus of the competition was smaller scale, neighbourhood shopping plazas consisting of a few retail units, usually fronted by parking, and up to the scale of malls which combine indoor and outdoor sections but remain local in focus and generally do not exceed a single floor. In some cases, these malls have been redeveloped as sub-regional consumption and service destinations by enclosing their storefronts with galleria or glass arcades. However, those malls that have not succeeded in making the transition often stand partially or almost completely empty (see deadmalls.com for countless examples). This problem has been exacerbated by the fact we have overbuilt strip centres and malls in North America. This problem has been exacerbated by the fact we have overbuilt strip centres and malls in North America. The Urban Land Institute details that from 1960-2000, there was almost a tenfold increase of retail space in the United States, from 4 to 38 sq. ft/ person - a rate 5-6 times faster than the increase in sales. This glut has led to 9-10% of retail facilities being derelict, with the most overbuilt category of retail space being the large single-storey discount stores. Following the first quarter of 2011, mall vacancies rose to 9.1 percent. The second quarter was no kinder, with the vacancy rate inching up to 9.3 percent. Strip malls, with a vacancy rate of 10.8 percent, have an even tougher time keeping tenants.

The Urban Land Institute suggests one solution would be to demolish 300 million square feet of retail space. Our research suggests that larger strip malls are more likely to be uneconomic. In general, we observe that the single-storey sections of strip malls have a limited life-span due to ageing roof-top heating and ventilating systems. Two-storey sections are more likely to be repurposed for community uses while the rest of the mall is taken down and the area redeveloped for other purposes. At the CRSC, we recognized this as an opportunity for intervention: how can small-scale strip malls be reinvented and redeveloped to local advantage? As outlined in the previous essay, in order to address the problems associated with strip mall retail, the design competition presented itself as a new model for engaging practitioners and interested publics with the question of how strip malls could be re-imagined to reflect the needs of 21st century suburban communities.

We are unlikely to immediately replace 55+ years of North American car-based suburbs (roughly 1945-2009).^{xi} To become more environmentally sustainable, the provision of walkable retail services and accessible centres of social interaction and community facilities has a role to play. Retail is understood as a site that fulfils certain needs at a variety of scales - the need for creating a sense of a vibrant local place, for developing a sustainable hub for community, for the provision of goods and services as local shopping experience and for creating a community retail destination, a “place to go.”^{xii} It was our hypothesis that the reorientation of the suburban strip mall to community use might contribute to community cohesion by enabling “face-to-face” encounters through the creation of a local “marketplace” or neighbourhood public sphere whilst also adding to a community’s economic resilience through informal networks of social interaction.

These facilities are often hampered by being intentionally located at the entrances of arterial roads to suburban housing developments. This makes them ideal automobile commuter stops as they are on the way between work

and home. However, it puts them at the edges of neighbourhoods rather than at their cores, and makes them potentially dangerous destinations for pedestrians and children unless bicycle and walking paths lead to these sites. As a result, many of the entrants include a transportation component in revitalizing the strip mall. Regardless, we see the usages and tenancies of these retail spaces changing from convenience-oriented commercial to educational, fast-food, medical, service, religious, ethnic and other niche services. The strip mall is dead - long live the strip mall!

Factors frustrating redevelopment of strip malls thus far include the accessibility of larger retail facilities, the anti-competitive practices of large retail operators who have acquired ownership of many of these malls (through, for example, increases in rent and restrictive covenants^{xiii}) and the decision of property owners to land bank, that is, to hold sites – often unoccupied – as investments to be sold for the value of the land.^{xiv} The recent economic climate has also discouraged redevelopment as developers are risk-averse, evidenced by the decrease in the number of applications to rezone these facilities for mixed-use developments. In Canada, municipalities impose re-zoning challenges or vacillate on the requirements for applications that delay and thus increase the cost of repurposing under-performing retail space to other commercial and institutional uses, for example, as office space, often making these projects uneconomic. Despite these trends, some strip malls continue to thrive by successfully servicing the needs of the neighbourhood or by catering to the specialized needs of an identifiable community. There has been little systematic study done to investigate how or why these strip malls have succeeded in their contextual communities.^{xv} For the most part, small, vibrant retail clusters such as successful strip malls are regarded as accidents, and any quantitative traffic or marker analyses done surrounding them remain corporate secrets.

A recent study by Linovski,^{xvi} although not expressly attempting to identify the reason why some strip malls

succeed and others fail, argues against a blanket push to redevelop strip malls. Recognizing the diversity of strip mall forms - from those characterized by front-loading parking along arterial strips to traditional retail strips that face directly onto the public sidewalk - she argues that design and redevelopment policies should not treat all strip malls as the same. She examines diverse strip mall types in Toronto's postwar suburban fringe facing high redevelopment pressure and identifies certain benefits in leaving some of these strips with fewer controls and barriers to access. Linovski argues that strip malls in these areas provide affordable retail space for small businesses not available elsewhere, enabling diversity in tenants and use. She advances that many of these strip malls have significant social and economic benefits in their current form that are not addressed in most design and planning policies, which tend to judge strip malls based solely on their aesthetic and visual character. She thus urges that future strip mall design policies support functional concerns and not simply respond to visual considerations.

Similarly, Shields' research shows that well-managed malls understand the importance of considering the social needs of communities rather than assuming that a standardized reliance on market projections will guarantee success.^{xvii} This means responding to local ethnic interests, holidays and demands. It also means understanding how to manage tensions that arise from different demands of clients, retailers and neighbours. This is why we asked our competition entrants to choose a strip mall local to them. By asking entrants to consider the "situated-ness" of their strip mall sites, we wanted their redesigns to consider the relationship between architectural and non-architectural elements of the site, and to respond to the needs of the surrounding community and built environment. In doing so, the responses demonstrate a wide diversity of approaches to the redesign of small-scale strip malls, from full-site overhauls to lighter-touch, intervention-based approaches only altering one aspect of the site.

This catalogue offers you a glimpse of the future. That is, not projects that are under construction now, but those that

are in the planning phase for 10 to 15 years; hence it will be in 2025, and their successors in 2040 to 2050, when new forms will replace these facilities that were built with a short life span in mind. In total, we received 122 submissions from design students and professionals, creatives and the general public. While the majority of sites were located in North America, selected sites were as far away as the Netherlands, Brazil, Hong Kong, China and Australia. The submissions proposed alternatives from community greenhouses to rooftop recreation spaces and all-weather shelters for food trucks and their patrons. They replace and reinvent what we now know as strip malls. The 20 shortlisted submissions reflect the diversity of responses, approaches and ideas our brief solicited, ranging from architectural responses to structural engineering and facade responses, from urban planning and construction responses to urban transport responses and social and architectural interventions. As argued in the previous essay, the shortlist, as presented in this catalogue and touring exhibition, provides many innovative and implementable "theories of action"^{xviii} for the reorientation of strip malls to community futures. As such, we hope the catalogue will follow the example of Tahchieva's Urban Sprawl Repair Kit^{xix} and function as a "strip mall repair kit," where the submissions offer implementable techniques for the renovation of existing strip malls to create denser, healthier, more walkable and cohesive communities.

In both the catalogue and the exhibit panels, the submissions have been grouped into five main categories: "Winners," "Green," "Park," "Up and Out" and "Connect." "And Ideas" selections from other entries closes each section. The "Winners" section outlines the Jury Winner and Runner-Up as well as the Public Vote Winner. The Jury Winner - Free Zoning by Stephanie Davidson and Georg Rafailidis - radically re-imagines a derelict strip mall in Buffalo, New York as a building quarry. Proclaiming the site free of zoning restrictions, Davidson and Rafailidis deconstruct and inventory all the building materials on site and demonstrate how these can be used to construct community housing. Using the existing foundation as a seedbed for construction, they show how the plot might develop over time with a wide variety of functions and building typologies, all primarily constructed using the

salvaged materials of the derelict strip mall.

The Jury Runner-Up - Parked Mall by Carole Levesque, Todd Ashton and Aumer Assaf - retains the commercial activity that vibrant neighbourhoods need whilst reducing dependence on passenger vehicles. To do so, it proposes replacing four static strip mall structures in an area of North Edmonton with docking stations where mobile shops can park and offer a range of services. Where previously the strip malls offered a duplication of shops, the mobile shops and service trailers can be arranged in a weekly schedule to offer a wider selection of local services. When not in use, the dock and its infrastructure will be made available to the community for impromptu or organized gatherings.

The Public Vote Winner - Unbox-Embrace-Cohere by Jasper Hilkhuijsen and Geraldine Li - presents 3 steps for turning a semi-vacant strip mall in Enschede, the Netherlands into a community youth centre: 1. Unbox the strip through the removal of non-structural walls to provide new routes through the building. This transforms the building from a single volume into an assembly of volumes. 2. Embrace the surrounding community by facilitating a participatory process from the outset where community members can communicate their ideas and hopes for the site. 3. Cohere spatially and socially. By including the community in the design process from the outset, the task is not only one of modifying a building, it is a collaborative design process whereby the community's needs are expressed in the building's new form.

In the "Green" section, shortlisted submissions show us how we can "green" the strip mall, from community and urban gardening to the introduction of green technologies and materials. For example, Strip Weave by Teal Architects integrates landscape urbanism with high density approaches and environmental design to transform commercial strips into convivial communities powered by wind, sun and geothermal energy. Ferndale Gardens by Paul Samulak proposes to turn a semi-vacant strip mall in Woodward, Detroit into a suburban farm and

restaurant. With the renewal of this site proposed to coincide with the planned Woodward light rail project, Samulak demonstrates how locally grown produce can be distributed to a wider customer base along the planned route.

Underused and unfriendly to the pedestrian, the strip mall parking lot is ripe for transformation. In the "Park" section, submissions redefine the strip mall lot not only as a place to park your car, but as a place that can be pedestrian-friendly and accommodate a variety of other public uses. For example, Pop-Up Food Truck Station by Daniel Orlando Martinez offers a shelter and cafeteria for food trucks and their patrons in a barely used Temple City strip mall parking lot. To encourage patrons from the surrounding area, online networking is employed to notify patrons when different food trucks will be parking. In a variation on this theme, Park-Aid by Ziola Newstudio converts an existing strip mall into a high-density parking garage designed to house all of the surrounding neighbourhood's cars. The pooling of neighbourhood traffic frees up the remainder of the neighbourhood automobile infrastructure – roadways and garages – for future residential densification and green space.

The strip mall building typology is based on principles of maximum efficiency and replicability. By extending this typology, submissions in the "Up and Out" category generate new spatial arrangements, uses and social situations. For example, in Stripscape, designers Dora Baker, Pablo Batista and Natalie Badenduck offer six proposals for retrofitting strip malls around Winnipeg, Manitoba. Rather than tearing down these malls, they propose Stripscaping as a strategy for building upon and around them, specifically the roof structure. In one example, the strip mall roof is fashioned into a year round recre-ational area. By comparison, Cultural Appropriation by Fern Nafziger provides a structural formula by which a strip mall can restructure and grow without imposing on the current businesses which might already be in place.

While many strip malls are located directly adjacent to neighbourhoods, they often remain detached and unrespon-

sive to the community surrounding them. The submissions in “Connect” show how it is possible to reorientate and reconnect the strip mall with its surrounding community and built environment. For example, Span the Strip by Toby Keeton proposes bio-bridges to be used as connective pathways to promote greater walkability and reduce the ecological impact of vehicular corridors. In Combat Concrete by Natalie Ross, a “Food and Art” program is devised through consultations with the community whereby strip mall parking lots are transformed into areas for food production, recreational park space and art and community activities. Fix the Strip by Loretta Foley and Kristin Smith presents a “deciding guide” for any community to find solutions for improving their local strip mall, using its own context and circumstances to shape the process.

Taken together, these designs offer a glimpse of the future of suburban retail experience - where an entire industry is going. More importantly, they suggest a need to change our approach: we must transform strip malls into places that people want to go for services and community events. These designs help eliminate our dependence on the car and contribute to the urbanization and densification of suburbs. Furthermore, rather than depend solely on the investment of risk-averse developers, the shortlisted submissions provide intervention-based strategies that can be implemented by community associations, local entrepreneurs or committed individuals. Collectively then, the submissions provide many innovative and implementable “theories of action” for the renovation and reinvention of existing strip malls to create denser, healthier and more cohesive suburban communities.

ⁱ M.L. Clausen, “Northgate Regional Shopping Centre - Paradigm for the provinces,” *Journal of the Society of Architectural Historians* 43(2), 1984, p. 145.

ⁱⁱ See for example: T. Hernandez and J. Simmons, “Evolving retail landscapes: power retail in Canada,” *Canadian Geographer* 50(4), 2006, pp. 465-486; D. Hayden, *A Field Guide to Sprawl*, NY & London: W. W. Norton & Co., 2004.

ⁱⁱⁱ See M. Abaza, “Shopping malls, consumer culture and the reshaping of public space in Egypt,” *Theory Culture Society*, 18(5), 2001, pp.97-122; H. Schmid, “Economy of Fascination: Dubai and Las Vegas as examples of themed urban landscapes,” *Erkunde* 60(4), 2006, pp. 346-361; Hélén Klodawsky, *Malls R Us* [documentary film]. Produced

by Ina Fichman (Instinct Films) and Luc Martin-Gousset (Point du Jour), 2009, 78 mins.

^{iv} See for example: D. C. Sloan, “Scientific paragon to hospital mall: the evolving design of the hospital, 1885-1994,” *Journal of Architectural Education* 48(2), 1994, 82-98.

^v F. K. Benfield et al., 2001; J. Terris and N. Vorsanger, *Solving Sprawl: models of smart growth in communities across America*. Washington D.C.: Island Press, 2001; E. Dunham-Jones and J. Williamson *Retrofitting Suburbia: Urban Design Solutions for Redesigning Suburbs*. Hoboken: John Wiley & Sons, 2009; S. Zukin, “Reading the urban villager as a cultural document: ethnicity, modernity and capital,” *City and Community* 6, 2007, pp. 39-48; S. Zukin, V. Trujillo, P. Frase, D. Jackson, T. Recuber and A. Walker, “New retail capital and neighbourhood change: boutiques and gentrification in New York,” *City and Community* 8(1), 2009, pp. 47-64

^{vi} J. Goss, “Disquiet on the waterfront: reflections on nostalgia and Utopia in the urban archetypes of festival market places,” *Urban Geography* 17(3), 1996, 221.

^{vii} T. A. Gibson, “The trope of the organic city: discourses of decay and rebirth in downtown Seattle,” *Space and Culture* 6(4) 2003, pp 429-448.

^{viii} See for example: M. Southworth, “Reinventing Main Street: from mall to townscape mall,” *Journal of Urban Design*, 10(2), 2005, 151-170.

^{ix} G. Beck, “Signs of life: a new lesson from Las Vegas - A souped-up shopping centre on the strip uses technology to announce itself as a retail, cultural, and civic destination,” *Architectural Record* 191(6), 2003, 199-+.

^x Southworth, “Reinventing Main Street,” p. 153.

^{xi} However, we are certainly aware of the longer history of the suburb. See: Hayden, *A Field Guide to Sprawl*.

^{xii} R. Jackson and N. Thrift, “Geographies of Consumption,” in D. Miller (ed.), *Acknowledging Consumption: A Review of New Studies*. New York: Routledge, 1995, pp. 204-37.

^{xiii} Ziff, B. *Scorched earth: An empirical study of the use of restrictive covenants to stifle competition* [Abstract]. Planning, Law and Property Rights; Fifth International Conference. 2011. retrieved from: http://www.law.ualberta.ca/plpr/2011/PLPR_Abstracts.pdf.

^{xiv} Interboro Partners, *In the meantime, life with landbanking*. Design Competition entry. 2002. Accessed: <http://www.interboropartners.net/2012/in-the-meantime-life-with-landbanking/>.

^{xv} However, see Lo (2009), which shows that supermarkets are complementary consumption sites for Toronto’s immigrant Chinese residents but independent ones for non-Chinese; the role of ethnicity/culture is thus important with respect to the embeddedness of immigrant consumers and the cultural representations of certain retail spaces as “ethnic.” L. Lo, “The role of ethnicity in the geography of consumption,” *Urban Geography* 30(4), 2009, pp. 391-414.

^{xvi} O. Linovski, “Beyond Aesthetics: assessing the value of strip mall retail in Toronto,” *Journal of Urban Design* 17(1), 2012, pp. 81-99.

^{xvii} See, for example: R. Shields, *Life Style Shopping the Subject of Consumption*, London: Routledge, 1992.

^{xviii} Bruno Latour, “A Cautious Prometheus? A Few Steps Towards a Philosophy of Design (with Special Attention to Peter Sloterdijk),” *Networks of Design: Proceedings of the 2008 Design History Society*, Falmouth, Cornwall.

^{xix} G. Tahchieva, *Urban Sprawl Repair Kit*, Washington D.C.: Island Press, 2010.

From: [Castrey, Raymond F](#)
To: Zoning@springfieldmo.gov
Subject: Rezoning application Z-22-2024 COD 258
Date: Thursday, August 8, 2024 10:24:02 AM

I am writing to express my opposition to the zoning request made by BKM for the northwest corner of Sunshine and National. I am a resident of University Heights and am concerned that rezoning of this property will adversely impact the quality of life in our neighborhood and decrease property values.

In addition to not being aligned with the city's Comprehensive Plan nor Forward SGF, the adverse environmental effects of stormwater runoff, noise, and air pollution, I am particularly concerned about the increase of traffic not only on University, but throughout University Heights. I watch daily as traffic backs up from Sunshine on National during rush hour, and increasing numbers of drivers using not just Brookside and Portland streets but also Stanford, Kingsbury, Linwood and University as shortcuts to travel west on Sunshine.

I do not believe that BKM is acting in good faith to support our neighborhood or improve our quality of life as they have stated. They continue to push for a general rezoning rather than working with the neighborhood towards a planned development for this property that might better align with the traditional residential nature of University Heights.

I respectfully ask you to deny this zoning change. Thank you for your consideration.

Raymond Castrey

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From: [Anne Griffin](#)
To: Zoning@springfieldmo.gov; [McClure, Mayor](#); [Council](#)
Subject: rezoning application Z-22-2024 COD 258
Date: Monday, August 5, 2024 2:34:42 PM

The properties in question for rezoning at the corner of Sunshine and National streets, within the University Heights neighborhood, are not only zoned residential, but also deeded residential, historically contested to remain residential, and identified as residential in both the city's previous and current 20 year plans. It defies reason to believe BK&M made significant investments and initiated development without the blessing of certain city leaders. This misadventure has proven divisive and harmful to the community, delayed economic development in other more appropriate areas, and destroyed trust between all parties for the near future. It is time for the city and members of the community to hold accountable those city leaders who so recklessly greenlit BK&M's initiatives.

It is counterintuitive to encourage more traffic at this intersection which is already highly congested. Even though there is high visibility for businesses due to the traffic numbers, access and safety issues nullify any benefit. It is counterintuitive to encourage any kind of pedestrian traffic near the second busiest intersection in the city. Pedestrian traffic, especially across the intersection, should be avoided for obvious reasons. It is counterintuitive to suggest adding apartments when the site's unsuitability for residents is used as an excuse for rezoning. It is counterintuitive to hold the integrity of an entire neighborhood at risk for some random, non-essential, unproven development.

The public trusts city management with the responsibility to balance the complex set of equities involved in development across all stages, including conception. This project prioritized the abstract corridor development concept, promoted by outside consultants. City leaders are tasked not just with providing opportunities for developers and adding tax base revenues for the city. Equal consideration for the citizenry, their safety, security for their investment, preservation of culture and heritage, and appreciation for historical sites are also requirements of good government and a proven path for comprehensive and sustainable enrichment of a city.

Commercial development at this corner would be *wrong* on so many more levels than would be right. One only has to look at the many unnatural traffic mitigations put forth by the developer and the city as proof that increased congestion and traffic in and around the neighborhood will be the result. Access islands, restrictive medians, speed bumps, and even a proposed street closing, would all completely disrupt the character and flow of the neighborhood and have a huge impact on all people driving those roads. These are permanent inconveniences to all who live in the neighborhoods, and just the first example of negative consequences that will spin off this flawed project.

Cities, developers, and yes even neighbors make mistakes. And right now all are dug-in and bearing ever growing costs. In the city of Springfield, there are many redevelopment options, many intersections, but there is only one University Heights. The choice is clear. In the end, not only does the city bear some responsibility for this conflict, but the buck still stops at City Hall. It's time for the city to hold its personnel accountable and ante up. The only way out is out.

Anne Griffin

From: sbrooks31@gmail.com
To: Zoning@springfieldmo.gov
Subject: Proposed zoning change at the corner of National and Sunshine
Date: Monday, August 19, 2024 8:56:45 PM

Below is an email I sent in October of 2022, and most of the points are still valid today, as you hear the latest proposal this Thursday from BK&M. I would hope you could keep our residential neighborhood completely intact, and vote NO on their latest development proposal. Thanks.

Planning and zoning commissioners, I live in the University Heights neighborhood just a bit west of the proposed development. Our 2 children went to Sunshine Elementary, Jarrett Middle School, and Parkview High School throughout that era of their educational time, as we have lived here 39 years.

I will have more to say about this issue later, as we get closer to the hearing, but I had a few thoughts after the neighborhood meeting that was held yesterday evening, organized by the developers. We had heard that the meeting needed to be at the site, even though most who read the rules thought it could have been at a nearby church, such as at the National Avenue Church, just a few blocks to the north. Instead, the attendees dealt with a pouring downpour, a poor sound system that failed, windy conditions, no rest rooms, and little parking. There was no ADA accessibility. I decided not to attend, as at the time I could go, the rain was forceful, and the tent was overflowing with people, as I saw from a live feed on Facebook. Why did the developers pay for two armed guards? That seems ridiculous.

And, what was the purpose of the meeting? They had no new plans, to share. They have bought 3 more properties, and did not offer a plan when they had the prior meeting when they owned 5 properties. The purpose seemed to get area neighbors more upset, as the meeting was being held at the site of the house they have torn down.

Many of us wonder about the vacant retail property, zoned commercial, 1 block to the east, at Fremont and National. A strip center sits vacant, the prior pool company building is overgrown with weeds, and a former restaurant sits vacant. Why would this company want to fight the battle at National and Sunshine (with so much traffic), when so much property is available a block away. If they succeed in the rezoning, will we soon have more vacant retail on this corner of National and Sunshine?

Perhaps it is time to consider a moratorium on these proposed developments, near historical neighborhoods, until we can create appropriate plans with the neighborhoods, in keeping with the proposals in the Forward SGF plan.

Steve Brooks
417 840-4446

From: [Kathy Hutchison](#)
To: Zoning@springfieldmo.gov
Subject: S W Corner of Sunshine and National Ref Z-22-2024 COD 258.
Date: Tuesday, August 20, 2024 2:54:28 PM

I oppose the proposal by BK&M to Rezone the proposed section of property in University Heights.

The proposed zoning change was initiated in the summer of 2022 by BK&M. Both the City and home owners in University Heights have either opposed or not granted the proposed change.

Now BK&M seem to be wanting to rezone the are in order to get out from their investment.
The proposal of rezoning with a Conditional over lay is NOT ACCEPTABLE!

Without a firm designation of what the property will be used for is a Black Hole.
The property is logistically too close to National Ave and Sunshine to allow ingress to the property.
Leaving only the use of University and west Sunshine for ingress and egress.

Closure or limited access to University is also NOT ACCEPTABLE.

The estimated additional traffic in the University Heights Neighborhood, which BK&M claims is nothing more than fantasy. The traffic already is at times, so backed up many drivers use our area as a cut through.

Any additional traffic will increase a safety hazard which already exists.

Again I oppose Rezoning WITHOUT A PLANNED DEVELOPMENT Z-22-2024-COD 258.

Thank you
David Hutchison
1101 E Kingsbury
Springfield MO
417-830-5268

From: [Jan Peterson](#)
To: Zoning@springfieldmo.gov
Subject: Z-22-2024 with Conditional Overlay District No. 258
Date: Wednesday, August 21, 2024 1:56:27 PM

BK&M is once again asking for a blank check, and yet again it's left to the folks who call University Heights home to put up a fuss to show the folly of such a move.

Over the years, Ralph Duda III and Co. have suggested building a five-story multi-use structure, a food court with pickleball courts and, out of apparent desperation, a planned development. But after BK&M pulled out of the planned development idea, I finally came to realize BK&M never wanted to build any of those things. His intention was never to contribute to this city's growth or development. The only thing Duda appears to be interested in developing is his personal net worth. It seems he speculated on being able to easily flip a few residential lots at a high-traffic location to commercial zoning and cash out.

Galling as that is, it's not nearly as galling as the thought of this city essentially giving carte blanche to any developer who wants to build there. Based on the city's report, there is absolutely no way to determine whether what would be built at Sunshine and National would "weigh scale and impact" on our neighborhood, as Forward SGF emphasizes, nor could we be assured quality of place would be upheld. Absolutely no one in this city can argue the quality of the University Heights neighborhood. Even some homes lining its busy borders command prices well above the \$500,000 mark. The home directly north of the proposed rezoning recently sold for \$700,000.

If BK&D wins rezoning, it can sell the properties to whomever it chooses. The buyer might need to develop within the parameters of the COD, but the COD leaves an uncomfortable amount of wiggle room and is, in my opinion, intentionally hazy. And how on earth is General Retail "transitional zoning" from a traditional, single-family residential neighborhood? Where's the two or three blocks of transition between GR and R-SF?

What's really baffling for me is why city staff chose to recommend approving the rezoning when so little is known about its potential benefit to the city. If a massive sales-tax generator were going in, I might see it. But the range of suggested uses tells me this bit is unknown to the city. Even the city report says "a reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The multiple properties are zoned R-SF and could be developed as such."

For these and so many other reasons, I urge our honorable Planning and Zoning Commissioners to recommend against the proposed change.

Sincerely,

Jan Peterson
1024 E. Stanford St.
417.838.6216

From: [John Walstrand](#)
To: Zoning@springfieldmo.gov
Subject: Z-22-2024 COD 258
Date: Wednesday, August 21, 2024 3:48:51 PM

This is the first time you received an email from this sender (walstrands@yahoo.com). Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

Secured by Check Point

Dear Zoning Commission and City Council,

I am writing in opposition of the rezoning **proposal Z-27-2022 COD #220** for 1739, 1745, 1755 S National, 1141, 1131, 1119, 1111 E Sunshine, and 1138 University St.

I specifically wish to draw your attention to the traffic issue. Contrary to the would be developers contention that traffic impact would be negligible, my experience shows otherwise. Attached is a document supporting my argument.

Sincerely,

John Walstrand

1116 E Portland

Sent from my iPad

An Informal Traffic Survey of the 1100 Block of East Portland

By
John Walstrand, ORG

Overview

Portland is the sole east/west through-street between Sunshine Street on the south and Grand Street on the north. On it one can travel from Glenstone Avenue on the east to Fort Avenue on the west. As National Avenue runs north/south through the area, many drivers use Portland to avoid the busy Sunshine/National intersection. The 1100 block of East Portland is the first block west of National. It also includes the grounds of National Avenue Christian Church (NACC), which as we shall see contributes to the traffic in the area.

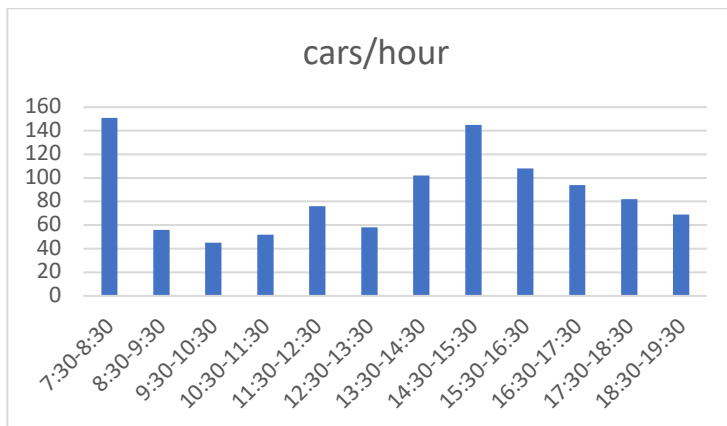
Methodology

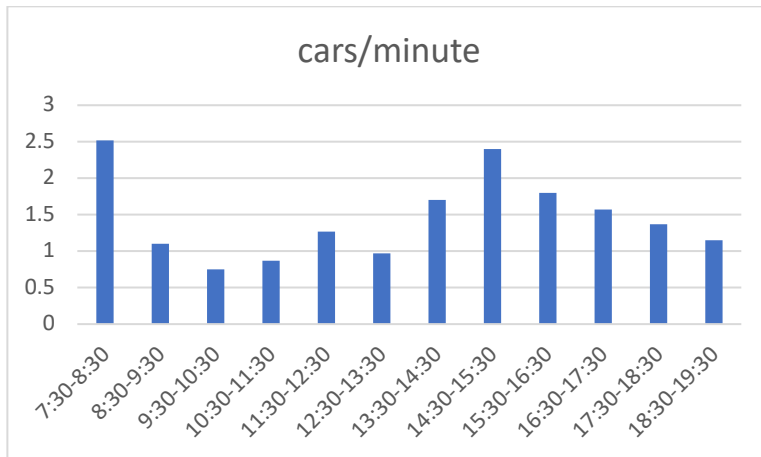
Traffic was counted the week of Monday, October 10 through Friday, October 14, between the hours of 7:30 a.m. and 7:30 p.m. Counts were taken in one-hour blocks of time from the vantage point of my home at 1116 E Portland. The intent was to create a “snapshot” of an average weekday’s traffic.

Data points include westbound versus eastbound traffic, total traffic flow for the block in question, along with hourly and minute averages. Traffic in and out of NACC parking lot was also tallied and its percentage of the total flow calculated.

Overall Traffic Flow

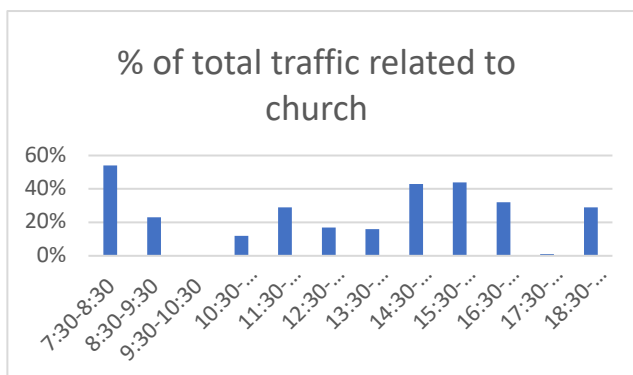
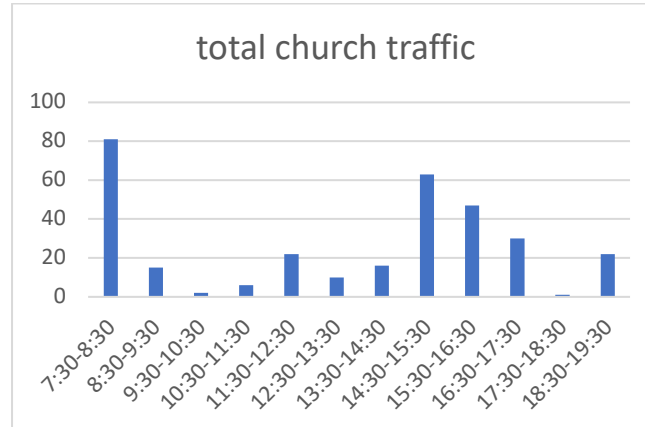
The total vehicle count for the period mentioned was 1,038. 530 were westbound and 508 eastbound. This equates to an average of 86.5 cars/hour, or 1.45 cars/minute. The early morning and mid-to-late afternoon peaks shown in the chart below are due largely to NACC traffic and will be discussed in a later section.





Impact of NACC on Traffic Load

If we compare the graphs below with the previous graphs the impact of NACC on neighborhood traffic is clear. The early morning peak is due to students being dropped at the Montessori school housed on church premises. The mid-to-late afternoon peaks are also partly due to the students being picked up. In addition to the Montessori school there appear to be various other activities at NACC, which seem to account for the sustained late afternoon numbers and the peak between 6:30 and 7:30. Overall, NACC creates 25% of the traffic along the 1100 block of East Portland.



Conclusion

Below is a chart with data from city-conducted traffic counts in the neighborhood. The first count is the exact stretch of Portland covered in my study.

Traffic Count Locations	Date	Count
Portland Street between Hampton and National avenues	4/13/2011	688
Hampton Avenue between Portland and Kingsbury streets	4/13/2011	42
University Street between Hampton and National avenues	1/08/2002	184
Hampton Avenue between Sunshine and University streets	1/08/2002	181

Let's assume the city's study covers a twenty-four hour period as opposed to the twelve hours reflected in my count. But for the sake of argument and comparison, let's call it twelve hours.

The city counted 688 cars versus my count of 1,038. This amounts to an increase of more than 50%. As the city's study pre-dates the establishment of the Montessori school, one can assume it is responsible for a large share of this increase. If a social institution has this large an effect on neighborhood traffic, imagine how much greater an impact a commercial development will have on traffic flow through the neighborhood, especially along streets closest to the proposed site.



EXPLANATION TO COUNCIL BILL 2024-210 (CARROLL)

FILED: 10/03/2024

ORIGINATING DEPARTMENT: Public Works

TITLE: A resolution authorizing the City Manager, or designee, to apply for Energy Efficiency and Conservation Block Grant funding from the United States Department of Energy to partially fund the replacement of existing windows as part of the Historic City Hall Rehabilitation project.

PURPOSE: Authorizing the City Manager, or designee, to apply for Energy Efficiency and Conservation Block Grant funding from the U.S. Department of Energy to partially fund the replacement of existing windows as part of the Historic City Hall Rehabilitation project.

BACKGROUND INFORMATION: The Energy Efficiency and Conservation Block Grant (“EECBG”) is a program funded by the U.S. Department of Energy (“USDOE”) and made possible by funds from the Bipartisan Infrastructure Law (“BIL”). The purpose of the EECBG is to encourage energy efficiency, energy conservation, and emissions reductions. It is a formula-based program, through which the City of Springfield has been allocated up to \$220,930. If awarded, a future Council bill would be submitted to accept and budget the grant and the funding would be utilized to partially reimburse the cost of window replacements included in the Historic City Hall Rehabilitation project scheduled to begin in 2025. The EECBG does not require a local match. Exhibit A includes details on the application process.

Supports the following 2024 City Council Priorities:

- Quality of Place
- Fiscal Sustainability and Accountability
- Economic Vitality

REMARKS: Public Works recommends approval 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 10/15/2024

Attachments: 1. EECBG Grant App_res



2. EECBG Grant Application Instructions_ExhA

36 Approved as to Form: Laura Vales, Assistant City Attorney
37
38
39 Approved for Council Action: Jason A. Hage, City Manager

EXHIBIT A

ECBG Program Notice 22-01
Effective Date: January 18, 2023
Modified Date: April 25, 2024

SUBJECT: INFRASTRUCTURE INVESTMENT AND JOBS ACT OF 2021 ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT PROGRAM FORMULA GRANT APPLICATION INSTRUCTIONS

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1.0 PURPOSE

The Department of Energy (DOE) is establishing Formula Grant Application Instructions and management information for the Infrastructure Investment and Jobs Act (IIJA) Energy Efficiency and Conservation Block Grant (EECBG) Program, including (1) Administrative and Legal Requirements Document (ALRD), (2) IIJA Formula Allocations to States, Local Governments and Indian Tribes, (3) IIJA Application Checklist, (4) IIJA EECBG Program Pre-Award Information Sheet, and (5), IIJA Energy Efficiency and Conservation Strategy Templates.

The EECBG Program assists eligible states, units of local government, and Indian Tribes, as described below (herein called “entities” or “eligible entities”) in implementing strategies to:

- Reduce fossil fuel emissions in a manner that is environmentally sustainable and, to the maximum extent practicable, maximizes benefits for local and regional communities;
- Reduce the total energy use of the eligible entities; and
- Improve energy efficiency in the transportation sector, the building sector, and other appropriate sectors.¹
- Build a clean and equitable energy economy that prioritizes disadvantaged communities and promotes equity and inclusion in workforce opportunities and deployment activities, consistent with the [Justice40 Initiative](#).

These stated purposes describe the overall intent of the EECBG Program. Entities may develop various initiatives and projects that address one or more of the purposes and each activity an entity undertakes is not required to meet all of the stated purposes. Entities may choose from a range of eligible activities, as defined in Section 544 of the Energy Independence and Security Act of 2007² (EISA) as amended by Section 40552(a) of the IIJA ([Public Law 117-58](#)).

Each entity receiving EECBG Program funds (including State sub-recipients) is required to use the funds in a cost-effective manner that is of maximum benefit to the population of that entity and in a manner that will yield sustained long-term impacts in terms of energy, emission reductions, and equitable workforce and community investment opportunities. To these ends, DOE encourages entities to develop new and innovative approaches within the framework of the legislation and Program Guidance.

2.0 SCOPE

The provisions of this Program Notice apply to eligible entities applying for formula grant financial assistance under DOE’s EECBG Program with appropriations provided by the IIJA under Section 40552(b). The information in this Program Notice incorporates relevant provisions from the Code of Federal Regulations (CFR) applicable to financial assistance awards under the EECBG Program, including [2 CFR Part 200](#) as amended by [2 CFR Part 910](#) (the DOE Financial Assistance Rules) and the EECBG Statute, located at [42 U.S.C. Chapter 152, Subchapter IV, Part C](#).

These regulations are the official sources for program requirements.

2.1 ELIGIBLE APPLICANTS

In accordance with [Section 543 of EISA](#), eligible entities for EECBG Program formula allocations include States, local governments, and Indian Tribes.³ Eligibility is restricted to eligible state, local, and Tribal governments applying for funding under the EECBG Program. The list of eligible entities and

¹ 42 U.S.C. 17152(b).

² [42 U.S.C. 17154](#).

³ 42 U.S.C. 17153(a).

funding allocations are attached to the ALRD and available on the EECBG Program website at: <https://www.energy.gov/clean-energy-infrastructure/energy-efficiency-and-conservation-block-grant-program>.

State Government Eligibility

For the purposes of the EECBG Program, there are 56 entities eligible for state formula grants. These are the 50 states, the District of Columbia, and the following five U.S. Territories: the Commonwealth of Puerto Rico, the U.S. Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands.

Local Government Eligibility

[Section 541\(2\)](#) of EISA divides eligible units of local government into two categories, defined as “eligible unit of local government-alternative 1” (“local government-alternative 1”) and “eligible unit of local government-alternative 2” (“local government-alternative 2”).⁴ DOE determined that 1,878 local governments are eligible for EECBG Program formula grants.

Local Government-Alternative 1

There are 1,878 local governments eligible under the definition of Local Government-Alternative 1 and meet the following criteria outlined in [section 541\(3\)\(A\)](#) of EISA:

- cities that are one of the top 10 most populous cities within their state or that have a population of at least 35,000; and
- counties that are one of the 10 most populous counties within their state or that have a population of more than 200,000.⁵

Local Government-Alternative 2

There are 1,032 local governments eligible under the definition of the Local Government-Alternative 2 and meet the following criteria outlined in [section 541\(3\)\(B\)](#) of EISA:

- cities with populations of at least 50,000; or
- counties with populations of at least 200,000.⁶

Local governments eligible for Local Government-Alternative 2 funding are also eligible for Local Government-Alternative 1 funding.

DOE used the U.S. Census Bureau’s 2020 Decennial Census Redistricting Data to determine the population of local governments. City and county governments that do not meet the eligibility requirements for direct formula grants from DOE are eligible for EECBG Program funds through the state in which they are located and can also apply for EECBG Program competitive grants from DOE. While EISA directs DOE to provide grants to cities and counties that qualify as eligible units of local government, EISA does not define “city” or “county.” DOE established the definitions of “city” and “county” in alignment with the eligibility criteria DOE used for the EECBG Program under the American Recovery and Reinvestment Act (ARRA), to the extent practicable.⁷

⁴ [42 U.S.C. 17151\(2\)](#).

⁵ [42 U.S.C. 17151\(3\)\(A\)](#).

⁶ [42 U.S.C. 17151\(3\)\(B\)](#).

⁷ [71 FR 17461, 17462](#) (Apr. 15, 2009).

Definition of “City”

For the purposes of the EECBG Program, DOE is defining “city” to include certain city-equivalent units of local government. Specifically, a city-equivalent unit of local government such as a town, village, or other municipality will be considered eligible if it is listed in the [2021 Census of Governments Survey](#) as a currently incorporated entity, has a governance structure consisting of an elected official and governing body, is capable of carrying out the activities outlined in EISA, and meets the required population thresholds outlined in EISA. DOE used the [2022 Boundary and Annexation Survey Code Lists](#) to identify eligible local governments within the Commonwealth of Puerto Rico. Additionally, a consolidated or unified city-county government in which a city and a county overlap geographically and govern as one consolidated government is considered a city by DOE.

DOE includes the following clarifications to the records used to calculate the universe of cities that are eligible for the EECBG Program:

- In the Commonwealth of Puerto Rico, Municipios are treated as cities. Though designated as counties by the [2020 Census: Redistricting File \(Public Law 94-171\) Dataset](#), governments of Municipios have the functionality of city governments.
- Towns, townships, and boroughs that are incorporated places are treated as cities. The governments of these places have the functionality of city governments.
- In the states of Connecticut, Maine, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and Wisconsin, minor civil divisions are treated as cities.⁸
- There are no eligible entities in the District of Columbia, U.S. Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands.

Definition of “County”

For the purposes of the EECBG Program, a county will be considered eligible for direct formula grants if it is listed in the [2021 Census of Governments Survey](#) as a currently incorporated county, has a governance structure with an elected official and governing body, is capable of carrying out the activities outlined in EISA, and meets the required population thresholds outlined in EISA.

For counties, all population figures are adjusted to reflect only the balance of their population, excluding the populations of any eligible cities therein. This population is referred to as the “county balance population.” In determining county balance populations, DOE identified a number of cities with geographic boundaries that cross the borders of multiple counties. In calculating county balance populations for those counties that contain only a part of an eligible city, DOE subtracted the portion of the eligible city’s population living within that county.

DOE includes the following clarifications to the records used to calculate the universe of counties that are eligible for the EECBG Program:

- Counties that are not a part of the [2021 Census of Governments Survey](#) and are without governmental authority are not a part of the database and are thus not eligible for direct EECBG Program formula grants. This pertains to some counties in Alaska and Massachusetts, as well as all counties in Connecticut and Rhode Island.

⁸ [United States Census Bureau Terms and Definitions – Minor Civil Divisions.](#)

- If one or more of the 10 most populated counties is ineligible or considered a city (i.e., a city-county consolidated government), the next largest county by population will be moved into the list of the 10 most populated counties for that state.
- Census areas in Alaska were not considered eligible counties because they have limited government functions.⁹
- There are no counties in the District of Columbia.

Indian Tribe Eligibility

As defined by [section 541\(4\)](#) of EISA, the term “‘Indian Tribe’ has the meaning given the term” in [section 4](#) of the Indian Self-Determination and Education Assistance Act.”¹⁰ The Indian Self-Determination and Education Assistance Act states that the term “Indian Tribe” means any Indian Tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to [the Alaska Native Claims Settlement Act \(ANSCA\)](#),¹¹ which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

There are 774 Indian Tribes eligible for a formula grant through the EECBG Program including: [574 federally recognized Indian Tribes listed by the Bureau of Indian Affairs \(BIA\) in the 2022 Federal Register Notice](#);¹² six additional Indian Tribes because eight bands of Indian Tribes comprise two of the federally recognized Indian Tribes, 12 Alaska Native Regional Corporations established under the [ANSCA](#);¹³ and 182 currently active Alaska Native Village Corporations, group corporations, and urban corporations. ANSCA defines “group corporation” and “urban corporation,” which are similar to village corporations except that they apply to established Native groups and urban communities of Alaska Native people. As such, “group corporations” and “urban corporations” are included in the definition of Indian Tribes defined by DOE for the EECBG Program.

DOE includes the following clarifications to the records used to identify the Indian Tribes that are eligible for the EECBG Program, in line with the BIA’s 2022 Federal Register Notice:

- Minnesota Chippewa is comprised of six separate bands of Indian Tribes each eligible for a direct formula grant: Boise Forte Band, Fond Du Lac Band, Grand Portage Band, Leech Lake Band, Mille Lacs Band, and White Earth Band.
- Capitan Grande Band of Diegueno Mission Indians of California is comprised of two separate bands of Indian Tribes both eligible for a direct formula grant: Barona Group of Capitan Grande Band of Mission Indians of the Barona Reservation and Viejas (Baron Long) Group of Capitan Grande Band of Mission Indians of the Viejas Reservation.
- The Passamaquoddy Tribe is made up of Pleasant Point and Indian Township. There will be one formula allocation made to the Passamaquoddy Tribe that will be split proportionally between the two parts upon the grant being awarded.

2.2 ALLOWABLE ACTIVITIES

Under the EECBG Program, entities will develop various initiatives and projects that address one or more of the program purposes. Entities are encouraged to use their EECBG Program funds in a manner that is of maximum benefit to their population, in a manner that will leverage other sources of financing or

⁹ [Guide to the State and Local Census Geography – Alaska.](#)

¹⁰ [42 U.S.C. 17151\(4\)](#), referencing [25 U.S.C. 5304\(e\)](#).

¹¹ [Public Law 92-203, Dec. 18, 1971, 85 Stat. 688.](#)

¹² [87 FR 4636](#) (Jan. 28, 2022).

¹³ [33 U.S.C. 1602 et seq.](#)

funding, and will yield maximum benefits over time in terms of energy and emission reductions. DOE also encourages entities to consider investing the funding in ways that lead to equitable and just outcomes. To these ends, DOE encourages entities to develop new and innovative approaches within the framework of the legislation and the guidance. Eligible activities are listed below, and full details are described in section 544 of the EISA.¹⁴

An eligible entity may use its EECBG Program 2022 formula award to carry out activities to achieve the purposes of the program, including—

- (1) Development and implementation of an Energy Efficiency and Conservation Strategy;
- (2) Retaining technical consultant services to assist the eligible entity in the development of such a strategy, including—
 - (A) formulation of energy efficiency, energy conservation, and energy usage goals;
 - (B) identification of strategies to achieve those goals—
 - (i) through efforts to increase energy efficiency and reduce energy consumption; and
 - (ii) by encouraging behavioral changes among the population served by the eligible entity;
 - (C) development of methods to measure progress in achieving the goals;
 - (D) development and publication of annual reports to the population served by the eligible entity describing—
 - (i) the strategies and goals; and
 - (ii) the progress made in achieving the strategies and goals during the preceding calendar year; and
 - (E) other services to assist in the implementation of the energy efficiency and conservation strategy;
- (3) Conducting residential and commercial building energy audits;
- (4) Establishment of financial incentive programs for energy efficiency improvements;
- (5) The provision of grants to nonprofit organizations and governmental agencies for the purpose of performing energy efficiency retrofits;
- (6) Development and implementation of energy efficiency and conservation programs for buildings and facilities within the jurisdiction of the eligible entity, including—
 - (A) design and operation of the programs;
 - (B) identifying the most effective methods for achieving maximum participation and efficiency rates;
 - (C) public education;
 - (D) measurement and verification protocols; and
 - (E) identification of energy efficient technologies;
- (7) Development and implementation of programs to conserve energy used in transportation, including—
 - (A) use of flex time by employers;
 - (B) satellite work centers;
 - (C) development and promotion of zoning guidelines or requirements that promote energy efficient development;
 - (D) development of infrastructure, such as bike lanes and pathways and pedestrian walkways;
 - (E) synchronization of traffic signals; and

¹⁴ [42 U.S.C. 17154.](#)

- (F) other measures that increase energy efficiency and decrease energy consumption;
- (8) Development and implementation of building codes and inspection services to promote building energy efficiency;
- (9) Application and implementation of energy distribution technologies that significantly increase energy efficiency, including—
 - (A) distributed resources; and
 - (B) district heating and cooling systems;
- (10) Activities to increase participation and efficiency rates for material conservation programs, including source reduction, recycling, and recycled content procurement programs that lead to increases in energy efficiency;
- (11) The purchase and implementation of technologies to reduce, capture, and, to the maximum extent practicable, use methane and other greenhouse gases generated by landfills or similar sources;
- (12) Replacement of traffic signals and street lighting with energy efficient lighting technologies, including—
 - (A) light emitting diodes; and
 - (B) any other technology of equal or greater energy efficiency;
- (13) Development, implementation, and installation on or in any government building of the eligible entity of onsite renewable energy technology that generates electricity from renewable resources, including—
 - (A) solar energy;
 - (B) wind energy;
 - (C) fuel cells; and
 - (D) biomass; and
- (14) Programs for financing energy efficiency, renewable energy, and zero-emission transportation (and associated infrastructure), capital investments, projects, and programs, which may include loan programs and performance contracting programs, for leveraging of additional public and private sector funds, and programs that allow rebates, grants, or other incentives for the purchase and installation of energy efficiency, renewable energy, and zero-emission transportation (and associated infrastructure) measures; and
- 15) Any other appropriate activity, as determined by the Secretary, in consultation with—
 - (A) the Administrator of the Environmental Protection Agency;
 - (B) the Secretary of Transportation; and
 - (C) the Secretary of Housing and Urban Development.¹⁵

For additional information on allowable activities, please see the [EECBG Eligible Activities and Program Guidance document](#).

2.3 EECBG PROGRAM FORMULA AWARDS: GRANTS AND VOUCHERS

To streamline the award process, DOE is providing local and Tribal governments applying for an EECBG Formula Program award with the option to select a grant or voucher. In addition, DOE is providing project blueprints, which are designed to help further streamline the award process. Blueprints may be used with either grants or vouchers. Entities selecting a grant should follow the application instructions

¹⁵ [42 U.S.C. 17154](#).

shown in Section 7.0. Additional guidance on the application process for Vouchers is available in the [EECBG Program Voucher Handbook](#) and application templates available on the following website, <https://www.energy.gov/scep/eccbg-program-formula-grant-application-hub>. The expected award period for vouchers is up to two years.

IJA grant awards will consist of a Project and Budget Period up to two years for local governments and Tribes, and up to three years for states, with options for extensions upon approval by the DOE Contracting Officer.

To assist applicants with planning, DOE is providing estimated award processing timeframes for each award type below. Note that these timeframes are estimates and are subject to change based on total volume of applications received, completeness of submitted applications, and award negotiation requirements. Applications may be subject to additional review prior to award or release of funds, including financial, legal, programmatic, or NEPA review.

Type of Award	Vouchers	Grants following Blueprints	Grants not following Blueprints
Typical award processing timeframe*	30-60 days	Up to 60 days	Minimum of 90 days
Additional application requirements or award conditions	Comply with Voucher Terms and Conditions	May be subject to additional review (e.g., indirect cost rates, sub-grants, accounting system and financial controls)	May be subject to additional review and award conditions (e.g., NEPA)**
Application method	Submit voucher application by October 31, 2024 (local governments) and May 31, 2025 (Tribes)***	Submit grant application by July 31, 2023 (states and territories), October 31, 2024 (local governments), and May 31, 2025 (Tribes)	

Table notes:

*Award processing times shown are estimates, based on submission of a complete application that is responsive to all required application materials and system registration requirements. Award processing times may vary depending on multiple factors, including the number of applications submitted, complexity of award applications, and additional review required to process applications (such as NEPA review and approval of proposed projects). The above timeframes do not include the time required for applicants to prepare and submit an application to DOE.

**Awards requiring individual NEPA review will require extended time to review applications, including completion of a categorical exclusion review, environmental assessment, or an Environmental Impact Statement, depending on the scope of the proposed activity. Awards may be partially or fully conditioned (funds restricted from expenditure) until completion of required NEPA reviews.

*** Additional information on the Voucher application process is available in the [EECBG Program Voucher Handbook](#) and application templates available on the following website, <https://www.energy.gov/scep/eccbg-program-formula-grant-application-hub>.

Local and Tribal entities will have the choice between a grant OR a voucher. The financial value of the voucher is expected to be equivalent to the formula award allocated to the eligible entity.¹⁶ Vouchers are

¹⁶Administrative costs directly associated with the voucher, including contracting, reporting, site inspections and regulatory compliance are included as part of the total financial amount of the voucher. Recipients will be responsible for ongoing costs of installed equipment, such as operations and maintenance.

subject to the same legislation and guidance that applies to EECBG Program formula grants, including Voucher Terms and Conditions. Vouchers will be available to formula-eligible local governments and Indian Tribes for two purposes:

- technical assistance (TA) and
- equipment rebates.

A separate application process will be utilized for entities interested in applying for a voucher in lieu of a grant. The scope of activities eligible for vouchers and application procedures, and comparison of grant and voucher application requirements is provided in Section 9 to assist applicants in selecting whether to choose a grant or voucher for their formula award under the EECBG Program.

2.4 TEAMING AND PARTNERSHIPS

All EECBG Program formula-eligible entities are encouraged to team up with neighboring or peer entities that are also eligible for EECBG Program formula awards, to align EECBG Program 2022 plans and efforts. Pooling funds could allow jurisdictions to share the costs of analyses or programs in an efficient and mutually beneficial way. Opportunities for collaboration are vast, and could foster peer learning, reduced administrative burden, more effective use of limited grant dollars, and more impactful outcomes. Teams could collaborate on regional activities, create programs to serve multiple jurisdictions regardless of geography, or simply team up to work in parallel on similar proposals.

Below are illustrations of teaming opportunities:

- Create a regional clean energy infrastructure strategy and hire consultants to develop regional economic development analyses
- Stand up an energy efficiency workforce training program¹⁷ to serve several neighboring communities, and pool EECBG Program funds to hire a part-time program administrator
- Create a low-interest financing program for income-qualified residential energy retrofits and rooftop solar to serve community members across a state
- Design and establish a revolving loan fund¹⁸ to deploy virtual power plants (e.g., grid-interactive efficient buildings, battery storage systems) and building and transportation electrification projects across a utility territory
- Coordinate with peer municipalities to design and execute innovative programs to lower energy burdens in rural or urban settings
- Pursue energy audits and retrofits of municipal buildings across several communities and hire a shared energy manager to support projects across the state
- Develop a regional stretch energy code for new construction and a building performance standard for existing buildings and provide technical support and training for local code adoption and compliance

Each team will opt for either vouchers or grants. Each entity within a team will receive its own EECBG Program grant or voucher, and entities on a team may choose to jointly fund EECBG Program activities. However, each entity will be ultimately responsible for accounting and tracking the use of their own

¹⁷ For more information on related BIL workforce development funding opportunities, see the [Career Skills Training Program](#) and the [Energy Auditor Training Grant Program](#).

¹⁸ For more information on related state Revolving Loan Fund formula allocations, see the [EE RLF Infrastructure Investment and Jobs Act Administrative and Legal Requirements Document \(ALRD\)](#).

funds and for reporting outcomes of their own efforts. Teams may consist of any number of eligible entities, with two as the minimum.

Teams pursuing a grant award will submit a single joint application to DOE, with one eligible EECBG Program entity as the Prime Applicant. Team applications will describe the plan for the use of each entity's EECBG Program funds and list the primary point of contact for the team, as well as points of contact for all entities on the team. Each entity must submit and receive approval of its own EECS, as part of the team application.

Teaming partners should indicate their permission allowing the prime applicant to submit the application on their behalf. Teams may consider developing a separate partnership agreement, such as a Memorandum of Understanding, in which all parties agree in writing to how the funds will be spent, roles and responsibilities, and any other terms and conditions to ensure clear expectations and a mutually beneficial approach.

Partnerships

In addition to eligible entities teaming with other eligible entities to co-invest their awards, EECBG Program grantees may partner with other stakeholders that can help drive the progress and success of their programs and projects, including utilities, energy industry and financial companies, community-based organizations, labor unions, and other non-profit organizations.

3.0 LEGAL AUTHORITY

The EECBG Program is authorized under Title V, Subtitle E of the Energy Independence and Security Act of 2007 (EISA), as amended,¹⁹ and signed into Public Law (PL 110-140) on December 19, 2007. All awards made under this program shall comply with applicable laws and regulations including, but not limited to, the DOE financial assistance regulations at 2 CFR Part 200 as amended by 2 CFR Part 910 and Section 40552 of the [Infrastructure Investment and Jobs Act](#).

4.0 PROGRAM OVERVIEW & GOALS

Projects awarded under this ALRD will be funded, in whole or in part, with funds appropriated by IIJA,²⁰ also known as the Bipartisan Infrastructure Law (BIL).

The BIL is a once-in-a-generation investment in infrastructure, designed to modernize and upgrade American infrastructure to enhance United States competitiveness, drive the creation of good-paying union jobs, tackle the climate crisis, and ensure stronger access to economic, environmental, and other benefits for disadvantaged communities²¹. The BIL appropriates more than \$62 billion to the Department of Energy (DOE)²² to invest in American manufacturing and workers; expand access to energy efficiency

¹⁹ 42 U.S.C. 17151 et seq.

²⁰ Infrastructure Investment and Jobs Act, Public Law 117-58 (November 15, 2021).

<https://www.congress.gov/bill/117th-congress/house-bill/3684>

²¹ Pursuant to Executive Order (EO) 14008, "Tackling the Climate Crisis at Home and Abroad," January 27, 2021, and the Office of Management and Budget's Interim Justice40 Implementation Guidance M-21-28, DOE has developed a definition and tools to locate and identify disadvantaged communities. These resources can be located at <https://energyjustice.egs.anl.gov/>. DOE will also recognize disadvantaged communities as defined and identified by the White House Council of Environmental Quality's Climate and Economic Justice Screening Tool (CEJST), which can be located at <https://screeningtool.geoplatform.gov/>.

²² U.S. Department of Energy. November 2021. "DOE Fact Sheet: The Bipartisan Infrastructure Deal Will Deliver For American Workers, Families and Usher in the Clean Energy Future." <https://www.energy.gov/articles/doe-fact-sheet-bipartisan-infrastructure-deal-will-deliver-american-workers-families-and-0>

and clean energy; deliver reliable, clean, and affordable power to more Americans; and demonstrate and deploy the technologies of tomorrow through clean energy demonstrations.

As part of and in addition to upgrading and modernizing infrastructure, DOE's BIL investments will support efforts to build a clean and equitable energy economy that achieves a zero-carbon electricity system by 2035, and to put the United States on a path to achieve net-zero emissions economy-wide by no later than 2050 to benefit all Americans.²³

Through this funding action, the BIL will invest appropriations of \$550,000,000 for fiscal year 2022, to remain available until expended to 2,708 eligible entities, in accordance with the [EECBG Program allocation formulas](#) issued on June 29, 2022. EECBG Program recipients may use funds for a diverse range of eligible activities that support investments in programs, policies, and projects, including actions that: 1) reduce energy use and carbon emissions; 2) achieve ongoing energy and operational cost-savings for local governments and taxpayers; and 3) increase community investment/workforce development opportunities.

DOE seeks to deliver an efficient and effective EECBG Program designed to achieve sustained impacts that put communities on a pathway to reducing fossil fuel use and total energy use and improving energy efficiency while fulfilling Justice40 Initiative goals (see Section 4.2). As part of the whole-of-government approach to advance equity and encourage worker organizing and collective bargaining,^{24,25,26} this funding action and any related activities will seek to encourage meaningful engagement and participation of workforce organizations, including labor unions, as well as underserved communities and underrepresented groups, including consultation with Tribal Nations.^{27,28} Consistent with EO 14008,²⁹ this funding action is designed to help meet the goal that 40% of the overall benefits of certain investments in clean energy and climate solutions flow to disadvantaged communities (underserved, overburdened, and frontline communities) as defined by the Department pursuant to the EO and to drive the creation of good-paying jobs with the free and fair chance for workers to join a union.³⁰

4.1 DIVERSITY, EQUITY, INCLUSION, AND ACCESSIBILITY

It is the policy of the Administration that:

“[T]he Federal Government should pursue a comprehensive approach to advancing equity³¹ for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. Affirmatively advancing equity, civil rights, racial justice, and equal opportunity is the

²³ [EO14008](#).

²⁴ EO 13985, “Advancing Racial Equity and Support for Underserved Communities Through the Federal Government,” January 20, 2021.

²⁵ EO 14025, “Worker Organizing and Empowerment,” April 26, 2021.

²⁶ EO 14052, “Implementation of the Infrastructure Investment and Jobs Act,” November 18, 2021.

²⁷ EO 13175, “Consultation and Coordination with Indian Tribal Governments,” November 6, 2000, charges all executive departments and agencies with engaging in regular, meaningful, and robust consultation with Tribal officials in the development of federal policies that have Tribal implications.

²⁸ [Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships | The White House](#)

²⁹ EO 14008, “Tackling the Climate Crisis at Home and Abroad,” January 27, 2021.

³⁰ [EXEC-2022-004682 - FINAL S1 J40 Letter 7-25-2022.pdf \(energy.gov\)](#)

³¹ The term “equity” means the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality. EO 13985.

responsibility of the whole of our government. Because advancing equity requires a systematic approach to embedding fairness in decision-making processes, executive departments and agencies must recognize and work to redress inequities in their policies and programs that serve as barriers to equal opportunity.

By advancing equity across the Federal Government, we can create opportunities for the improvement of communities that have been historically underserved, which benefits everyone.”³²

As part of this whole-of-government approach, this funding action seeks to encourage eligible entities to include the participation of underserved communities³³ and underrepresented groups in the activities they undertake with these funds. EECBG Program eligible entities are highly encouraged to include contractors and sub-contractors from groups historically underrepresented^{34,35} in their project scoping. Further, Minority Serving Institutions³⁶, Minority Business Enterprises, Minority Owned Businesses, Woman Owned Businesses, Veteran Owned Businesses, or entities located in an underserved community that meet the eligibility requirements (See Section III) are encouraged to be considered as sub-recipients for proposed EECBG Program-funded projects.

4.2 JUSTICE40 INITIATIVE

EECBG Program is a Justice40-covered program³⁷ and as such contributes to the President’s goal that 40% of the overall benefits of Federal investments in clean energy and climate solutions flow to Disadvantaged Communities that for too long have faced disinvestment and underinvestment. DOE strongly encourages eligible entities to maximize project benefits and describe how these benefits will flow to Disadvantaged Communities to the greatest extent practicable. DOE has released [General Guidance on Justice40 Implementation](#) designed to help eligible entities and other interested parties incorporate Justice40 Initiative goals into DOE-funded projects. Information from the General Guidance on Justice40 Implementation is provided below.

³² EO 13985.

³³ The Office of Management and Budget [Interim Implementation Guidance for Justice40](#) defines a disadvantaged community as either: (1) a group of individuals living in geographic proximity (such as census tract), or (2) a geographically dispersed set of individuals (such as migrant workers or Native Americans), where either type of group experiences common conditions.

³⁴ According to the National Science Foundation’s 2019 report titled, “[Women, Minorities and Persons with Disabilities in Science and Engineering](#)”, women, persons with disabilities, and underrepresented minority groups—blacks or African Americans, Hispanics or Latinos, and American Indians or Alaska Natives—are vastly underrepresented in the STEM (science, technology, engineering and math) fields that drive the energy sector. For example, in the U.S., Hispanics, African Americans and American Indians or Alaska Natives make up 24 percent of the overall workforce, yet only account for 9 percent of the country’s science and engineering workforce. DOE seeks to inspire underrepresented Americans to pursue careers in energy and support their advancement into leadership positions. <https://www.energy.gov/articles/introducing-minorities-energy-initiative>

³⁵ Note that Congress recognized in section 305 of the American Innovation and Competitiveness Act of 2017, Public Law 114-329: “[I]t is critical to our Nation’s economic leadership and global competitiveness that the United States educate, train, and retain more scientists, engineers, and computer scientists; (2) there is currently a disconnect between the availability of and growing demand for STEM-skilled workers; (3) historically, underrepresented populations are the largest untapped STEM talent pools in the United States; and (4) given the shifting demographic landscape, the United States should encourage full participation of individuals from underrepresented populations in STEM fields.”

³⁶ Minority Serving Institutions (MSIs), including Historically Black Colleges and Universities/Other Minority Institutions as educational entities recognized by the Office of Civil Rights (OCR), U.S. Department of Education, and identified on the [OCR’s Department of Education U.S. accredited postsecondary minorities’ institution list](#).

³⁷ [Justice40 Initiative | Department of Energy](#)

Identifying Benefits

Benefits include (but are not limited to) measurable direct or indirect investments or positive project outcomes that achieve or contribute to the following in Disadvantaged Communities:

- (1) a decrease in energy burden;
- (2) a decrease in environmental exposure and burdens;
- (3) an increase in access to low-cost capital;
- (4) an increase in job creation, the clean energy job pipeline, and job training for individuals;
- (5) increases in clean energy enterprise creation and contracting (e.g., minority-owned or disadvantaged business enterprises);
- (6) increases in energy democracy, including community ownership;
- (7) increased parity in clean energy technology access and adoption; and
- (8) an increase in energy resilience.

Not all eight policy priorities will be applicable to all DOE programs or funding opportunities. The matrix below provides **examples** of measurable benefits and how they map to the different DOE policy priorities mentioned above.

Policy Priorities	Benefit Metric and Units
1. N/A	Dollars spent [\$] by DOE Covered Programs [\$] in Disadvantaged Communities
2. Decrease energy burden in Disadvantaged Communities	Dollars saved [\$] in energy <i>expenditures</i> due to technology adoption in Disadvantaged Communities
	Energy saved [MMBTU or MWh] or reduction in fuel [GGe] by Disadvantaged Communities
3. Decrease environmental exposure and burdens for Disadvantaged Communities	Avoided air pollutants (CO2 equivalents, NOx, SO2, and/or PM2.5) in Disadvantaged Communities
	Remediation impacts on surface water, groundwater, and soil in Disadvantaged Communities
	Reduction of legacy contaminated waste in Disadvantaged Communities
4. Increase clean energy jobs, job pipeline, and job training for individuals from Disadvantaged Communities	Dollars spent [\$] and/or number of participants from Disadvantaged Communities in job training programs, apprenticeship programs, STEM education, tuition, scholarships, and recruitment.
	Number of hires from Disadvantaged Communities resulting from DOE job trainings
	Number of jobs created for Disadvantaged Communities because of DOE program
	Number of and/or dollar value [\$] of partnerships, contracts, or training with minority serving institutions (MSIs)
5. Increase clean energy enterprise creation and contracting for minority or disadvantaged businesses in Disadvantaged Communities	Number of contracts and/or dollar value [\$] awarded to businesses that are principally owned by women, minorities, disabled veterans, and/or LGBT persons
6. Increase energy democracy in Disadvantaged Communities	Number of stakeholder events, participants, and/or dollars spent to engage with organizations and residents of Disadvantaged Communities, including participation and notification of how input was used

	Number of tools, trainings for datasets/tools, people trained and/or hours dedicated to dataset/tool and technical assistance and knowledge transfer efforts to Disadvantaged Communities
	Dollars spent [\$] or number of hours spent on technical assistance for Disadvantaged Communities
	Dollar value [\$] and number of clean energy assets owned by Disadvantaged Communities members
7. Increase access to low-cost capital in Disadvantaged Communities	Dollars spent [\$] by source and purpose and location
	Leverage ratio of private to public dollars [%]
	Loan performance impact through dollar value [\$] of current loans and of delinquent loans (30-day or 90-day) and/or number of loans (30-day delinquent or 90-day default)
8. Increase parity in clean energy technology access and adoption in Disadvantaged Communities	Clean energy resource [MWh] adopted in Disadvantaged Communities
9. Increase reliability, resilience, and infrastructure to support reliability and resilience in Disadvantaged Communities	Increase in community resilience hubs in Disadvantaged Communities
	Number and size (MWh) of community resilience infrastructure deployed in Disadvantaged Communities (e.g., Distributed solar plus storage, utility scale, Distributed Energy Resources, microgrids)

Identifying Disadvantaged Communities

Justice40 directs that 40% of the overall benefits realized from Covered Programs flow to “disadvantaged communities.” OMB’s Interim Implementation Guidance defines a community as either: (1) a group of individuals living in geographic proximity (such as census tract), or (2) a geographically dispersed set of individuals (such as migrant workers or Native Americans), where either type of group experiences common conditions. [M-21-28 \(whitehouse.gov\)](#).

Pursuant to the Interim Implementation Guidance, DOE has developed DOE’s working definition and tool to identify applicable Disadvantaged Communities at [Energy Justice Dashboard \(anl.gov\)](#). DOE will also recognize Disadvantaged Communities as defined and identified by the White House Council of Environmental Quality’s Climate and Economic Justice Screening Tool (CEJST), which can be located at <https://screeningtool.geoplatform.gov/>.

DOE’s working definition of disadvantaged is based on cumulative burden and includes data for thirty-six (36) indicators collected at the census tract level.

To be considered a Disadvantaged Communities under the DOE definition, a census tract must rank in or above the 80th percentile of the cumulative sum of the 36 burden indicators for its state and have at least 30% of households classified as low-income.

Nationwide, 13,581 census tracts were identified as disadvantaged (18.6% of 73,056 total U.S. census tracts). Additionally, federally recognized Tribal lands and U.S. territories, in their entirety, are categorized as Disadvantaged Communities in accordance with OMB’s Interim Implementation Guidance “common conditions” definition of community

Please see [General Guidance on Justice40 Implementation](#) for more information regarding identifying Disadvantaged Communities with available tools.

Justice40 Implementation:

As a best practice, DOE recommends that recipients develop and sustain procedures and systems that can easily track what benefits are flowing to specific communities or locations (e.g., connecting benefits accrued with zip codes, and/or census tracts). Tracking benefits will allow funding recipients to measure progress and ensure programs are meeting intended goals. Further analysis of this data can also be used to empower program designers and lawmakers with information that is often needed to update or create new programs that better assist communities most in need.

To understand state, local, and Tribal government needs around equity and the Justice40 Initiative, DOE hosted listening sessions for state and local governments that discussed the Justice40 Initiative. The feedback received in those sessions informed this document and the IJA application materials for the EECBG Program.

DOE may provide eligible entities with support and training on tools and resources for implementing the Justice40 initiatives (e.g., Justice40 dashboard, EJ Screen, LEAD tool, etc.), along with other training opportunities, such as webinars and workshops.

4.3 JOB GROWTH AND QUALITY

As an agency whose mission is to help strengthen our country's energy prosperity, DOE strongly supports efforts to invest in the American workforce. This includes investments that expand quality jobs by adopting labor standards; ensure workers have a free and fair chance to join a union; engage responsible employers; reduce systemic barriers to accessibility of quality jobs; foster safe, healthy, and inclusive workplaces and communities; and develop a diverse workforce well-qualified to build and maintain the country's energy infrastructure and to grow domestic manufacturing.

Through the EECBG Program, DOE intends to support eligible entities in their efforts to support good-paying jobs with the free and fair choice to join a union and support labor-management training partnerships, such as registered apprenticeships. In their project planning, eligible entities are highly encouraged to engage with an inclusive collection of local stakeholders including labor unions and community-based organizations that support or work with Disadvantaged Communities. The DOE Justice40 Guidance provides a helpful template strategy for undertaking strategic stakeholder engagement.

Stakeholder engagement is a relatively small cost that delivers high value. Proactive and meaningful engagement with stakeholders ensures stakeholders' perspectives can be incorporated into the project plan, allows for transparency, and helps reduce or eliminate certain risks associated with the project. Eligible entities are encouraged to include information in their EECBG Program application about how they have engaged labor and community stakeholders in ways that foster the negotiation of new community and workforce agreements.

DOE will provide future guidance and resources to assist eligible entities in incorporating workforce and community agreements and other tools into their EECBG Program-funded programs and activities, including blueprints and technical assistance resources focused on workforce and economic development.

4.4 TECHNICAL ASSISTANCE

Local governments and Indian Tribes have the option to select a voucher for technical assistance and/or an equipment rebate in lieu of applying for and administering an EECBG Program formula grant. The intent in offering this option is to 1) reduce the administrative burden associated with applying for and managing a federal grant and 2) provide additional resources and assistance needed to accomplish eligible entities' goals. Additional information on vouchers is provided in Section 9.0.

In addition to the technical assistance vouchers described above, DOE plans to provide technical assistance support to all entities, to help accelerate their efforts and preparations to leverage other IIJA funding. This assistance may include tools, online resources, access to experts, webinars, peer learning opportunities, and local and regional workshops. The technical resources will span a wide range of topic areas, with an emphasis on the blueprint topics described below. Please see the [EECBG Program Technical Assistance webpage](#) for more information on technical assistance offerings.

4.5 BLUEPRINTS

Blueprints are step-by-step roadmaps of energy project and programs that guide EECBG Program entities to success. By no means an exclusive list, the blueprints are a select list of high-impact projects and programs based on proven practices that entities can choose to follow. While entities may use their EECBG Program funds for a wide array of energy-related activities, those that choose to spend their EECBG Program funds exclusively on “key activities” listed in the blueprints should expect a streamlined and expedited application review. Blueprints listed within DOE-prepared NEPA Statements of Work (See Section 6.3 G) may receive a streamlined NEPA review. DOE will provide resources such as webinars, trainings, tools, and additional support along these topic areas.

The blueprints are designed to achieve several goals: 1) guide grantees towards high-impact and effective projects and programs; 2) focus DOE’s technical assistance and support in key areas; 3) support grantees as they leverage other BIL and Inflation Reduction Act (IRA) investments; and 4) streamline the application review and approval process for eligible entities. The blueprints span a wide variety of topic areas: energy planning, energy efficiency, renewable energy, transportation infrastructure, workforce and economic development, and financing.

Blueprint Topics:³⁸

1. Energy Planning
2. Energy Efficiency
 - A. Energy Efficiency: Energy Audits and Building Upgrades
 - B. Energy Savings Performance Contracts: Energy Efficiency and Electrification in Government Buildings
 - C. Building Electrification Campaign
 - D. Building Performance Standards & Stretch Codes
3. Renewables
 - A. Solar & Storage – Power Purchase Agreements and Direct Ownership
 - B. Community Solar
 - C. Solarize Campaign
 - D. Renewable Resource Planning for Rural and Tribal Communities
4. Transportation
 - A. Electric Vehicles and Fleet Electrification
 - B. EV Charging Infrastructure for the Community
5. Unlocking Sustainable Financing Solutions for Energy Projects and Programs with Revolving Loan Funds
6. Workforce Development

Key activities: Under each blueprint, DOE has identified key activities that are critical to successful program or project implementation. These activities have been reviewed and vetted as eligible uses of EECBG Program formula award funds. Activities listed within the NEPA Statements of Work (SOW) may not require additional NEPA review for initial approval, provided that the scope of proposed activities adheres to the NEPA determination, including DOE’s Historic Preservation Programmatic

³⁸ This list shows current Blueprints by topic area. Blueprint topic areas may be added or revised, based on grantee and stakeholder interests, and effectiveness in achieving program goals.

Agreements (see Section 6.3.G). Projects involving public works or infrastructure may be subject to Build America, Buy America and Davis Bacon Act requirements. **Entities may choose to follow one or more blueprints and spend their EECBG Program funds on the recommended activities, which are pre-determined as eligible uses of EECBG Program funding. Doing so may lead to an expedited process for reviewing applications.**

See “Appendix 2” for a chart that outlines blueprint topic areas and the key activities for a streamlined approval process. Streamlined approval means DOE has determined that these activities fall within categories of eligible EECBG Program activities. Activities listed within DOE-prepared Statements of Work would receive a streamlined NEPA review. Applicants must read their NEPA determination included in their award documents, which is DOE’s form that records DOE’s NEPA review of a project or activities. Applicants may be required to complete additional NEPA documentation.

For more information, please see the [EECBG Program Blueprints webpage](#).

5.0 FUNDING

Funding for all awards and future budget periods is contingent upon the availability of funds appropriated by Congress for the purpose of this program.

5.1 IIJA FORMULA ALLOCATIONS

The Infrastructure Investment and Jobs Act, Section 40552 provides \$550 million for EECBG Program for fiscal year 2022, to remain available until expended. DOE will distribute \$440 million in formula and competitive EECBG Program funding to eligible units of local government, states, and Indian Tribes. Of the amount appropriated by IIJA, DOE will allocate funds as prescribed in section 543 of EISA:

- 34% to eligible units of local government-alternative 1 through formula grants;
- 34% to eligible units of local government-alternative 2 through formula grants;
- 28% to states through formula grants;
- 2% to Indian Tribes through formula grants; and
- 2% for competitive grants to ineligible local governments and Indian Tribes.³⁹

IIJA allocations for EECBG Program direct formula awards from the DOE, as adjusted, are based on the following funding amounts:

- \$299,200,000 for formula awards to eligible units of local government
 - \$149,600,000 to eligible units of local government-alternative 1
 - \$149,600,000 to eligible units of local government-alternative 2
- \$123,200,000 for formula awards to states
 - Each state (except for those noted as exempt in section 6.3 E) is required to pass not less than 60% of its allocation through to cities and counties within the state that are ineligible for direct formula grants from DOE
- \$8,800,000 for formula grants to eligible Indian Tribes

Individual state, local and Tribal EECBG Program allocations are included as an attachment to this document. See the [Federal Register Notice 87 FR13859](#) issued on June 29, 2022, for the allocation formulas.

³⁹ 42 U.S.C. 17153(a).

5.2 COST MATCH

Cost match is not required for the EECBG Program. DOE encourages eligible entities to consider how they may leverage philanthropic and private sector funding to advance their goals and amplify the impact of the IIJA funding and include strategies to facilitate it to the extent practicable in the plans they are submitting for IIJA Section 40552 funding. DOE may provide ideas and assistance toward eligible entities' efforts during the application phase and implementation of the IIJA EECBG funds.

5.3 PROGRAM INCOME

DOE allows eligible entities to earn income in connection with EECBG Program activities to defray program costs. If the Local strategy or program activities (e.g., loan funds) includes such activities, entities should include an estimated amount of earned income in the budget portion of their application for financial assistance. Program income is defined in federal regulations as gross income earned by the recipient that is directly generated by a supported activity or earned because of the award. Program income includes but is not limited to:

- Income from fees for services performed.
- The use or rental of real or personal property acquired with grant funds.
- The sale of commodities or items fabricated under a grant agreement.
- License fees and royalties on patents and copyrights.
- Payments of principal and interest on loans made with grant funds.

Program income does not include interest on grant funds except as otherwise provided in this subpart, program regulations, or the terms and conditions of the award. Nor does it include rebates, credits, discounts, refunds, etc., or interest earned on any of them.

(See [2 CFR Part 200.80](#) and [2 CFR Part 200.307](#) for further information.)

6.0 APPLICATION INSTRUCTIONS FOR IIJA EECBG PROGRAM FORMULA GRANTS

6.1 OVERVIEW

The application package for EECBG Program grants consists of the materials shown in Section 6.3, and includes the application for financial assistance, the budget, proposed energy efficiency and conservation strategy (if submitted at time of application) and required supporting documents. Applications must be submitted in accordance with the IIJA EECBG PROGRAM ALRD. Application due dates are identified on the cover page of the ALRD.

As a reminder, application documents, forms, and data submitted to the EECBG Program may be made available to the public at DOE's discretion, following all applicable laws and regulations that protect confidential or proprietary information.

6.2 APPLICATION REVIEW PROCESS

DOE will process EECBG Program applications for grants and vouchers on a rolling basis beginning January 18, 2023.

Grant Award Application Reviews Prioritization and Phasing

To assist in planning and phasing the processing of award applications, DOE is establishing seven application periods for submission of grant applications. Applicants that meet one or more of the priority categories (see below), including Indian Tribes, may apply in Periods 1 or 2. All States must apply in Period 1 or 2. All other local governments must apply in Periods 3, 4, 5, or 6. All other Tribes must apply in Periods 3, 4, 5, 6, or 7.

Application Period	Application Submittal Timeframe	Applications Accepted
1	January 18, 2023 – April 28, 2023	State, Local Government and Tribal applications in one or more priority categories (see below)
2	June 1, 2023 – July 31, 2023	
3	Sept 1, 2023 – Oct 31, 2023	All other Local Government and Tribal applications
4	December 1, 2023 – Jan 31, 2024	
5	March 1, 2024 – April 30, 2024	
6	May 1, 2024 – October 31, 2024	
7	November 1, 2024 – May 31, 2025	All other Tribal applications

Grant Applications will be accepted on a rolling basis, and DOE will prioritize its review of applications based on the order in which complete applications are received and as follows:

1. States⁴⁰
2. Entities following blueprints
3. Teams
4. Entities with activities benefitting disadvantaged communities
5. Entities with activities limited to Energy Efficiency and Conservation Strategy Development, Technical Consultant Services (or other activities strictly limited to planning, analysis, and stakeholder engagement).
6. All other

Applicants are strongly encouraged to review the application instructions and submit complete applications. Submission of incomplete applications may result in a significant delay in processing individual grant awards.

Note: Due to the volume of applications, DOE may not review an application immediately upon submittal. Once a complete application is received and reviewed by DOE, it typically takes up to 60 days to process a formula grant. Applications are not necessarily considered complete upon submission. For additional information on application requirements, see the application instructions, which includes a pre-award checklist.

6.3 EECBG PROGRAM GRANT AWARD APPLICATION

The EECBG Program Formula Application (for grant awards only) consists of:

- Standard Form 424 (Application form)
- Standard Form 424A (Budget summary)

⁴⁰ Expedited review of State applications will enable speedier subgrants to other local governments

- Budget Justification
- Energy Efficiency and Conservation Strategy⁴¹
- EECBG Program Activity File
- Application attachments:⁴²
 - Certifications regarding lobbying
 - Authorized Applicant Assurance Letter
 - Davis-Bacon Act Assurance Letter
 - National Environmental Policy Act (NEPA) Statement of Work
 - Electronic copy (or web link) to the applicant's latest single or program-specific audit as required by 2 CFR 200 Subpart F⁴³
 - An environmental questionnaire (if applicable)
 - Pre-Award Information Sheet

Note: applicants choosing a Voucher will use a streamlined application submitted through an application portal that DOE anticipates will open in late 2023. Additional information on the Voucher application process and contents can be found in the [EECBG Program Voucher Handbook](#) and application templates available on the following website, <https://www.energy.gov/scep/eecbg-program-formula-grant-application-hub>.

DOE financial assistance regulations govern all funds budgeted in the EECBG Program Application, whatever their source. All funds must be spent on the activities described in the Application and addressed in the financial and performance reports required under the grant.

6.3. A. STANDARD FORM 424 (APPLICATION)

A completed and signed Standard Form 424 (SF424) containing current information must be submitted. Please ensure all sections have been updated to reflect any changes, including changes to the person to be contacted on matters involving the application and the authorized representative. Applicants should select "New" in section 2.c.

The list of certifications and assurances referenced in Field 21 may be found [here](#). Please verify compliance with Intergovernmental Review ([SPOC List](#)).

Once the SF424 is completed, **add an attachment to the document with the name, title, phone number and email address for both the Principal Investigator and the Business Officer.**

6.3. B. STANDARD FORM 424A (BUDGET)

The budget includes Standard Form 424A Summary which includes a Budget Justification. Each of these forms should be completed following the guidelines set out below.

⁴¹ Local and Tribal governments have the option to submit an Energy Efficiency and Conservation Strategy with their application or within one year of their award date. Entities that choose the latter option should include an Activity File describing their intention to develop a Strategy within this timeframe in their application.

⁴² See Appendix 1 for a complete checklist of application materials, including attachments. DOE has prepared templates for several of these attachments, which are available under "Direct Grant Application Templates" on the [EECBG Program Formula Grant Application Hub](#).

⁴³ For additional information, see CFR § 200.501, Audit requirements. "A non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single or program-specific audit conducted for that year in accordance with the provisions of this part."

Standard Form 424A: Applications must include a budget for all funds. It should be completed as follows:

- Section A: Budget Summary Lines 1-4, Columns (a) through (g). On line 1, enter new DOE funds. Section B: Budget Categories. Separate column headings (with the same name as the rows in Section A) should be utilized for each funding source. The total in Column G, Section A, must equal the total of all columns in Section B.

Budget Justification: The Budget Justification consists of a detailed explanation of the object class categories listed in line 6, Section B, of Standard Form 424A. In preparing the Budget Justification, states should address the following as requested for each budget category.

Personnel: Identify all positions to be supported by title and the amounts of time (e.g., % of time) to be expended on EECBG Program activities, the base pay rate, and the total direct personnel compensation. Personnel must be direct costs to the project and not duplicative of personnel costs included in the indirect pool that is the basis of any indirect rate applied for this project.

Fringe Benefits: If fringe cost rates are approved by a federal agency, identify the agency and date of latest rate agreement and include a copy of the rate agreement with the application. If fringe cost rates are not approved by a federal agency, explain how total fringe benefit costs were calculated. Your calculations should identify all rates used along with the base they were applied to (and how the base was derived), and a total for each (along with the grand total). established computation methodology approved for your jurisdiction, provide a copy with the SF424 Application.

Travel: Provide the purpose of travel, such as professional conference(s), DOE sponsored meeting(s), project monitoring, etc. Identify the number of trips, and the destination/location if known. Provide the basis for the travel estimate such as past trips, current quotations, federal or state travel regulations, etc. All listed travel must be necessary or beneficial to the performance of the EECBG Program. All foreign travel must be identified and requires pre-approval.

Equipment: Equipment is defined as an item with an acquisition cost greater than \$5,000 and a useful life expectancy of more than one year. List all proposed equipment and briefly justify its need as it applies to the objectives of this award. Provide a basis of cost such as vendor quotes, catalog prices, prior invoices, etc. If the equipment is being proposed as cost match and was previously acquired, provide the value of its contribution to the project and a rationale for the estimated value shown. If it is new equipment that will retain a useful life upon completion of the project, provide a rationale for the estimated value shown. Also, indicate whether the equipment is being used for other projects or is 100% dedicated to this project.

Supplies: Supplies are defined as items with an acquisition cost of \$5,000 or less or a useful life expectancy of less than one year. Supplies are generally consumed during the project performance. List all proposed supplies and the estimated cost and briefly justify the need for the supplies as they apply to the objectives of this award. Supply items must be direct costs to the project and not duplicative of supply costs included in the indirect pool that is the basis of any indirect rate applied for this project. Provide a basis of cost for each item listed. Examples include vendor quotes, prior purchases of similar or like items, published price list, etc.

Contractual: All sub-recipients, vendors, contractors and consultants and their estimated costs should be identified. Use TBD if the entity is unknown. Provide a brief description of the work to be performed or the service to be provided and reference the individual activity the work or service falls under. Include the basis of cost for each item listed (competitive, historical, quote, catalog, etc.).

Other Direct Costs: Other direct costs are direct cost items required for the project that do not fit clearly into other categories. These direct costs must not be included in the indirect costs (if indirect costs are proposed for this project). Examples are conference fees, meetings within the scope of work, subscription costs, printing costs, etc. that can be directly charged to the project and are not duplicated in indirect (overhead) costs. Provide a general description, cost, and justification of need for each direct cost item. Provide a basis of cost for each item. Examples include vendor quotes, prior purchases of similar or like items, published price list, etc.

Indirect Costs: If the indirect cost rate has been approved by a federal agency, identify the agency and the date of the latest rate agreement and submit a copy of the agreement with the application. If the indirect cost rate has not been approved by a federal agency, provide the basis for computation of rates including the types of benefits to be provided, the rate(s) used and the cost basis for each rate.

6.3. C. ENERGY EFFICIENCY AND CONSERVATION STRATEGY

Per [section 545 of EISA](#), each eligible unit of government that receives funding under this program must submit an Energy Efficiency and Conservation Strategy for approval by DOE that meets the guidelines outlined below.⁴⁴

Eligible Units of Local Governments and Indian Tribes: Proposed Energy Efficiency and Conservation Strategy (EECS)

Units of local government and Indian Tribes must submit to the DOE a proposed EECS. The proposed strategy shall include:

- a description of the goals of the eligible unit of local government or Indian Tribe for increased energy efficiency and conservation in the relevant jurisdiction; and
- a plan for the use of the grant to assist the eligible unit of local government or Indian Tribe in achieving those goals in accordance with the eligible use of funds outlined in [section 544](#) of EISA.⁴⁵

The EECS can be submitted through one of two methods:

- a) submit the EECS with the application through the PAGE application system; or
- b) submit the EECS not later than 1 year after the effective date of the award.

If an entity chooses option B, the entity must submit an EECBG Program Activity File with their application and select Activity 1 (Energy Efficiency and Conservation Strategy). The EECS should be a comprehensive strategy that covers, at a minimum, all items detailed in the EECS Template provided by DOE. DOE will provide informational resources and technical assistance to support the development of comprehensive strategies.

Eligible Units of Local Government: Additional EECS Requirements

In developing the strategy, section 544 of EISA directs that an eligible unit of local government shall:

- take into account any plans for the use of funds by adjacent eligible units of local governments that receive grants under the EECBG Program; and

⁴⁴ 42 U.S.C. 17155(b).

⁴⁵ 42 U.S.C. 17155(b)(1)(B).

- coordinate and share information with the State in which the eligible unit of local government is located to maximize the energy efficiency and conservation benefits.⁴⁶

DOE has provided a streamlined EECS Template that local governments and Indian Tribes may use when submitting their EECS, but the template is not required. If an entity chooses to submit an EECS using an alternative format, the information outlined in Part A of the EECS Template must be included in the submission. DOE has a maximum of 120 days after receiving a complete proposed strategy to approve or disapprove it. If DOE disapproves a proposed strategy, DOE shall provide to the grantee the reasons for the disapproval, and the grantee may revise and resubmit the proposed strategy as many times as necessary until DOE approves a proposed strategy.

States and Territories: Revision of the State Energy Conservation Plan

DOE has determined that states are already meeting the requirement outlined in 42 U.S.C. 17155(c)(2)(A) through their annual reporting for the State Energy Program.

States and Territories: EECS Requirements

States and Territories must submit to DOE a proposed EECS that:

- 1) establishes a process for providing subgrants to units of local government that are not eligible for direct formula grants from DOE; and
- 2) includes a plan of the state for the use of funds received under the EECBG Program to assist the state in achieving the goals established in EISA, in accordance with [EISA section 545\(c\)\(2\)\(B\)](#).⁴⁷

DOE has provided a streamlined EECS Template that states and territories may use when submitting their EECS, but the template is not required. If an entity chooses to submit an EECS using an alternative format, the information outlined in Part A of the EECS Template must be included in the submission. DOE has a maximum of 120 days after receiving a complete proposed strategy to approve or disapprove it. If DOE disapproves a proposed strategy, DOE shall provide to the state the reasons for the disapproval, and the state may revise and resubmit the proposed strategy as many times as necessary until DOE approves a proposed strategy.

6.3. D. EECBG PROGRAM ACTIVITY FILE

As program-wide performance indicators are valuable to all EECBG Program stakeholders, metrics are an important element of formula grant reporting. For additional information, see the EECBG Program website for reporting guidance.

“Unpaired” metrics should be avoided. For example, if an eligible entity reports the number of buildings retrofitted, the square footage retrofitted must be included as well. DOE is working to identify metrics for future reporting on how EECBG Program-funded investments by recipients of DOE financial assistance impact additional topics including energy equity and environmental justice and how they relate to disadvantaged communities. DOE will provide guidance and technical assistance to assist eligible entities in addressing these metrics.

EECBG Program applicants are encouraged to consult with the EECBG Program to identify metrics that best capture the work they will be performing. EECBG Program activities that do not fit well into the metrics section should be reported in the Milestones section. Entities should list planned milestones in the Activity Milestones section in their applications. If entities are proposing use of EECBG Program funds

⁴⁶ 42 U.S.C. 17155(b)(1)(C).

⁴⁷ 42 U.S.C. 17155(c)(2)(B).

to develop their EECS, the EECS should be listed as a separate activity with all subsequent project activities following the EECS completion milestone. Approval of the EECS by DOE is required prior to initiating any EECBG Program project activities.

For each Activity, applicants should identify the dollar amounts allocated. The sum of the budgets of each Activity must equal the totals in Section A of the SF424A.

6.3. E. LIMITATIONS

Administrative Expenses

Grantees should use their established definitions of “administrative expenses”. States may not use more than 10 percent of amounts provided under the program for administrative expenses⁴⁸). Units of local government and Indian Tribes may not use more than 10 percent or \$75,000, whichever is greater, for administrative expenses.⁴⁹ EECBG Program funds may be used for compensation of employees or contractors. Whether or not the administrative cost cap applies depends on the nature of the responsibilities of the staff hired. Administrative activities are those that cannot be identified with any single program but are necessary to the general conduct of the activities of the entity organization; this could include such items as the overall direction of the organization, record keeping, budgeting, and business management.

States and Territories: Distribution of Subgrants

Each state that receives a grant under the program shall use not less than 60% of the amount received to provide subgrants to units of local government in the state that are not eligible for direct formula grants. The state shall provide the subgrants no later than 180 days after the date on which DOE approves the proposed energy efficiency and conservation strategy.⁵⁰

States are required to develop a subgranting process that expeditiously allocates funding, prevents fraudulent spending, generates robust reporting, and promotes the EECBG Program principles outlined in law.

The District of Columbia is explicitly included in the definition of a state, according to [section 541\(6\)\(B\)](#) of EISA.⁵¹ Because the District of Columbia is a consolidated city-state government, it is not subject to the requirement applicable to states that not less than 60% of state funding must be subgranted to local units of government.

American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Hawaii, and the U.S. Virgin Islands have no eligible entities; these entities are exempt from having to provide subgrants.

⁴⁸ 42 U.S.C. 17155(c)(4).

⁴⁹ 42 U.S.C. 17155(b)(3)(A).

⁵⁰ 42 U.S.C. 17155(c)(1).

⁵¹ 42 U.S.C. 17151(6)(B).

Summary of Limitations on Use of Funds

	State	Formula-eligible unit of local government and Formula-eligible Indian Tribe	Formula-ineligible unit of local government and Formula-ineligible Indian Tribe
Limit on administrative expenses including the cost of the reporting requirements	Not more than 10% of the amounts provided to the State	Not more than the greater of a. 10% of the amount provided to the eligible unit of local gov't (or eligible Tribe); or b. \$75,000	None
Amount required to be provided as subgrants to formula-ineligible units of local government	Not less than 60% of the amount provided to the State (subgrantees must be within the jurisdiction of the State)	None	None

6.3. F. OTHER FORMS

The following files should be submitted as attachments with your application if applicable:⁵²

1. Indirect Rate Agreement or Rate Proposal
2. [Certifications regarding Lobbying \(SF-LLL Disclosure Form to report lobbying\)](#)
3. A document providing the name, phone number and email address of the Program Manager and Business Officer
4. Pre-Award Information Sheet
5. Authorized Applicant Assurance Letter
6. Davis-Bacon Act Assurance Letter
7. National Environmental Policy Act (NEPA) Statement of Work

6.3. G. NATIONAL ENVIRONMENTAL POLICY ACT INFORMATION

DOE must comply with NEPA prior to authorizing the use of Federal funds. DOE must also consider the effects on historic properties, pursuant to Section 106 of the National Historic Preservation Act (NHPA) and effects on threatened and endangered species, pursuant the Endangered Species Act (ESA).

Additionally, DOE must consider the impacts to floodplains and wetlands, pursuant to 10 CFR Part 1022—Compliance with Floodplain and Wetland Environmental Review Requirements. To streamline these required reviews, DOE carries out each of these reviews under the umbrella of its NEPA review. Entities should review and follow the NEPA determination in their award documents for restrictions and requirements.

DOE has developed a NEPA and Historic Preservation training website with PowerPoint presentations, sample template documents (including a NEPA log, project scope of work, and a project layout), forms (EECBG NEPA logs and Historic Preservation Worksheet), a Word document of an Environmental Questionnaire-1 (EQ1) and an EQ1 submission guide. Applicants are responsible for completing mandatory online NEPA training and reviewing the sample documents provided at

⁵² DOE has prepared templates for several of these attachments, which are available under “Direct Grant Application Templates” on the [EECBG Program Formula Grant Application Hub](#).

www.energy.gov/node/4816816 prior to initiating projects. Recipients may contact the NEPA team with any questions at EECBG.NEPA@ee.doe.gov. NEPA applies to subgrantees and 3rd party loan administrators, these entities should also review the NEPA training website prior to initiating projects.

All states and most territories have a DOE executed Historic Preservation Programmatic Agreement (PA) to assist DOE with historic preservation compliance. The territory of Guam and Indian Tribes do not have a PA. EECBG Program applicants that do NOT have a PA must follow the added restrictions in the NEPA determination to ensure compliance with the National Historic Preservation Act. All PAs and amendments can be found at <https://www.energy.gov/node/812599>.

For most applicants there are two paths to complete a NEPA review for EECBG Program activities: 1) entities determine and document that a project falls within one of the Additional Activities or Blueprints listed within one of the EECBG NEPA Statements of Work (SOW), or 2) entities determine a project does not fit within an EECBG NEPA SOW and submit an Environmental Questionnaire (EQ-1) in the Project Management Center for DOE to complete an individual NEPA review. EECBG Program recipients will receive approval from a DOE Contracting Officer with a NEPA determination for their records. All paths require a documented NEPA review.

DOE has prepared four SOWs, which are described below. In order to utilize an SOW instead of an individual NEPA review, an applicant's proposed activities must adhere to all conditions and parameters listed within their State or Territory's PA and the SOW they select.

DOE has prepared eight Statements of Work (SOWs) which correspond to eight NEPA determinations covering a variety of EECBG Program activities and applicant scenarios. A recipient's NEPA determination will be based on their SOW selection. If an Applicant is proposing activities not listed within one of the SOWs, an EQ-1 submittal is required to initiate an individual NEPA review.

The following list of SOWs is applicable to applicants applying for a **Formula Grant**. The contents of these SOWs may be slightly different than the NEPA Determination. The NEPA Determination included in each recipient's award documents must be followed:

1. Non-Tribal Statement of Work WITH Historic Preservation Programmatic Agreement and WITH Ground-Disturbing Activities
2. Non-Tribal Statement of Work WITH Historic Preservation Programmatic Agreement and NO Ground-Disturbing Activities
3. Non-Tribal Statement of Work WITHOUT Historic Preservation Programmatic Agreement and WITH Ground Disturbance
4. Tribal Statement and non-Tribal Statement of Work WITHOUT Historic Preservation Programmatic Agreement and NO Ground Disturbance

The following list of SOWs is applicable to applicants applying for an **equipment rebate voucher**. The contents of these SOWs may be slightly different than the NEPA Determination. The NEPA Determination included in each recipient's award file must be followed:

1. Equipment Rebate Non-Tribal Statement of Work WITH Historic Preservation Programmatic Agreement and WITH Ground-Disturbing Activities
2. Equipment Rebate Non-Tribal Statement of Work WITH Historic Preservation Programmatic Agreement and NO Ground-Disturbing Activities
3. Equipment Rebate Non-Tribal Statement of Work WITHOUT Historic Preservation Programmatic Agreement and WITH Ground Disturbance
4. Equipment Rebate Tribal and Non-Tribal Statement of Work WITHOUT Historic Preservation Programmatic Agreement and NO Ground-Disturbing Activities

Applicants applying for a **technical assistance voucher** will be issued a standard NEPA determination in their award file and do not need to include a NEPA Statement of Work with their application.

Recipients proposing ground disturbing projects (operating under SOW 1 or SOW 3) must document all activities (via a NEPA log) to ensure compliance with the requirements of their NEPA Determination. Templates for EECBG Program NEPA logs can be found at <http://www.energy.gov/node/4816816> . <mailto:NEPALogs@ee.doe.gov> While completing NEPA log entries, recipients are responsible for identifying and promptly notifying DOE of extraordinary circumstances, cumulative impacts, or connected actions that may lead to significant impacts on the environment, or any inconsistency with the “integral elements” (as contained in 10 C.F.R. Part 1021, Appendix B) as they relate to a particular Project; compliance with Section 106 of the NHPA and 10 CFR Part 1022.4—Compliance with Floodplain and Wetland Environmental Review Requirements, as applicable. The NEPA logs must be available for DOE review upon request and must be submitted quarterly to EECBG.NEPA@ee.doe.gov and your DOE Project Officer. NEPA reviews must be completed prior to initiating project activities; this includes DOE NEPA reviews and recipient reviews documented in their NEPA log. Project expenses incurred without a DOE NEPA review **may be deemed unallowable and recipients may be required to repay any unallowable funds to DOE.**

All recipients must adhere to the requirements included in the “Historic Preservation” term included in the Special Terms and Conditions of the financial assistance agreement. This includes compliance with the DOE Historic Preservation Programmatic Agreements (PA) applicable to their State or Territory. All recipients, regardless of having a PA, are required to submit an annual Historic Preservation Report. Grant recipients will submit annual Historic Preservation Reports through PAGE. Voucher recipients will submit annual Historic Preservation Reports through a form provided by DOE.

7.0. APPLICATION FORMAT AND CHANGES (FORMULA GRANTS)

Note: See section 9.0 below for information related to vouchers. Equipment rebate and technical assistance voucher applicants will submit streamlined applications through an application portal that DOE anticipates will open in late 2023.

7.1. A. CONTENT AND FORM OF APPLICATION

EECBG Program grant applications must be submitted via the PAGE online system [here](#). All grant applicants must first establish an account in PAGE to submit an application. Instructions will be submitted to the authorized contact, as designated in the applicant’s pre-application information sheet.

The PAGE Help System has detailed instructions for creating and submitting an EECBG Program application. The Help instructions can be found in PAGE by selecting ‘help’ from the blue horizontal menu bar, and under the Contents in the left panel selecting ‘EECBG’ and the subtopic for ‘New Grant Application’.

From the Home PAGE, select ‘Create New Application.’ Then, select the ‘Add New Application Package’. Once the application has been completed, be sure to validate and submit the application.

7.1. B. OTHER SUBMISSION AND REGISTRATION REQUIREMENTS

Submission of application documents and award documents, including modifications, through electronic systems used by the DOE, including PAGE, FedConnect, constitutes the authorized representative’s approval and acceptance of the terms and conditions of the award. Award acknowledgement via FedConnect constitutes the authorized representative’s electronic signature.

7.1. C. QUESTIONS/AGENCY CONTACTS

Questions relating to the registration process, system requirements, how an application form works, or the submittal process must be directed to the PAGE hotline at 866-492-4546, or page-hotline@ee.doe.gov. Entities should contact the EECBG Program with specific questions at the contacts provided below.

EECBG Program email: eecbg@hq.doe.gov

EECBG NEPA email: EECBG.NEPA@ee.doe.gov

For general information regarding the EECBG Program, please visit the [EECBG Program website](#).

8.0 REPORTING REQUIREMENTS

Reporting requirements for each eligible entity are identified on the Financial Assistance Reporting Checklist (FARC), DOE EERE 355, attached to the award agreement.

Additional information and guidance that addresses the scope and purpose of reporting for EECBG Program formula grants and vouchers is available on the [EECBG program website](#).

Awards initiated since 10/1/2010 are subject to the requirement of Reporting Subawards and Executive Compensation at <https://www.fsr.gov>. Please see Part V.C. of the Administrative and Legal Requirements Document (ALRD) for additional information.

9.0 VOUCHERS

9.1 PURPOSE

DOE has sought to simplify and streamline the process for entities that choose a voucher in lieu of a grant. Entities that opt into a voucher are not required to apply for and administer a direct federal grant. Entities choosing vouchers will submit a separate application using a streamlined process with reduced documentation, monitoring and reporting requirements compared to applying for and administering a federal grant. DOE anticipates the voucher application portal will open in late 2023. For example, if an entity opts in for a voucher, entities that have never managed a federal grant before will not be required to establish the necessary financial management systems, including accounting for federal funds, invoicing, and internal audits typically needed to comply with federal grant management requirements as described in the following regulations:

- 2 CFR §200.302 Financial management
- 2 CFR §200.303 Internal controls
- 2 CFR § 200,305 Federal payment
- 2 CFR §200.232 Requirements for pass-through entities2 CFR §200.344 Closeout
- 2 CFR §200.345 Post-closeout adjustments and continuing responsibilities.
- 2 CFR § 200 Subpart F – Audit Requirements.

9.2 A. TECHNICAL ASSISTANCE VOUCHERS

Vouchers for technical assistance will be used to access support from experts, across a wide array of high-value opportunities in energy efficiency, renewable energy, transportation, and related areas. Activities will fit into the following broad categories:

- Policy, Planning & Program Design
- Building Retrofits Planning and Design
- Engineering and Modeling

- Community and Stakeholder Engagement
- Program Administration and Implementation Support

9.2 B. VOUCHERS FOR EQUIPMENT REBATES

Vouchers for equipment purchase and installation rebates will also be available to reimburse entities for the purchase of energy-related equipment used to meet the program goals. Equipment eligible for rebates will span a wide range of technologies that are deployed to lower fossil fuel use or increase energy efficiency. Examples include:

- Efficient materials and technologies used to retrofit buildings such as HVAC equipment, air source heat pumps, heat pump water heaters, windows, doors, insulation, and other weatherization materials;
- Electric vehicles and electric vehicle charging stations and equipment;
- Equipment for renewable energy installations, including wind, solar, and storage;
- Metering equipment; and
- Ancillary equipment such as electric system upgrades to accommodate technology installations.

Voucher applications must be reviewed and approved, including a NEPA review and approval. If activities are not listed within one of the Voucher NEPA SOWs , and Environmental Questionnaire (EQ-1) must be submitted through the PMC for an individual NEPA review. A NEPA determination (i.e., the DOE form that documents DOE's NEPA review of a project or activities) must be received prior to the purchase or installation of equipment to be eligible for reimbursement.

9.3 VOUCHER APPLICATION PROCESS

A complete description of the voucher application process and contents can be found in the [EECBG Program Voucher Handbook](#) and application templates available are on the [website](#). Voucher applications will be accepted on a rolling basis, and review of applications will be prioritized as follows:

- Teams opting into vouchers
- Voucher applicants following one or more EECBG Program Blueprints
- Entities opting for vouchers with >40% of their program benefits going to disadvantaged communities
- All other Local or Tribal entities choosing a voucher

In addition, applications that propose and prioritize activities that will benefit disadvantaged communities may be considered higher priority and may be reviewed before other applications.

Applicants are strongly encouraged to review the application and submit complete applications. Submission of incomplete applications may result in a significant delay in processing individual grant awards.

A comparison of the necessary application documents and some administrative steps needed for a grant vs. a voucher is shown in Appendix 1. While entities choosing a voucher must still submit and receive approval for their Energy Efficiency and Conservation Strategy as described below, they will follow a simplified application process to receive a voucher, which briefly describes their voucher selection, its intended use, and expected outcomes, such as energy savings, job creation, leveraged funds and benefits to disadvantaged communities.

DOE strongly encourages the following local and Tribal entities to consider the voucher option for their formula award:

1. Entities with limited or no experience managing federal grant awards
2. Entities with limited internal staff or local capacity to manage an EECBG Program formula grant over multiple years
3. Entities receiving EECBG Program award allocations of \$250,000 or less

10.0 CONCLUSION

The EECBG Program seeks to support communities on their path to clean energy and decarbonization. The EECBG Program will assist States, local governments, and Indian Tribes as they advance efficient and effective programs to develop and deploy equitable and inclusive community energy savings strategies, clean energy infrastructure investments and projects. Through the EECBG Program, DOE will provide direct funding, technical assistance, and local, regional, and national coordination support to States, Local Governments and Indian Tribes and their stakeholders to build a clean and equitable energy economy that enhance United States competitiveness, drive the creation of good-paying union jobs, tackle the climate crisis, and ensure stronger access to economic, environmental, and other benefits for disadvantaged communities and promotes equity and inclusion in workforce opportunities and deployment activities, as identified in the Biden Administration's Justice40, job growth and quality, and DEIA goals.

DOE looks forward to continuing to work with its State, Local and Tribal partners to implement new and innovative approaches that achieve sustained progress toward energy savings, carbon emissions reductions, and building more equitable and inclusive communities.

Henry McKoy, Director
Office of State and Community Energy Programs
Office of the Under Secretary for Infrastructure
U.S. Department of Energy

REFERENCE MATERIAL

IIJA EECBG Administrative and Legal Requirements Document
IIJA EECBG Program Formula Allocations
IIJA EECBG Program Pre-Award Information Sheet
IIJA EECBG Program Energy Efficiency and Conservation Strategy Templates
IIJA EECBG Program NEPA Statements of Work

APPENDIX 1: APPLICATION MATERIALS CHECKLIST

Grant ⁵³	Voucher ⁵⁴
Register in SAM (allow several weeks)	
Obtain DUNS number for all prime and sub awardees	
Obtain EIN and UEI number	
Register in FedConnect	
Register in PAGE	
Contact information for Principal Investigator and Business Officer	Contact information for Principal Investigator and Business Officer
Teaming partners (if applicable)	Teaming partners (if applicable)
Energy Efficiency and Conservation Strategy	Energy Efficiency and Conservation Strategy
EECBG Program Activity file	For TA voucher: Summary description of the technical assistance request, including a proposed scope of work and budget. For Rebate: Summary description of the requested equipment, proposed location and facility type (i.e., municipal building, school, commercial or residential building, or site) and estimated cost
Verify compliance with Intergovernmental Review SPOC list	
EECBG Program Pre-Award Information Sheet	EECBG Program Pre-Award Information Sheet (Voucher sections only)
Standard Form 424 (Application form)	EECBG Formula Program Voucher Application
Standard Form 424A (Budget summary)	
Budget Justification: - Personnel, fringe benefits, travel, equipment, supplies, contractual, other direct costs, indirect costs	
Authorized Applicant: (Assurance Letter or Tribal Resolution)	
Assurance Letter: Davis Bacon Act	
A link to the applicant's latest single audit as required by 2 CFR 200 Subpart F	
NEPA Statement of Work (for expedited reviews)	
NEPA Environmental Questionnaire (EQ-1), if directed to submit	NEPA environmental questionnaire (EQ-1), If directed to submit.

⁵³ Templates for many of the required grant application materials are available on the website, <https://www.energy.gov/scep/eccbg-program-formula-grant-application-hub>.

⁵⁴ A complete description of the voucher application process and contents can be found in the [EECBG Program Voucher Handbook](#) and application templates available on the website, <https://www.energy.gov/scep/eccbg-program-formula-grant-application-hub>.

Indirect Rate Agreement or Rate Proposal (if applicable)	
Certifications regarding Lobbying (SF-LLL Disclosure Form to report lobbying)	

APPENDIX 2: BLUEPRINTS – TOPICS AND KEY ACTIVITIES WITH STREAMLINED REVIEWS⁵⁵

Blueprint Topic	Key Activities with Streamlined Reviews
1. Energy Planning	Energy data collection to assist in reducing fossil fuel emissions, reducing total energy use, or improving energy efficiency
	Develop energy vision, goals, and strategies
	Stakeholder engagement, education, and outreach
	Write, adopt, and publicize energy plan
2.A. Energy Efficiency: Energy Audits and Building Upgrades	Building energy assessments
	Energy audits
	Building upgrades, including energy efficiency, grid-interactivity, and electrification upgrades (as defined below)
2.B. Energy Savings Performance Contracts: Energy Efficiency and Electrification in Government Buildings	Explore potential future financing options
	Procurement of energy savings performance contractor and legal support/technical assistance
2.C. Building Electrification Campaign	Develop energy retrofit goal and strategies, e.g., how to reach disadvantaged or low-income residents or small businesses
	Bulk procurement of building energy efficiency and electrification equipment (as described below) to be installed by for-profit and non-profit installers and contractors
	Procurement, legal and technical support and assistance
	Communications and website development
	Program education, outreach, and advertising
2.D. Building Performance Standards & Stretch Codes	Stakeholder engagement, education, and outreach
	Data collection & benchmarking
	Metric selection and target setting
	Determine compliance and enforcement approach
3.A. Solar & Storage: Power Purchase	Site assessment
	Project savings assessment

⁵⁵ For more information, please see the [EECBG Program Blueprints webpage](#)

Agreements and Direct Ownership	Procurement & legal support
	Installation of solar systems & battery storage (Limited to solar projects ≤60kW and 1,000kWh battery storage, with further restrictions defined below)
3.B Community Solar	Site assessment
	Stakeholder engagement, education, and outreach
	Procurement of developer, legal and technical support
	Communications, program education and promotion, including advertising and program website development
	Installation of solar panels (Limited to projects ≤60kW with further restrictions defined below)
3.C. Solarize Campaign	Design program details, including financing options for customers and how to support low-income customers and EJ communities
	Stakeholder engagement through education and outreach
	Procurement of developer & legal, technical support
	Program education, outreach, and advertising
3.D. Renewable Resource Planning for Rural and Tribal Communities	Stakeholder engagement through education and outreach
	Plan development & publication
	Preliminary resource planning and siting assessments
4.A. Electric Vehicles and Fleet Electrification	Develop fleet replacement plan, including stakeholder engagement and input
	Siting planning and preliminary assessments
	Develop utility data sharing agreement
	Develop charging plan including cost assessment of electric bill
	Procurement, legal, and technical support to purchase EVs and EVSE
	Installation of electric vehicle supply equipment (further restrictions listed below)
4.B. EV Charging Infrastructure for the Community	Procurement, legal and technical support to purchase EVSE
	Siting plan and site assessments
	Stakeholder engagement through education and outreach
	Installation of electric vehicle supply equipment (EVSE) (further restrictions listed below)
	Communications and program promotion
5. Unlocking Sustainable Financing Solutions for Energy Projects and Programs with Revolving Loan Funds	Market analysis; programmatic research and design
	Stakeholder engagement through outreach and education
	Legal and technical support
	Program evaluation
	Program design, and curriculum development

6. Workforce Development	Stakeholder engagement through education, outreach, and program advertising
	Paying trainers and trainees including supplemental services



EXPLANATION TO COUNCIL BILL 2024-211 (SIMPSON)

FILED: 10/03/2024

ORIGINATING DEPARTMENT: Environmental Services

TITLE: A resolution declaring it necessary to construct sanitary sewers in Sanitary Sewer District No. 217 of Section No. 15 in the City, located in the general vicinity of Bagnell Street and Biloxi Avenue; providing for payment therefore in the amount of \$1,133,944.50; and providing for publications and notices.

PURPOSE: To declare it necessary to construct sanitary sewers in District No. 217 of Section No. 15 in the City, located in the general vicinity of Bagnell Street and Biloxi Avenue; provide for method of payment therefore; and provide for publications and notices.

BACKGROUND INFORMATION: 1. The project is scheduled for construction as part of the City's sewer construction program, as established in Resolution No. 7995, to eliminate septic tanks within the City limits and to encourage infill by providing sanitary sewer service. This project will be funded by sewer improvement bonds that are already budgeted. It will make sewer available to twenty-six (26) tracts which will eliminate nineteen (19) septic systems from within the City limits of Springfield.

2. Special Ordinance No. 27214, passed by City Council on July 29, 2019, established and defined the boundaries for Sanitary Sewer District No. 217 of Section No. 15 as shown on Exhibit A.

3. Plans, specifications, and a cost estimate have been prepared by the Department of Environmental Services and are on file in the Director's office.

4. Wastewater from this district will flow to the Southwest Treatment Plant.

5. The project was advertised in the *Daily Events* on September 3, 2024, through September 7, 2024.

6. Bids were opened in the Busch Municipal Building on September 30, 2024, at 10:00 a.m. The following bids were received:

CONTRACTOR BID AMOUNT
Rosetta \$2,083,563.90
Construction,
LLC



JD Wallace Contracting	\$1,133,944.50
K&B Equipment, LLC	\$1,369,003.18
Hamilton and Dad, Inc	\$1,604,080.60
Engineer's Estimate	\$1,842,334.15

7. Tax bills will be issued for the actual costs to construct the sanitary sewers for Sanitary Sewer District No. 217 of Section No. 15 upon completion of the project. Based upon the bid received, the estimated cost for property owners is \$0.5384 per square foot of property owned.

8. To assist property owners with the costs associated with the sewer tax bills and sewer hookup, several programs are available. The City Sewer Financial Assistance Program, described in City Code section 98-286(4)(b), provides residential property owners the opportunity to take advantage of a maximum cap per tract on the tax bill amount. A low-interest loan program, described in City Code section 98-292, is available to property owners to help with costs for hookup to the sewer. The program for Assisting Owner-Occupied Properties, as described in Special Ordinance 20723, provides two types of assistance for qualifying low and moderate-income households. One form of assistance is a deferred, low-interest loan for sewer hookup costs. The other is a direct grant to offset some or all the cost of the tax bill. The City also provides a 15-year, low-interest payback arrangement for tax bill costs.

9. Letters have been mailed to property owners in the district with information regarding the proposed sewer construction, related costs, and available assistance programs.

10. This Resolution is for a public improvement, where a special tax bill is issued, and thus qualifies as a one-reading bill under City Charter Section 10.15.

REMARKS: Environmental Services recommends passage of this Council bill.

Submitted By: Ron Petering, Assistant Director of Environmental Services

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

Maurice S. Jones, Deputy City Manager 10/15/2024

Attachments:

1. SSD 217 Bagnell-Biloxi_res
2. SSD 217 Bagnell-Biloxi_ExhA

One-rdg. X
P. Hrngs.
Pgs. 6
Filed: 10-15-24

Sponsored by: Simpson

COUNCIL BILL 2024-211

RESOLUTION

A RESOLUTION

1 DECLARING it necessary to construct sanitary sewers in Sanitary Sewer District
2 No. 217 of Section No. 15 in the City, located in the general vicinity of
3 Bagnell Street and Biloxi Avenue; providing for payment therefore in the
4 amount of \$1,133,944.50; and providing for publications and notices.
5 _____

6
7 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
8 SPRINGFIELD, MISSOURI, as follows, that:
9

10 Section 1 – City Council hereby declares it necessary to construct sanitary
11 sewers in Sanitary Sewer District No. 217 of Section No. 15, located in the general
12 vicinity of Bagnell Street and Biloxi Avenue. Plans and specifications for the project,
13 together with an estimate of the total cost for the project, including construction,
14 construction contingency, fees, and other expenses, and an estimate of the portion of
15 the total cost to be assessed against each property to be benefited by the project, are
16 on file in the office of the City Clerk and are available for the inspection of the public.
17

18 Section 2 – City Council has issued special assessment general obligation bonds
19 pursuant to Article 6, Section 26(d) of the Missouri Constitution to pay for all or part of
20 the construction costs, including interest incurred by the City in financing the project.
21 Special assessments issued by the City pursuant to this Resolution and other
22 ordinances of the City shall be used to pay for such bonds. Such bonds shall be in
23 effect for a period of 15 years.
24

25 Section 3 – Each property in the benefited district shall be specially assessed,
26 and special tax bills issued by the City for collection, with the special assessment to
27 include the following costs: the cost of all necessary materials and labor to construct
28 the sanitary sewers in the sewer district, the cost of publications pertaining to said
29 construction, the cost of necessary abstracts, the cost of engineering, which shall not
30 exceed 15 percent of the contract bid price of the improvements, or estimated price,
31 whichever is the lesser, the cost of right(s)-of-way necessarily acquired by the City for
32 the construction of said improvement, and a connection fee in the amount required by
33 Section 120-246 of the City Code. The special assessment shall be levied against each

property in said sewer district in proportion to the square footage of said property. The apparent low bidder for the construction of sanitary sewers in Sanitary Sewer District No. 217 of Section No. 15 is JD Wallace Contracting, who submitted the lowest responsible and responsive bid in the amount of \$1,133,944.50.

Section 4 – The estimated cost to be assessed to property owners through special tax bills is \$0.5384 per square foot of property owned, subject to adjustment for actual final costs. The special tax bills shall be payable over 15 years with regular installment payments, together with interest at a rate not to exceed the amount permitted by state law; provided, however, that the person paying such tax bills shall have the right to pay the same in part or in full within 30 days after issuance thereof with no interest. The person paying the tax bill shall have the further right to pay any combination of principal payments on the unpaid balance of said tax bills, together with interest thereon up to the date of payment, within 30 days after the end of any yearly period when any installment is payable. In addition to the above, tax bills may be paid in full at any time during the year with interest thereon up to the date of payment.

Special tax bills in the district may be eligible for the City Sewer Financial Assistance Program pursuant to the terms and conditions set forth in City Code Chapter 98, Article VI, Section 98-286(4)(b) specifically, and Chapter 98 and 120 of the City Code generally.

Section 5 – Every special assessment shall be a lien against the property therein described from the date of issuance until the assessment, including all interest due thereon, is paid in full.

Section 6 – The provisions of Sections 98-215, 98-216, 98-217, 98-218, 98-219, 98-220, 98-221, 98-286, 98-291 and 98-292 of the City Code shall apply to special tax bills issued pursuant to this Resolution, except where such sections are inconsistent with this Resolution or the ordinances authorizing this project.

Section 7 – If any special assessment of any lot, tract, or parcel of ground is found invalid by any court of competent jurisdiction, the City Council may reassess the benefit and the cost against such lots, tracts and parcels of ground in the sewer district which are benefited by the improvements constructed therein or said special assessment may be made against the City at large.

Section 8 – The Director of Environmental Services shall cause notice of the proposed sewer improvements to be published in a daily newspaper printed in the City for five consecutive insertions, and at the same time not less than three copies of the proposed Resolution shall be posted in conspicuous places within the limits of the district, in accordance with City Charter Section 10.6 and City Code Section 98-286(3)(d).

Section 9 – This Resolution is for a public improvement, where a special tax bill is issued, and thus qualifies as a one-reading bill under Charter Section 10.15.

80 Passed at meeting: _____

81
82 _____
83 Mayor

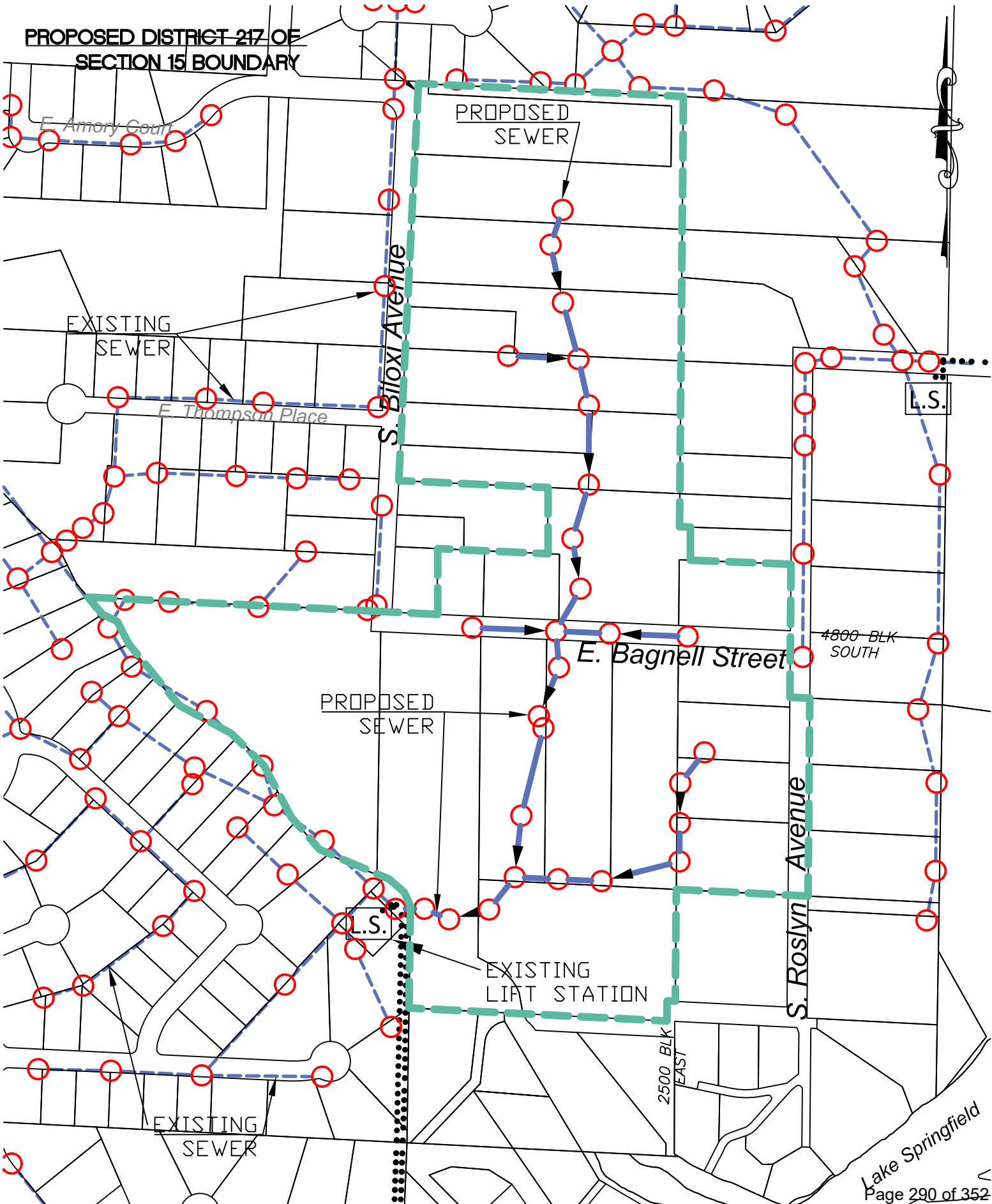
84
85
86 Attest: _____, City Clerk

87
88 Filed as Resolution: _____

89
90
91 Approved as to form: Jim Millington, Assistant City Attorney

92
93
94 Approved for Council action: Jason A. Hays, City Manager

SANITARY SEWERS DISTRICT 217 OF SECTION 15





EXPLANATION TO COUNCIL BILL 2024-212 (MCGULL)

FILED: 09/04/2024

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A resolution granting a Short-Term Rental Type 2 permit for the property generally located at 711 East Delmar 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 711 East Delmar 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 711 East Delmar 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 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 September 23rd City Council meeting.

As of August 27, 2024, the applicant has not paid or reported any hotel and motel tax for the property located at 711 E Delmar Street for bookings made between July 2023 through August 2024.

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 10/1/2024

- Attachments:**
1. STR2 Appeal - 711 East Delmar Street_Ord
 2. STR 2 Appeal_711 E Delmar_exhA
 3. STR 2 Appeal_711 E Delmar_exhB
 4. STR 2 Appeal_711 E Delmar_exhC

One-rdg. X
P. Hrngs.
Pgs. 16
Filed: 09-17-24

Sponsored by: McGull

COUNCIL BILL 2024-212 RESOLUTION

A RESOLUTION

1 GRANTING a Short-Term Rental Type 2 permit for the property generally
2 located at 711 East Delmar 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 711 East Delmar 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” and “Exhibit B;” 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 711 East Delmar 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 September 23, 2024, City Council
28 meeting.
29

30 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
31 SPRINGFIELD, MISSOURI, as follows, that:
32

33 Section 1 – City Council hereby grants the applicant a STR Type 2 Permit for the
34 property located at 711 East Delmar Street. The granting of the Permit is expressly

subject to compliance with Section 36-473 of the Land Development Code, and any other applicable provisions of City Code.

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

Passed at meeting: _____

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

EXHIBIT A

To whom it may concern:

This is our letter of appeal requesting approval of the short-term rental at address 711 E. Delmar St Springfield, MO.

We were un able to obtain 55% of the adjacent owner's consent, due to not being able to locate/communicate with them.

One ownership is husband and wife, and the wife happily signed and is unsure where her husband is currently located.

The other next-door neighbor signed happily.

Both stated they were excited this would be short term vs college students.

We did not receive the neighbor across the street who supposedly resides in Nixa but did not respond to our reach outs through social media accounts.

The neighbor behind us, is owned by LLC, and we could not locate the member of the LLC to sign for us.

Of all the visitors to our neighborhood held meeting, all were supportive and excited to see this become a short-term rental.

We have a guidebook set up inside that lays out the city noise ordinance and the neighborhood brochure and rules for parking, trash etc.

By having this be short term rental over regular rentals we control the appearance of the property and maintenance upkeep. Our rules in our listings require them to be 25 years or older to be a nightly guest. We have cleaning folks set up to take the trash to the street and back each week.

This beautifully built new home should provide an excellent place for locals to have a place for family and friends to stay nearby and experience our town, near campus, for a variety of events and reasons.

With the new rules and tax laws, short term rental generates a great deal more revenue from the tax standpoint from lodging tax and property tax bills.

Every individual came to the neighborhood meeting with kind and supportive comments. Neighbors on each side of us were pleased with the short-term rental. Neither of the signatures we did not acquire were against it but because we could not locate them.

Thank you,

Ownership

Delmar 711 LLC Signed my manager

Dixie Decker



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: 711 E Delmar

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

Planning &
Development
3-6 weeks

Building Development
Services
1-3 weeks

Licensing
2-3 weeks

PROPERTY OWNER'S INFORMATION:

Name of current property owner: Delmar 711

If corporation: Corporate Official: _____

Mailing Address: 1122 E Walnut Spfld, MO

Zip Code: 65802 Phone: 417-521-8933

E-mail: dixie@dozahomes.com

PROPERTY OWNER'S SIGNATURE:

Delmar 711 LLC Box 2
owner Springfield

See checklist on page 2 for additional information.

OPERATOR'S INFORMATION (if different):

Name: Dixie Decker

Mailing Address: 1122 E Walnut Springfield Zip Code: 65806

Phone: 417-521-8933 E-mail: dixie@dozahomes.com

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: 8/7/24

3. Meeting Location: 711 E. Delmar

4. Number of invitations that were sent: 103

5. Number of neighbors in attendance (attach a sign-in sheet): 12

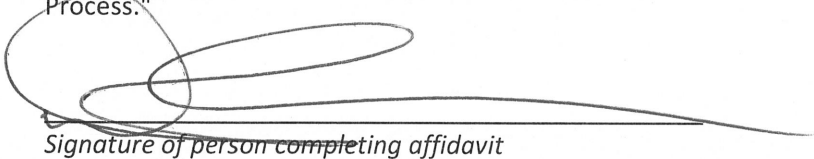
6. List the verbal comments and how you plan to address any issues:

(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.)

someone asked for a fire ladder, we could add one to an upstairs Bedroom
most visitors were excited to have AIRBNB VS college Rental

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

I, Diane Decher (print name), attest that the neighborhood meeting was held on 8/7/24 (month/date/year), in accordance with the attached "Neighborhood Notification and Meeting Process."



Signature of person completing affidavit

Diane Decher
Printed name of person completing affidavit

Location of Meeting: 712 Delmar

Page 298 of 352

SHORT-TERM RENTAL TYPE 2 ADJACENT OWNER CONSENT AFFIDAVIT

Address of Proposed Short-Term Rental: **711 East Delmar 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**)

Delmar 711 LLC Bay
Signature of Owner/Operator

Delmar 711 LLC Bay Member
Typed or Printed Name Member

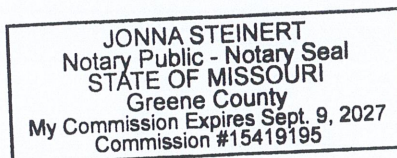
ATTEST:

member / manager
Title

Corporate Secretary
(If no seal)

Name of Company or Organization
(If Applicable)

Subscribed and sworn to before me a notary public on this 15 day of August, 2021.



[Signature]
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: **711 East Delmar 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: 710 E NORMAL ST 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: 707 E DELMAR ST <i>Claudette Sheets</i> Owner(s) of Record (Typed or Printed) <i>Claudette Sheets</i> Signature(s) of Owners Title	INVALID SIGNATURE Notary Seal (only required if signature not witnessed by applicant) SEAL 
3.	Address of Adjacent Residential Property: 715 E DELMAR ST <i>Dana Powell</i> Owner(s) of Record (Typed or Printed) <i>Dana Powell</i> 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: **711 East Delmar 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: 712 E DELMAR ST Owner(s) of Record (Typed or Printed) Signature(s) of Owners Title	Notary Seal (only required if signature not witnessed by applicant) SEAL
5.	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
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

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

Date of Meeting: August 7, 2024 Time: 4:00pm to 6:30pm

Location of Meeting: 711 E. Delmar

Contact Name: Delmar 711, LLC

Contact Telephone No.: 417-763-3131

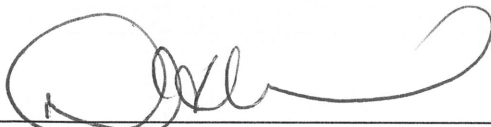
Contact E-Mail: info@roza-homes.com

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

Sign posting must be legible in photo

I, Dixie Decker, Delmar 711 LLC (print name of owner, agent, attorney), attest that the above sign was posted 10 days before the public hearing on 8/7/24 (month/day/year) and in accordance with the given posting requirements.


Signature of person completing sign posting

Dixie Decker
Printed name of person completing sign posting

Type 2 Rental Status*

- Approved
- Pending
- 711 E DELMAR

*Status as of: 8/26/2024



0 0.03 0.05 0.1 Miles

E GRAND ST

S CLAY AVE

E NORMAL ST

S HOLLAND AVE

E DELMAR ST

E NORMAL ST

S KIMBROUGH AVE

S HOLLAND AVE

E DELMAR ST

S DOLLISON AVE

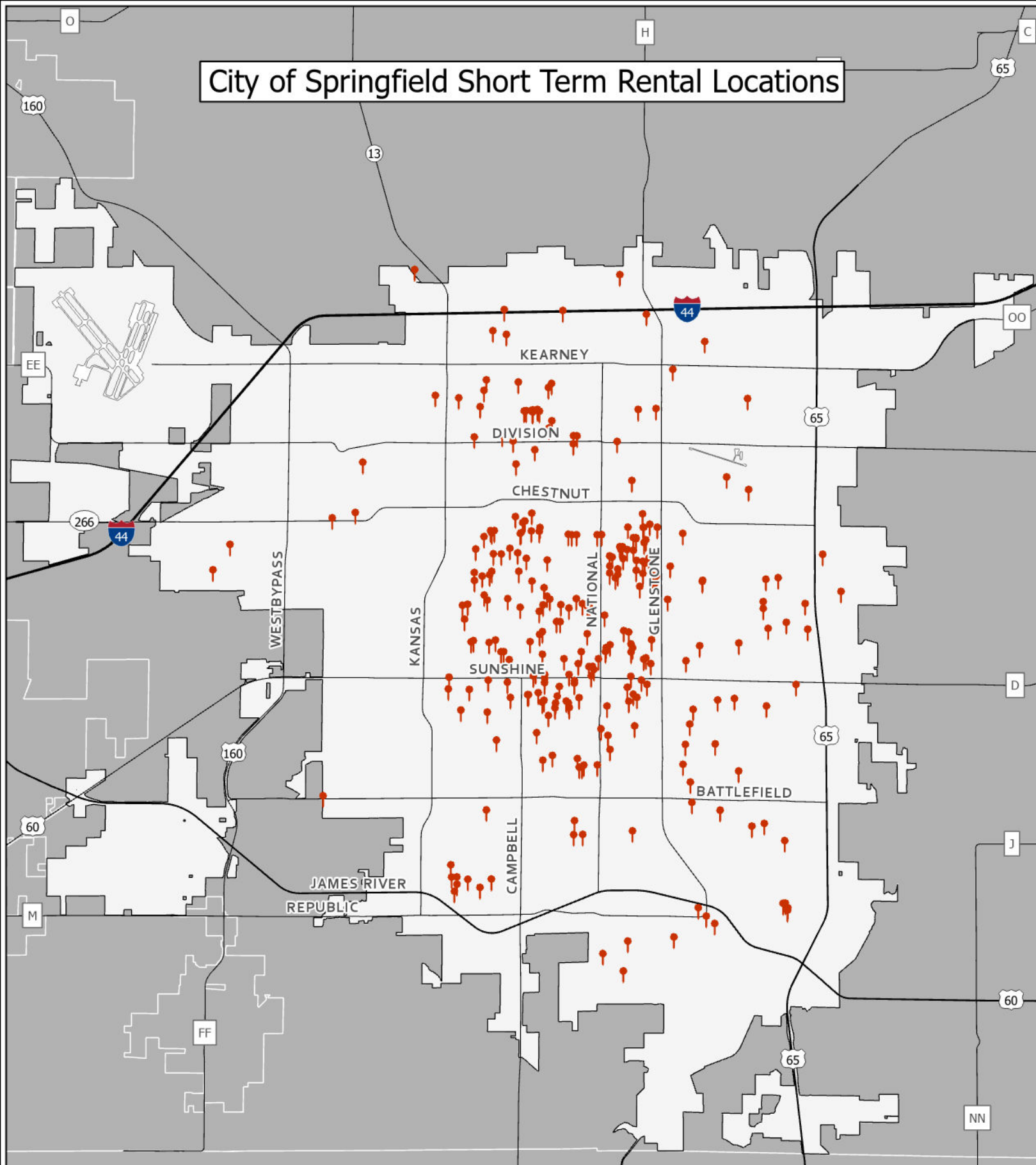
E LOREN ST

E 11TH ST

S VIRGINIA AVE



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): Delmar 711 LLC
Operator(s) Name: Dixie Decker
Operator(s) Address: 1122 E. Walnut Spfld, MO 65804
Phone: 417-763-3131 E-Mail: info@Rozahomes.com
Short-Term Rental Address: 711 E Delmar Spfld, MO 65807
2. Property owner name, address, e-mail, and phone (if different):
Delmar 711 LLC - 1122 E Walnut Spfld, MO 65807
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 New Build.

Delmar 711 LLC By Member
Business Owner/Operator

Delmar 711 LLC By: Member
Signature SO TH LLC By member
Dixie Decker

Property Owner
only if different

[Signature]
Signature

APPLICANT FILL OUT TO THIS POINT

PLANNING and DEVELOPMENT

1. Proposed location is zoned: R-SF w/ UCD 4 3. Verification of Historic Carriage House: N/A
2. Verification of rental type: 2 4. Verification of Density Requirements: Approved

PLN: 2024-00148 Personnel: A. Menke Date Reviewed: 7/10/2024

Comments: _____



EXPLANATION TO COUNCIL BILL 2024-213 (MCGULL)

FILED: 10/02/2024

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A resolution granting a Short-Term Rental Type 2 permit for the property generally located at 1757 South Kentwood Avenue, for the purpose of allowing the establishment of a Short-Term Rental Type 2 pursuant to Section 36-473 of the Land Development Code.

PURPOSE: Granting a Short-Term Rental Type 2 permit for the property generally located at 1757 South Kentwood Avenue, 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 1757 South Kentwood Avenue. 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 from the two adjacent property owners, resulting in 50% percent consent as shown in "Exhibit C".

The one adjacent property owner who did not sign the consent form has 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 October 21st City Council meeting.

As of August 27, 2024, the applicant has not paid or reported any hotel and motel tax for the property located at 1757 S Kentwood Street for bookings made between July 2023 through August 2024.

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 10/15/2024

- Attachments:**
1. STR2 Appeal - 1757 S. Kentwood_Ord
 2. STR2 Appeal_1757 S Kentwood_exhA
 3. STR2 Appeal_1757 S Kentwood_exhB
 4. STR2 Appeal_1757 S Kentwood_exhC

One-rdg. X
P. Hrngs.
Pgs. 18
Filed: 10-15-24

Sponsored by: McGull

COUNCIL BILL 2024-213 RESOLUTION

A RESOLUTION

1 GRANTING a Short-Term Rental Type 2 permit for the property generally
2 located at 1757 South Kentwood Avenue, for the purpose of
3 allowing the establishment of a Short-Term Rental Type 2 pursuant
4 to Section 36-473 of the Land Development Code.
5
6

7 WHEREAS, the owner of the property located at 1757 South Kentwood Avenue
8 has applied for a Short-Term Rental (“STR”) Type 2 Permit and attempted to complete
9 all necessary steps pursuant to Springfield City Code Section 36-473, attached hereto
10 and incorporated herein as “Exhibit A” and “Exhibit B”; 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 1757 South Kentwood Avenue
21 has obtained one valid signature from the two property owners adjacent to and
22 immediately across the street from the property, resulting in 50 percent consent of the
23 neighboring property owners, attached hereto and incorporated herein as “Exhibit C”;
24 and
25

26 WHEREAS, property owners within 500 feet of the proposed STR Type 2
27 establishment were notified by regular mail of the October 21, 2024, City Council
28 meeting.
29

30 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
31 SPRINGFIELD, MISSOURI, as follows, that:
32

33 Section 1 – City Council hereby grants the applicant a STR Type 2 Permit for the
34 property located at 1757 South Kentwood Avenue. The granting of the Permit is

expressly subject to compliance with Section 36-473 of the Land Development Code,
and any other applicable provisions of City Code.

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

Passed at meeting: _____

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



Ellis, Ellis, Hammons & Johnson P.C.

RANSOM A ELLIS, III*
JOHN D. HAMMONS, JR.**
TODD A. JOHNSON
TRAVIS A. ELLIOTT
TINA G. FOWLER***
RACHEL A. RISO****
PAIGE PARRACK
ROBERT E. PETROWSKY*****
CAMERON CASAD*****
DARYNNE O'NEAL

2808 S. INGRAM MILL, A104
SPRINGFIELD MISSOURI 65804
TELEPHONE (417) 866-5091
FAX (417) 866-1064
EEHJFIRM.COM

RANSOM A. ELLIS, JR. (1920-2012)

ALSO LICENSED IN:
*TEXAS
**ARKANSAS
***OKLAHOMA
****KANSAS
*****COLORADO
*****MARYLAND

OF COUNSEL:
FRANK M. EVANS, III

September 13, 2024

City Council – Springfield, Missouri
840 Boonville Ave.
4th Floor
Springfield, MO 65802

RE: 1757 S Kentwood Ave., Springfield, MO 65804 – Short Term Rental

Dear Mayor and City Counsel:

This firm represents Loomis Properties, LLC (“Loomis”), the owners of 1757 S. Kentwood Ave (“Subject Property”). Pursuant to City Code Section 36-473(2)8, we are writing to request a resolution from the City Council granting the STR type 2 permit with respect to the Subject Property. We understand that all other requirements of City Code Section 36-473 have been satisfied with respect to the Subject Property except for (2)6.e. requiring a notarized affidavit containing signatures of at least 55 percent of adjacent residential property owners, including those adjoining and immediately across the street.

We note that the property immediately south of the subject property, 1761 – 1769 S. Kentwood is a commercial property. Further, the property immediately east across the street, 1758 S. Kentwood is also a commercial property owned by Loomis.

Loomis’ efforts to obtain signatures in order to satisfy this requirement are as follows. Loomis has obtained the owner’s signature for 1751 S Kentwood, which took some time because the name and address that was provided was incorrect. Loomis spent significant time trying to locate someone who did not own the property. Loomis was ultimately able to obtain the owner’s consent.

The other property that is adjoining is 1758 S. Fairway. The representatives of Loomis have written a letter, gone by the house several times and left a note on the door two of those times. On those occasions, there has been a car in the driveway but no one will answer the door. Representatives of Loomis have gone different times during the day and weekends and still have not been able to speak with them.



Ellis, Ellis, Hammons & Johnson P.C.

With respect to the Subject Property, for purposes of Section 36-473, there are only 2 residential properties that are adjoining or immediately across the street. Loomis has obtained 50% of the signatures and we request that the City Council issue a resolution granting the STR type 2 permit for the Subject Property as we cannot get any response from the other property owner.

We appreciate your consideration in advance.

Sincerely,

Travis A. Elliott

Travis A. Elliott

Sender's E-mail Address: telliott@eehjfirm.com
Sender's After Hours Extension: 214



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: \$ 320.00

[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: 1757 S. Kentwood Ave Springfield Mo.

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

Planning &
Development
3-6 weeks

Building Development
Services
1-3 weeks

Licensing
2-3 weeks

See checklist on page 2 for additional information.

PROPERTY OWNER'S INFORMATION:

Name of current property owner: Loomis Properties LLC

If corporation: Corporate Official: _____

Mailing Address: 5327 N Clearbrooke Ln.

Zip Code: 65757 Phone: 417-848-6618

E-mail: gloomis@loomisinsurance.com

PROPERTY OWNER'S SIGNATURE: Gene R. Loomis

OPERATOR'S INFORMATION (if different):

Name: [Signature]

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: 8-15-2024 6:00pm. 4:00pm to 6:30pm.
3. Meeting Location: 1757 S. Kentwood Ave
4. Number of invitations that were sent: 98
5. Number of neighbors in attendance (attach a sign-in sheet): 2
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.)

There was no issues expressed by attendees. We showed them the property and discussed our plans. Both attendees seemed OK with our process.

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

No issues

I, Gene R. Loomis (print name), attest that the neighborhood meeting was held on 8-15-2024 (month/date/year), in accordance with the attached "Neighborhood Notification and Meeting Process."

Gene R. Loomis
Signature of person completing affidavit

Gene R. Loomis
Printed name of person completing affidavit

NEIGHBORHOOD MEETING SIGN-IN SHEET

Project: Short-Term Rental Type 2

Meeting Date:

Owner/Operator:

Location of Meeting:

[illegible]



SHORT-TERM RENTAL TYPE 2 ADJACENT OWNER CONSENT AFFIDAVIT

Address of Proposed Short-Term Rental: **1757 S KENTWOOD**

STATE OF MO)

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**)

Gene R. Loomis

Signature of Owner/Operator

GENE R. LOOMIS

Typed or Printed Name

ATTEST:

Title

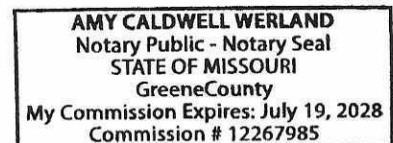
Corporate Secretary
(If no seal)

Name of Company or Organization
(If Applicable)

Subscribed and sworn to before me a notary public on this 3 day of September, 20 24.

Amy Caldwell Werland
Notary Public

My Commission expires: July 19, 2028



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

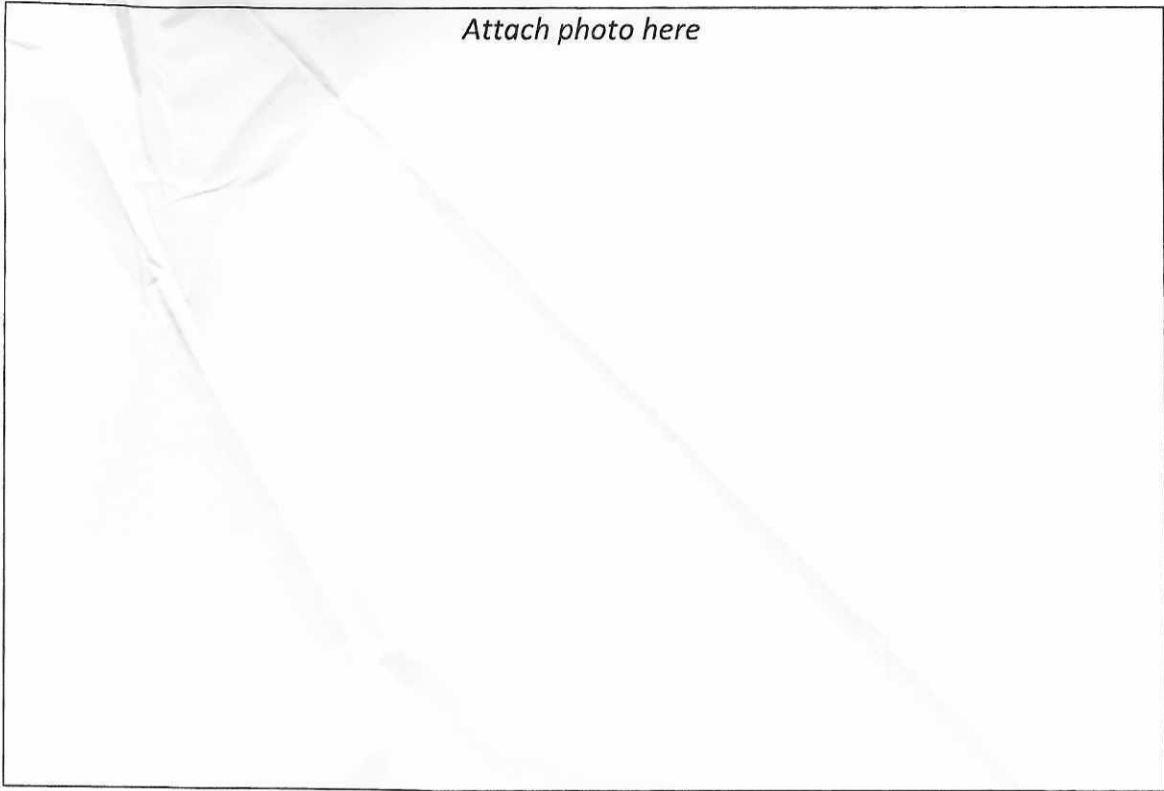
The undersigned hereby certifies that they are the owners of property referenced below and that they consent to the proposed short-term rental located at: **1757 S KENTWOOD**

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>1758 S FAIRWAY AVE</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>1751 S Kentwood AVE</u> 705 N SUMMERCREEK CT Owner(s) of Record (Typed or Printed) <u>Aimee Tillman</u> Signature(s) of Owners <u>Aimee Tillman</u> Title _____	Notary Seal (only required if signature not witnessed by applicant) SEAL ✓
3.	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

Attach photo here



(sign lettering must be legible in photo)

I, Gene R. Loomis (print name of owner, agent, attorney), attest that the above sign was posted 10 days before the public hearing on 8-15-2024 (month/day/year) and in accordance with the given posting requirements.

Gene R. Loomis

Signature of person completing sign posting

Gene R. Loomis

Printed name of person completing sign posting

AFFIDAVIT OF SIGN POSTING



I, G.
was post
accordai

Ge
Signatur

test that the above sign
(year) and in

Gene R. Loomis
Printed name of person completing sign posting

Neighborhood Meeting Type 2 Short-Term Rental

Date of Meeting: Aug 15, 2024 Time: 4:00pm to 6:30pm

Location of Meeting: 1757 S. Kentwood Avenue

Contact Name: Loomis Properties

Contact Telephone No: 417-848-6618

Contact E-Mail: glenn@loomisinsurance.com

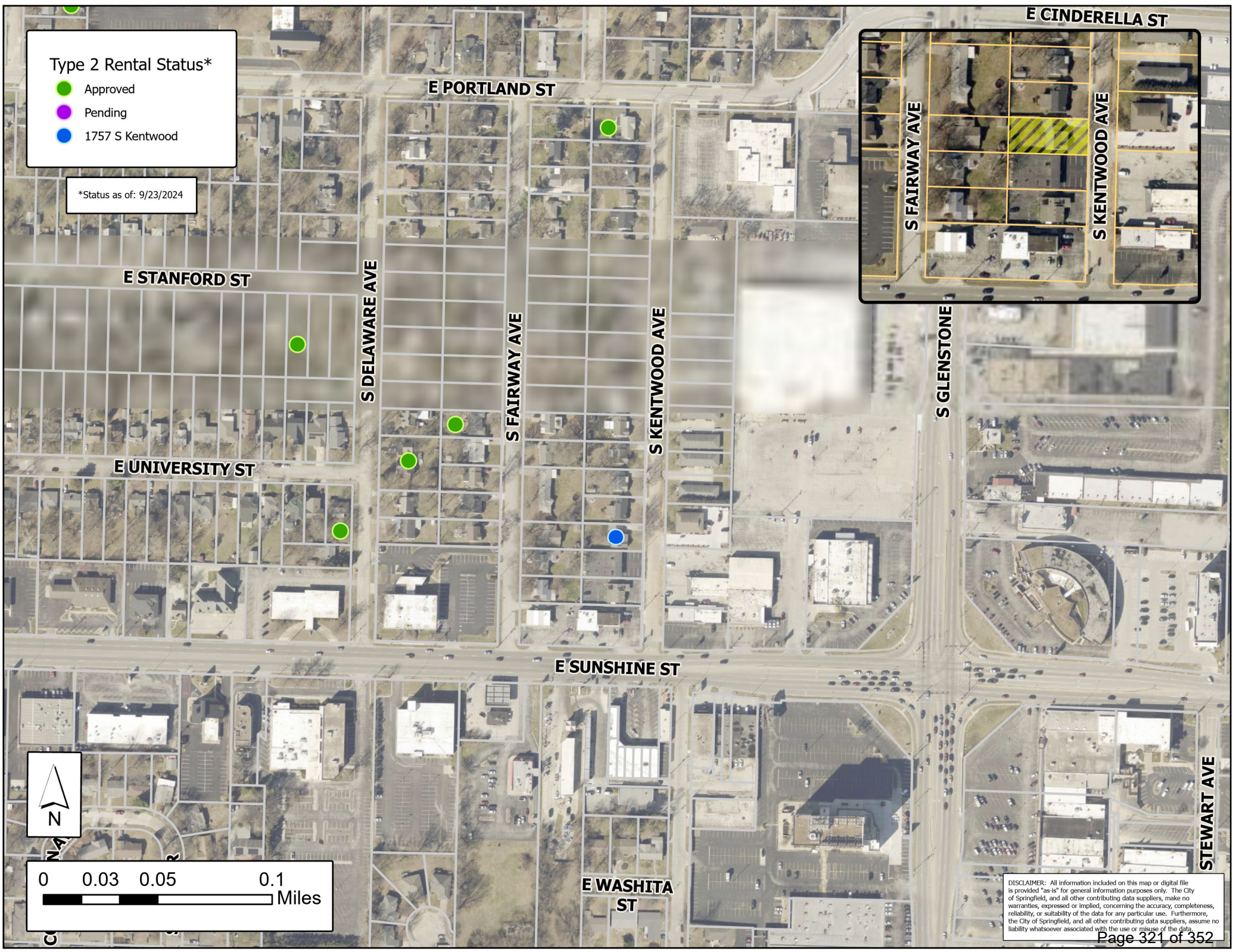
Type 2 Short-Term Rental users require applicants to have a neighborhood meeting and invite property owners within 500' of their property along with an approved neighborhood organization.

 City of
Springfield

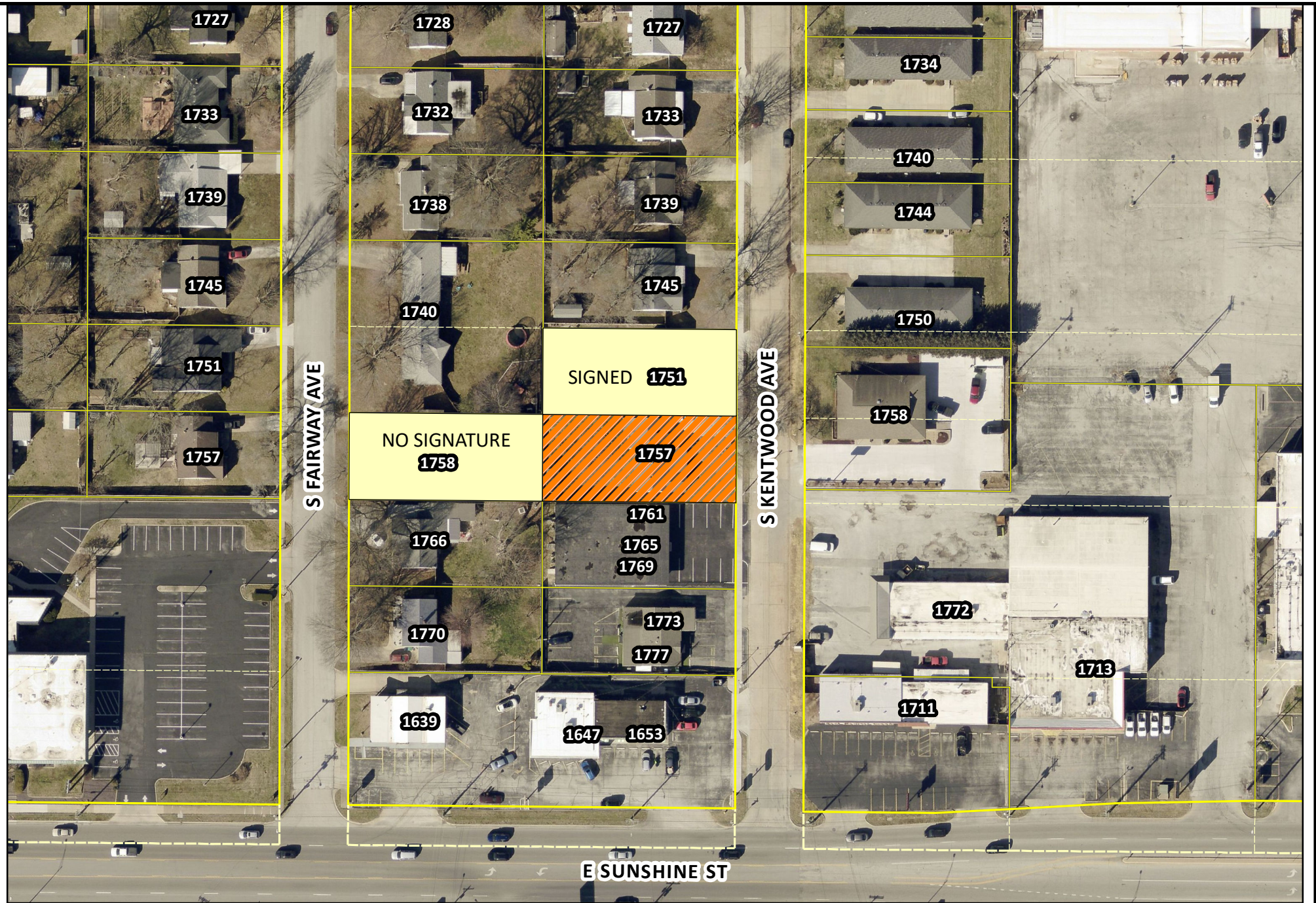
Type 2 Rental Status*

- Approved
- Pending
- 1757 S Kentwood

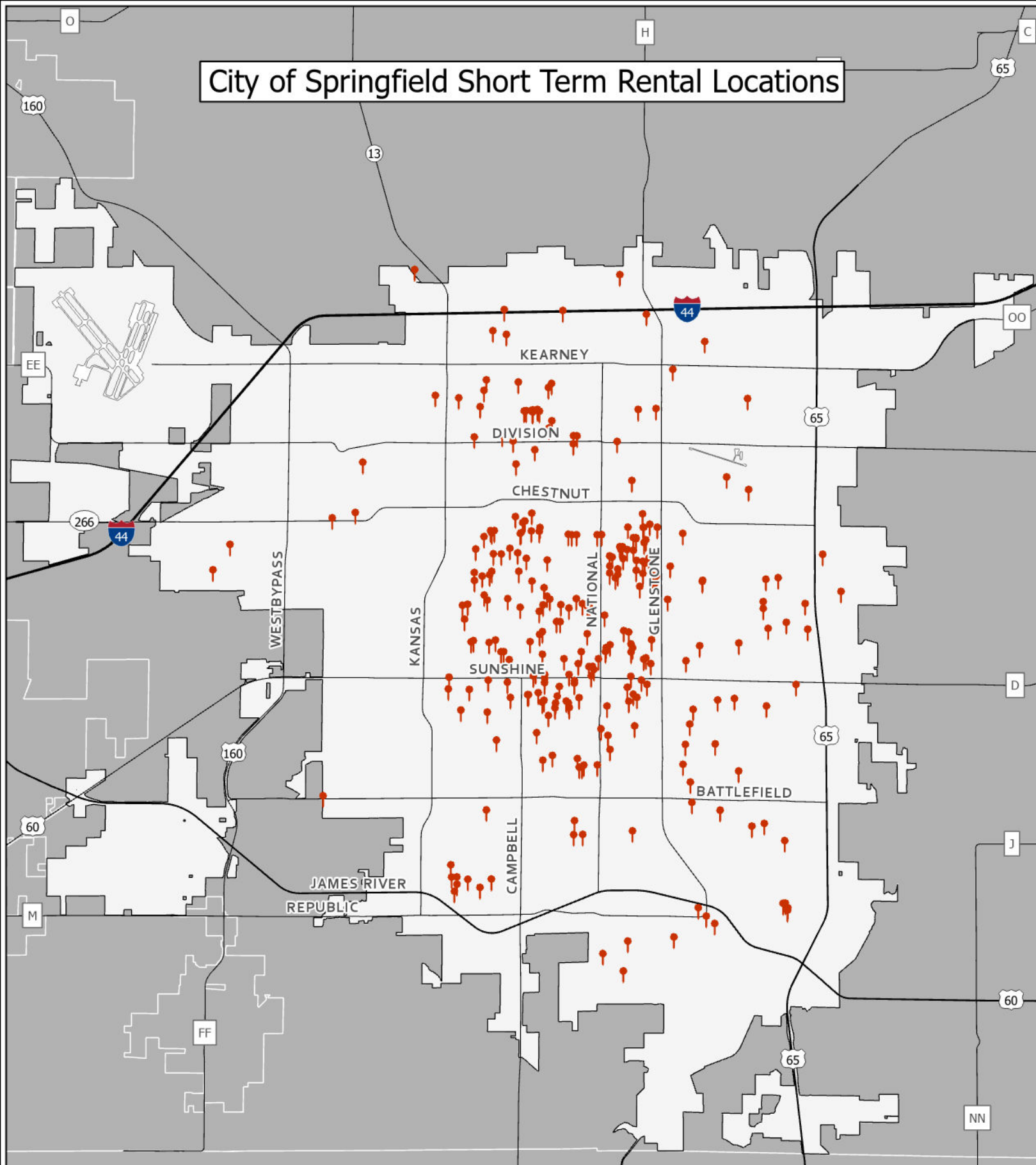
*Status as of: 9/23/2024



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 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.

BUS 2024-00382

**City of Springfield, Missouri
Short-Term Rental Intake Form**

1. Business Name (if applicable): Loomis Properties LLC
Operator(s) Name: Gene R. Loomis
Operator(s) Address: 5327 N Clearbrook Lane, Strafford, MO 65757
Phone: (417) 848-6618 E-Mail: gloomis@loomisinsurance.com
Short-Term Rental Address: 1757 S Kentwood Ave, Springfield, MO 65804
2. Property owner name, address, e-mail, and phone (if different):
Same as above
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

Gene R. Loomis

Business Owner/Operator

Gene R. Loomis

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: PLN2024-00109 Personnel: CSTINSON Date Reviewed: 04/25/24

Comments: _____



EXPLANATION TO COUNCIL BILL 2024-214 (HORTON)

FILED: 10/03/2024

ORIGINATING DEPARTMENT: Environmental Services

TITLE: A special ordinance amending Special Ordinance 26654 to add to, and redefine, the boundaries of Sanitary Sewer District Number 241 of Section Number 6 of the main sewers of the City of Springfield located in the general vicinity of Robberson Avenue and Talmage Street; and declaring that this Ordinance qualifies as a one-reading bill under Charter Section 10.15.

PURPOSE: To amend Special Ordinance 26654 to redefine the boundaries of Sanitary Sewer District No. 241 of Section No. 6 of the main sewers of the City of Springfield located in the general vicinity of Robberson Avenue and Talmage Street.

BACKGROUND INFORMATION: 1. The project is scheduled for construction as part of the City's sewer construction program, as established in Resolution No. 7995, to eliminate septic tanks within the City limits and to encourage infill by providing sanitary sewer service. This project will be funded by sewer improvement bonds that are already budgeted. It will make sewer available to 18 tracts which will eliminate 7 septic systems from within the City limits of Springfield.

2. Special Ordinance No. 26654, passed by City Council on October 26, 2015, established and defined the boundaries of Sanitary Sewer District No. 241 of Section No. 6.

3. Plans, specifications, and a cost estimate have been prepared by the Department of Environmental Services and are on file in the Director's office.

4. Wastewater from this district will flow to the Northwest Treatment Plant.

5. Sanitary Sewer District No. 241 of Section No. 6 is being redefined to include eleven lots not already inside a sewer district. The construction plans will be modified, and the inclusion of these lots will result in an increase in the cost of construction. However, the area of Sanitary Sewer District No. 241 of Section No. 6 is increasing. This will allow the cost of construction to be divided over a larger area resulting in a reduction in the tax bill rate for all properties which are provided with sewer service.

6. This Ordinance is for a public improvement, where a special tax bill is issued, and thus qualifies as a one-reading bill under Charter Section 10.15.

REMARKS: Environmental Services recommends passage of this Council bill.



Submitted By: Ron Petering, Assistant Director of Environmental Services

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

Maurice S. Jones, Deputy City Manager 10/15/2024

Attachments:

1. SSD 241 Robberson-Talmage_ord
2. SANITARYSEWERS-DIST241SEC6-EXHIBIT-A

One-rdg. X
P. Hrngs.
Pgs. 6
Filed: 10-15-24

Sponsored by: Horton

First Reading:

Second Reading:

COUNCIL BILL 2024-214

SPECIAL ORDINANCE

AN ORDINANCE

1 AMENDING Special Ordinance 26654 to add to, and redefine, the boundaries of
2 Sanitary Sewer District Number 241 of Section Number 6 of the
3 main sewers of the City of Springfield located in the general vicinity
4 of Robberson Avenue and Talmage Street; and declaring that this
5 Ordinance qualifies as a one-reading bill under Charter Section
6 10.15.
7 _____
8
9

10 WHEREAS, on October 26, 2015, City Council adopted Special Ordinance
11 26654 establishing the boundaries for Sanitary Sewer District No. 241 of Section 6; and
12

13 WHEREAS, after adoption of Special Ordinance 26654, it has been determined
14 that it is advantageous to enlarge the district to include eleven additional lots near
15 Sanitary Sewer District No. 241 of Section No. 6; and
16

17 WHEREAS, revised plans for construction of Sanitary Sewer District No. 241 of
18 Section No. 6, consisting of the plat, plan, profile, specifications and a sealed estimate
19 of the costs are on file in the office of the Director of Environmental Services; and
20

21 WHEREAS, with inclusion of the eleven lots, the boundary description of Sanitary
22 Sewer District No. 241 of Section No. 6 must be amended as shown on "Exhibit A,"
23 which is attached hereto and incorporated herein by this reference.
24

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

28 Section 1 – City Council hereby amends Special Ordinance 26654 by repealing
29 Section 2 in its entirety and replacing it as follows:
30

31 Note: The text being added is underlined.
32

Section 2 – The boundaries of said sanitary sewer district are described as follows:

A portion of the Southwest Quarter of Section 1, Township 29 North, Range 22 West of the 5th Principal Meridian, City of Springfield, Greene County, Missouri described as follows: Beginning at an iron bar marking the northwest corner of Lot 1 of the Final Plat of Denton Addition, as per the recorded plat thereof, Official Records of Greene County, Missouri; thence North 2°39'40" East along the east right-of-way line of Boonville Avenue a distance of 111.89 feet; thence South 88°47'30" East a distance of 94.91 feet; thence North 2°41'10" East a distance of 259.61 feet; thence North 1°38'00" East a distance of 12.42 feet; thence South 88°47'32" East a distance of 342.52 feet to the east right-of-way line of Robberson Avenue; thence North 2°32'52" East along said east right-of-way line a distance of 385.23 feet to the south right-of-way line of Talmage Street; thence South 89°21'54" East along said south right-of-way line a distance of 484.69 feet to the northwest corner of Lot 156 of Wilkerson's Addition, as per the recorded plat thereof, Official Records of Greene County, Missouri; thence South 1°58'22" West along the west line of Lot 156 and the west lines of Lot 155 through Lot 141 of said Wilkerson's Addition a distance of 762.87 feet; thence South 2°14'05" West along the west line of Lot 141 and Lot 140 of said Wilkerson's Addition a distance of 54.42 feet to the northwest corner of Lot 139 of said Wilkerson's Addition; thence South 89°22'40" East along the north line thereof a distance of 200.08 feet to the northeast corner of said Lot 139; thence South 2°14'05" West along the east line of said Lot 139 and the east lines of Lot 138 through Lot 131 of said Wilkerson's Addition a distance of 438.47 feet to the north right-of-way line of Kearney Street; thence North 89°22'40" West along said north right-of-way line a distance of 249.98 feet to the southeast corner of Lot 4 of Kearney Place Addition, as per the recorded plat thereof, Official Records of Greene County, Missouri; thence North 89°22'30" West along the south line of said Kearney Place Addition a distance of 446.07 feet to the southwest corner thereof; thence North 70°01'10" West a distance of 59.73 feet to the east line of Lot 2 of said Denton Addition; thence South 46°30'20" West along the south line of said Lot 2 a distance of 14.38 feet; thence North 89°27'26" West along said south line a distance of 202.24 feet to the southwest corner of said Lot 2 of said Denton Addition; thence North 2°12'02" East along the west line thereof a distance of 32.00 feet; thence North 89°27'26" West along said west line a distance of 14.00 feet; thence North 2°12'02" East along said west line a distance of 23.00 feet; thence South 89°27'26" East along said west line a distance of 14.00 feet; thence North 2°12'02" East a distance of 135.08 feet; thence North 89°27'26" West a distance of 165.02 feet to the east right-of-way line of Boonville Avenue; thence North 2°10'58" East a distance of 292.04 feet to the Point of Beginning.

Section 2 – All other portions of Special Ordinance 26654 remain in full force and effect as adopted on October 26, 2015.

79 Section 3 – This Ordinance is for a public improvement, where a special tax bill is
80 issued, and thus qualifies as a one-reading bill under Charter Section 10.15. Therefore,
81 this Ordinance shall be in full force and effect from and after passage.
82

83 Passed at meeting: _____
84
85

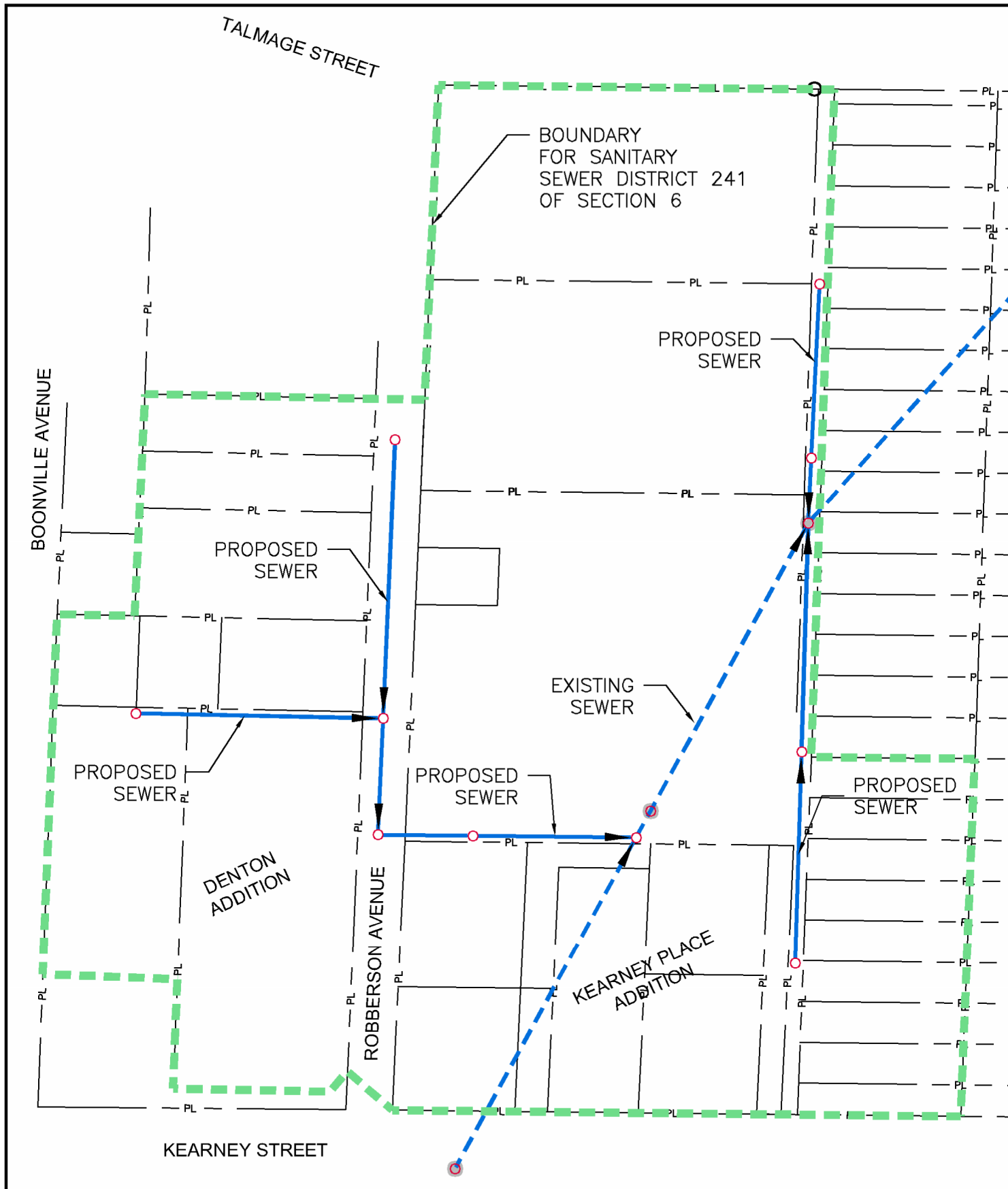
86 _____
87 Mayor
88

89 Attest: _____, City Clerk
90

91 Filed as Ordinance: _____
92

93
94 Approved as to form: John Millington, Deputy City Attorney
95

96 Approved for Council action: Jason C. Hays, City Manager
97



SANITARY SEWERS
DISTRICT 241 OF SECTION 6



DATE

10-09-2024

FIGURE

EXHIBIT A



EXPLANATION TO COUNCIL BILL 2024-215 (HORTON)

FILED: 10/03/2024

ORIGINATING DEPARTMENT: Environmental Services

TITLE: A special ordinance to establish and define Sanitary Sewer District No. 222 of Section No. 16 of the main sewers of the City of Springfield, Missouri, located in the general vicinity of Miller Avenue and Mt. Vernon Street; authorizing acquisition of necessary right-of-way, including condemnation thereof, in accordance with the laws of the state; adopting the plans and specifications for the project; providing for the improvement; and authorizing the city manager to advertise for sealed bids therefor, according to the plans and specifications, by publication.

PURPOSE: To establish and define the boundaries and adopt the plat, plans, specifications, and sealed estimate of construction costs, and authorize acquisition of necessary right(s)-of-way by purchase or condemnation thereof, for Sanitary Sewer District No. 222 of Section No. 16 of the main sewers of the City, located in the general vicinity of Miller Avenue and Mt. Vernon Street; further provide that all labor shall be paid the prevailing wages; and direct the City Manager, or his designee, to advertise for bids for the construction of said sewers.

BACKGROUND INFORMATION: 1. The project is scheduled for construction as part of the City's sewer construction program, as established in Resolution No. 7995, to eliminate septic tanks within the City limits and to encourage infill by providing sanitary sewer service. This project will be funded by the ES Clean Water Enterprise Fund. It will make sewer available to 46 tracts which will eliminate 43 septic systems from within the City limits of Springfield.

2. Plans, specifications, and a cost estimate have been prepared by the Department of Environmental Services and are on file in the Director's office.

3. Wastewater from this district will flow to the Southwest Wastewater Treatment Plant.

4. To assist property owners with the costs associated with the sewer tax bills and sewer hookup, several programs are available. The City Sewer Financial Assistance Program provides residential property owners the opportunity to take advantage of a maximum cap per tract on the tax bill amount for single family residential properties. A low-interest loan to help with costs for hookup to the sewer is available through the Department of Environmental Services. The Sanitary Sewer Installation and Connection Assistance Program provides two types of assistance for low and moderate income families. One provides a deferred, no-interest loan for sewer hookup costs. The other is a direct grant to offset the cost of the tax bill. The City also provides a 15-year, low-interest payback arrangement for tax bill costs.

5. This ordinance is for a public improvement, where a special tax bill is issued, and thus qualifies as a one-reading bill under Charter Section 10.15.

6. Funding for this tax bill will come from the ES Clean Water Enterprise Fund and will be reimbursed through special assessments issued against the properties in the district. Any costs above the maximum cap for residential property will be incurred by the City.

REMARKS: Environmental Services recommends passage of this Council bill.

Submitted By: Ron Petering, Assistant Director of Environmental Services

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

Maurice S. Jones, Deputy City Manager 10/16/2024

Attachments:

1. SSD Miller-Mt Vernon_Ord JLP 10-15-24
2. Exhibit A- SSD Miller
3. Exhibit B- SSD Miller

One-rdg. _____
P. Hrngs. _____
Pgs. 9
Filed: 10-15-24

Sponsored by: Horton

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-215

SPECIAL ORDINANCE _____

AN ORDINANCE

1 TO ESTABLISH and define Sanitary Sewer District No. 222 of Section No. 16 of the
2 main sewers of the City of Springfield, Missouri, located in the
3 general vicinity of Miller Avenue and Mt. Vernon Street; authorizing
4 acquisition of necessary right-of-way, including condemnation
5 thereof, in accordance with the laws of the state; adopting the plans
6 and specifications for the project; providing for the improvement;
7 and authorizing the city manager to advertise for sealed bids
8 therefor, according to the plans and specifications, by publication.
9 _____

10
11 NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
12 SPRINGFIELD, MISSOURI, as follows, that:

13
14 Section 1 – Sanitary Sewer District No. 222 of Section No. 16 of the main
15 sanitary sewers of the City of Springfield, Missouri, located in the general vicinity of
16 Miller Avenue and Mt. Vernon Street, is established, and defined according to the plat
17 for the same, which is approved, a copy of the same being attached hereto and
18 incorporated by reference as Exhibit “A”.
19

20 Section 2 – The boundaries of Sanitary Sewer District No. 222 of Section No. 16
21 are described as follows:
22

23 A Sanitary Sewer District, lying in Section 19, Township 29 North, Range 22 West,
24 being all of Lots 6 through and including Lot 12 of the Amended Final Plat of Carthage
25 Road Place, as recorded in Plat Book K, at Page 49, Lots 1 through and including Lot
26 28 in Block 1, Lots 1 through and including Lot 28 in Block 2, Lots 1 through and
27 including Lot 15 in Block 3 of Louis Haseltine’s Orchard Park Subdivision, as recorded
28 in Plat Book L, at Page 3 and that part of the Southeast Quarter (SE1/4), of the
29 Southeast Quarter (SE1/4), of the Northwest Quarter (NW 1/4) of said Section 19, being
30 the tracts of land described in Book 2612, at Page 693 and Book 2656, at Page 1111,
31 and a part of the public rights-of-way of S. Miller Avenue, W. Mt. Vernon Street, W.
32 Madison Street, S. Waco Avenue, and that part of the unimproved right-of-way of

Lulwood Avenue, adjacent to said tracts or lots all in the City of Springfield, Greene County, Missouri, being more particularly described as follows:
Beginning at the Northeast corner of the East One-Half (E1/2) of the Northwest Quarter (NW1/4) of the Southeast Quarter (SE1/4) of said Section 19, as described in the right-of-way deed recorded in Book 2018, at Page 018235-18; thence S02°11'42"W (Deed), along the East line of said E1/2, a distance of 31.24 feet (Deed) to a point on the South right-of-way line of said W. Mt. Vernon Street; thence West, along said South right-of-way line, a distance of 608.51 feet (Deed); thence Southwesterly, continuing along said South right-of-way line, a distance of 42.50 feet (Deed), to the East right-of-way line of said S. Miller Ave.; thence along said East right-of-way line the following five (5) calls: 1) South, a distance of 705.47 feet (Deed); 2) East, a distance of 10.00 feet (Deed); 3) South, a distance of 203.05 feet (Deed); 4) Southwesterly, a distance of 140.48 feet (Deed); 5) South, a distance of 254.8 feet, more or less to a point perpendicular to and opposite of the Northeast corner of Lot 1 in Western Meadows, as recorded in Plat Book AAA, at Page 493; thence West, crossing said S. Miller Avenue, a distance of 60.0 feet, more or less, to said Northeast corner of Lot 1; thence Northwest, along the North line of said Lot 1, being the South line of said W. Madison Street, a distance of 14.06 feet (Plat); thence West, along the North line of Lots 1, 2, 3, 4 and 5 of said Western Meadows, also being along the South right-of-way line of said W. Madison Street, a distance of 263.76 feet (Plat); thence Southwesterly, along the North line of said Lot 5, a distance of 14.25 feet (Plat), to a point on the East right-of-way line of said S. Waco Avenue; thence South along said East right-of-way line, a distance of 660.6 feet, more or less, to a point perpendicular and opposite of the Southeast corner of said Lot 15 in Block 3 of Louis Haseltine's Orchard Park Subdivision; thence West, crossing said S. Waco Avenue, and along the South line of said Lot 15, and beyond, crossing said Lulwood Avenue, as platted, a distance of 358 feet (plat); thence North, along the West platted right-of-way line of said Lulwood, crossing said W. Madison Street, a distance of 1980 feet (Plat), to the South right-of-way line of said W. Mt. Vernon Street; thence North 60.0 feet (Plat), to a point on the North right-of-way line of said W. Mt. Vernon Street at the Southeast corner of said tract described in said Book 2656, at Page 1111; thence West, along the South line of said tract, and the South line of a tract of land described in said Book 2612, at Page 693, a distance of 240 feet (Deed), to the Southwest corner of said tract described in Book 2612, at Page 693; thence North, along the West line of said tract, a distance of 210.00 feet (Deed), to the Northwest corner of said tract; thence East, along the North line of said tracts, a distance of 240 feet, more or less, to a point on the West line of said Lot 9 of said Amended Final Plat of Carthage Road Place; thence North 446.00 feet, more or less, along the West line of said Lots 9, 10, 11, and 12, of said Amended Carthage Road Place, to the Northwest corner of said Lot 12; thence East, along the North line of said Lot 12, a distance of 641.7 feet (Plat) to the Northeast corner of said Lot 12; thence East, crossing said S. Miller Avenue, a distance of 60.00 feet (Plat) to the Northwest corner of said Lot 6 of said Amended Final Plat of Carthage Road Place; thence East, along the North line of said Lot 6, a distance of 641.7 feet (Plat), to the Northeast corner of said Lot 6; thence South, along the East line of said Lots 6 and 7, a distance of 660.00 feet (Plat), to the Southeast corner of said Lot 7, being a point on the North right-of-way line of said W. Mt. Vernon Street; thence South, a distance of 30.0 feet (Plat), to the Point of

79 Beginning. Description is for the purpose of describing a sanitary sewer district
80 boundary only and is not to be used to convey title.

81
82 Section 3 – It is found, determined, and declared that it is necessary and in the
83 public interest for the public purpose of constructing sanitary sewer improvements in the
84 general vicinity of Miller Avenue and Mt. Vernon Street, to acquire, by purchase or
85 condemnation proceedings, certain property rights for such public improvements,
86 including but not limited to construction, installation, maintenance, and repair of sanitary
87 sewer lines, and all work incidental and subsidiary thereto.

88
89 Section 4 – The City Manager and his designees are authorized to engage in
90 good faith negotiations with the owners of property herein described for the purpose of
91 acquiring such property rights.

92
93 Section 5 – The City Manager and his designees are authorized to execute
94 necessary documents to pay and disburse funds to such property owners, others
95 holding such property rights, and escrow agents pursuant to negotiated agreements.

96
97 Section 6 – In the event of failure, following good faith negotiations, to reach
98 agreement on the amount of compensation to be paid for such property rights, and the
99 acquisition thereof by purchase, the City Attorney and his designees, including special
100 counsel, are hereby authorized to institute condemnation proceedings for the purpose of
101 acquiring such property rights in the manner provided by the laws of the state.

102
103 Section 7 – The plans and specifications for Sanitary Sewer District No. 222 of
104 Section No. 16, consisting of the plat, plan, profile, specifications, and a sealed estimate
105 of the costs, prepared for the City Manager by the Director of Environmental Services,
106 are on file in the Director's Office. Said plans are hereby approved by City Council and a
107 copy of the sealed estimate of the costs ordered placed on file with the City Clerk.

108
109 Section 8 – The City of Springfield, Missouri, will not contribute toward the cost of
110 the improvements for Sanitary Sewer District No. 222 of Section No. 16, except as
111 prescribed under General Ordinance No. 5717 regarding caps on tax bill sewer projects
112 and Sewer Extension Cost Recovery (SECR) fees, and the portion of the cumulative
113 costs of professional services for survey, engineering, and plan review, if any, which
114 exceed 15% of the contract bid price. The special assessments for the project shall
115 include all costs of labor, materials, publications, postage, abstracts, professional fees
116 for survey, engineering and plan review (these professional fees shall collectively not
117 exceed 15 percent of the contract bid price for the project, or of the engineer's
118 estimated price, whichever is the lesser), the cost of the necessary right(s)-of-way, and
119 a connection fee in accordance with the connection schedule established by Section
120 120-246 of the Springfield City Code.

121
122 Section 9 – The City Council has determined that the Department of
123 Environmental Services Clean Water Enterprise Fund will be used to pay all or part of
124 the costs of the improvements for Sanitary Sewer District No. 222 of Section No. 16 and
125 the City Council has or will provide that all the cost of such improvements shall be

assessed and levied on the properties benefited in said district, which will be eligible for the City Sewer Financial Assistance Program under Chapter 98, Article VI, Section 98-286(4)(b) of the Springfield City Code. The City, or its assignees, shall collect all special assessments so levied in the manner therein provided and shall use such collections to reimburse the City for the amount paid or to be paid from the Department of Environmental Services Clean Water Enterprise Fund for such improvements.

Section 10 – The City Manager, or designee, is hereby authorized to proceed in accordance with Section 98-286 of the Springfield City Code, and to advertise by publication in a daily printed newspaper in the City for three (3) consecutive issues for sealed bids to be submitted in accordance with the plans and specifications for the costs of the improvements for Sanitary Sewer District No. 222 of Section No. 16. All bidders shall be required as a condition of submitting a bid to agree their bid shall not be withdrawn for a period of 90 days from the date of the bid opening specified in the bid notice. Bidders shall be notified that payment for the cost of the project shall be from the Department of Environmental Services Clean Water Enterprise Fund and there will be progress payments during the course of the project with final payment to be made to the contractor upon acceptance of the project by the City. The City Manager, or designee, is hereby authorized to publicly open said bids and shall report to the City Council, at the next council meeting after the bid opening, the name and bid of the lowest responsive bidder.

Section 11 – 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: Jim Millington, Deputy City Attorney

Approved for Council action: Jason A. Hayes City Manager

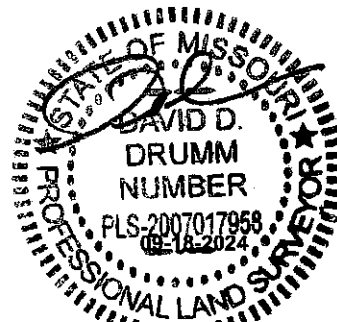
EXHIBIT A

A Sanitary Sewer District, lying in Section 19, Township 29 North, Range 22 West, being all of Lots 6 through and including Lot 12 of the Amended Final Plat of Carthage Road Place, as recorded in Plat Book K, at Page 49, Lots 1 through and including Lot 28 in Block 1, Lots 1 through and including Lot 28 in Block 2, Lots 1 through and including Lot 15 in Block 3 of Louis Haseltine's Orchard Park Subdivision, as recorded in Plat Book L, at Page 3 and that part of the Southeast Quarter (SE1/4), of the Southeast Quarter (SE1/4), of the Northwest Quarter (NW 1/4) of said Section 19, being the tracts of land described in Book 2612, at Page 693 and Book 2656, at Page 1111, and a part of the public rights-of-way of S. Miller Avenue, W. Mt. Vernon Street, W. Madison Street, S. Waco Avenue, and that part of the unimproved right-of-way of Lulwood Avenue, adjacent to said tracts or lots all in the City of Springfield, Greene County, Missouri, being more particularly described as follows:

Beginning at the Northeast corner of the East One-Half (E1/2) of the Northwest Quarter (NW1/4) of the Southeast Quarter (SE1/4) of said Section 19, as described in the right-of-way deed recorded in Book 2018, at Page 018235-18; thence S02°11'42"W (Deed), along the East line of said E1/2, a distance of 31.24 feet (Deed) to a point on the South right-of-way line of said W. Mt. Vernon Street; thence West, along said South right-of-way line, a distance of 608.51 feet (Deed); thence Southwesterly, continuing along said South right-of-way line, a distance of 42.50 feet (Deed), to the East right-of-way line of said S. Miller Ave.; thence along said East right-of-way line the following five (5) calls: 1) South, a distance of 705.47 feet (Deed); 2) East, a distance of 10.00 feet (Deed); 3) South, a distance of 203.05 feet (Deed); 4) Southwesterly, a distance of 140.48 feet (Deed); 5) South, a distance of 254.8 feet, more or less to a point perpendicular to and opposite of the Northeast corner of Lot 1 in Western Meadows, as recorded in Plat Book AAA, at Page 493; thence West, crossing said S. Miller Avenue, a distance of 60.0 feet, more or less, to said Northeast corner of Lot 1; thence Northwest, along the North line of said Lot 1, being the South line of said W. Madison Street, a distance of 14.06 feet (Plat); thence West, along the North line of Lots 1, 2, 3, 4 and 5 of said Western Meadows, also being along the South right-of-way line of said W. Madison Street, a distance of 263.76 feet (Plat); thence Southwesterly, along the North line of said Lot 5, a distance of 14.25 feet (Plat), to a point on the East right-of-way line of said S. Waco Avenue; thence South along said East right-of-way line, a distance of 660.6 feet, more or less, to a point perpendicular and opposite of the Southeast corner of said Lot 15 in Block 3 of Louis Haseltine's Orchard Park Subdivision; thence West, crossing said S. Waco Avenue, and along the South line of said Lot 15, and beyond, crossing said Lulwood Avenue, as platted, a distance of 358 feet (plat); thence North, along the West platted right-of-way line of said Lulwood, crossing said W. Madison Street, a distance of 1980 feet (Plat), to the South right-of-way line of said W. Mt. Vernon Street; thence North 60.0 feet (Plat), to a point on the North right-of-way line of said W. Mt. Vernon Street at the Southeast corner of said tract described in said Book 2656, at Page 1111; thence West, along the South line of said tract, and the South line of a tract of land described in said Book 2612, at Page 693, a distance of 240 feet (Deed), to the Southwest corner of said tract described in Book 2612, at Page 693; thence North, along the West line of said tract, a distance of 210.00 feet (Deed), to the Northwest corner of said tract; thence East, along the North line of said tracts, a distance of 240 feet, more or less, to a point on the West line of said Lot 9 of said

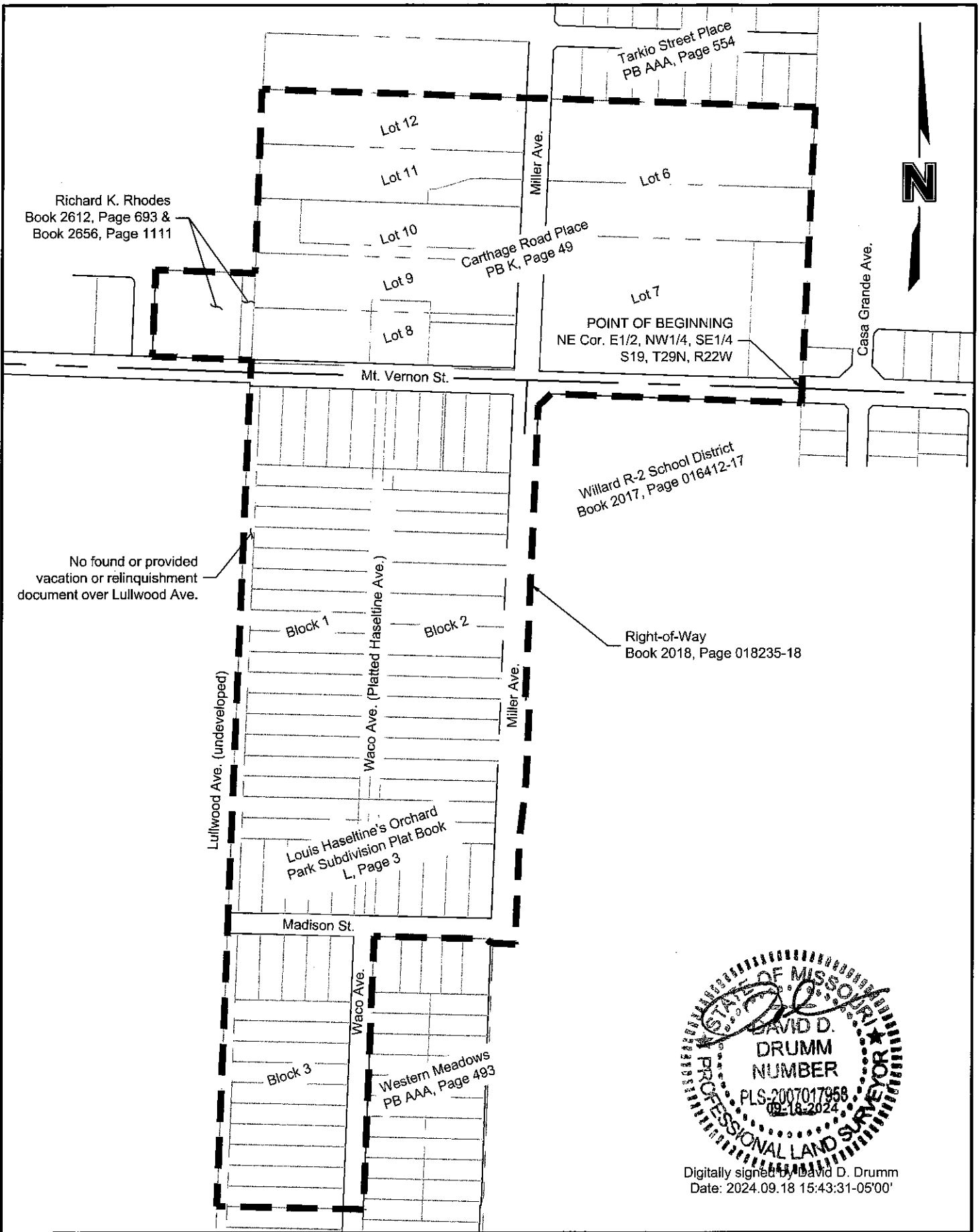
Amended Final Plat of Carthage Road Place; thence North 446.00 feet, more or less, along the West line of said Lots 9, 10, 11, and 12, of said Amended Carthage Road Place, to the Northwest corner of said Lot 12; thence East, along the North line of said Lot 12, a distance of 641.7 feet (Plat) to the Northeast corner of said Lot 12; thence East, crossing said S. Miller Avenue, a distance of 60.00 feet (Plat) to the Northwest corner of said Lot 6 of said Amended Final Plat of Carthage Road Place; thence East, along the North line of said Lot 6, a distance of 641.7 feet (Plat), to the Northeast corner of said Lot 6; thence South, along the East line of said Lots 6 and 7, a distance of 660.00 feet (Plat), to the Southeast corner of said Lot 7, being a point on the North right-of-way line of said W. Mt. Vernon Street; thence South, a distance of 30.0 feet (Plat), to the Point of Beginning. Description is for the purpose of describing a sanitary sewer district boundary only and is not to be used to convey title.

Prepared by: Olsson, Inc.
Survey MO Certificate of Authority #LC366
550 St. Louis Street
Springfield MO 65806
Tel 417.890.8802
Prepared for: Springfield, MO
Project No.: 020-07550



Digitally signed by David D. Drumm
Date: 2024.09.18 15:42:30-05'00'

DWG: F:\2020\0501-1000\020-0755\40-Design\Survey\SRVY\Sheets\V_EXH_Sewer District_02007550.dwg
 DATE: Sep 18, 2024 3:38pm XREFS: V_XBNDY_0200755 USER: ddrumm



Project no: 020-07550	SEWER DISTRICT EXHIBIT		Olsson Associates, Inc. Survey MO Certificate of Authority #LC366 550 St. Louis Street Springfield, MO 65808 TEL 417.890.8802 FAX 417.890.8805	EXHIBIT
Drawn by: DDD				B
Date: 09/18/24				



EXPLANATION TO COUNCIL BILL 2024-216 (HARDINGER)

FILED: 10/04/2024

ORIGINATING DEPARTMENT: Finance

TITLE: A special ordinance authorizing the City Manager, or designee, to enter into an agreement with the State of Missouri Department of Economic Development to accept \$3,500,000 of state General Revenue Funds appropriated by the Missouri General Assembly to support maintenance and improvements to Hammons Field; and amending the budget for Fiscal Year 2024-2025 to appropriate funds for maintenance and improvements to Hammons Field.

PURPOSE: Authorizing the City Manager, or designee, to enter into an agreement with the State of Missouri, Department of Economic Development ("DED"), for the purpose of accepting \$3,500,000 of state General Revenue Funds, appropriated by the Missouri General Assembly by House Bill 7.023, Fiscal Year 2025; and amending the budget for Fiscal Year 2024-2025 to appropriate funds for the maintenance and improvements of Hammons Field.

BACKGROUND INFORMATION: The Missouri General Assembly appropriated funds from the General Revenue Funds to the Department of Economic Development in House Bill 7 Section 7.023, Fiscal Year 2025, in the amount of \$3,500,000 for the maintenance and improvements of sports complex ("Hammons Field") located in a city with more than one hundred sixty thousand but fewer than two hundred thousand inhabitants. The state agreement allows the City to seek reimbursement for the following improvements within Hammons Field: \$2,400,000 for Press Level Renovations; \$80,000 for Stadium Audio Replacement (with matching funds of \$391,000 of Springfield Cardinal Capital Maintenance Funds); \$110,000 for roof repairs; \$500,000 masonry repairs and sealing; \$105,000 steel cleaning and recoating; \$50,000 structural steel repairs; \$155,000 HVAC replacements; and \$100,000 in miscellaneous repairs. With approval of this ordinance, the City will accept and appropriate the State funding for maintenance and improvements of Hammons Field. All projects must be completed and billed to the State of Missouri by June 10, 2025.

Submitted By: David Holtmann, Director of Finance

Authorized for inclusion on the agenda pursuant to City Code section 2-33:
Collin Quigley, Deputy City Manager 10/14/2024

Attachments:

1. Hammons Field Reimbursement 2024 _ord
2. Exhibit A - Hammons Field Budget Adjustment

One-rdg. _____
P. Hrngs. _____
Pgs. 5
Filed: 10-15-24

Sponsored by: Hardinger

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-216

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AUTHORIZING the City Manager, or designee, to enter into an agreement with the
2 State of Missouri Department of Economic Development to accept
3 \$3,500,000 of state General Revenue Funds appropriated by the
4 Missouri General Assembly to support maintenance and improvements
5 to Hammons Field; and amending the budget for Fiscal Year 2024-
6 2025 to appropriate funds for maintenance and improvements to
7 Hammons Field.
8 _____
9

10 WHEREAS, the Missouri General Assembly appropriated funds in the amount of
11 \$3,500,000, to the Missouri Department of Economic Development ("DED") for
12 maintenance and improvements to a sports complex ("Hammons Field") located in a city
13 with more than one hundred sixty thousand but fewer than two hundred thousand
14 inhabitants; and
15

16 WHEREAS, the proposed agreement through which the City is to accept these
17 funds allows the City to seek reimbursement for the City's \$3,500,000 contribution
18 toward improvements to Hammons Field; and
19

20 WHEREAS, the maximum funding amount of \$3,500,000 under the agreement
21 will be accepted and appropriated for maintenance and improvements of Hammons
22 Field.
23

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

27 Section 1 – The City Manager, or designee, is hereby authorized to enter into a
28 Funding Agreement with the State of Missouri Department of Economic Development
29 for the purpose of accepting \$3,500,000 in funds appropriated by the General Assembly
30 for maintenance and improvements to Hammons Field, provided said Funding
31 Agreement is in a form approved by the City Attorney.
32

33 Section 2 – The Fiscal Year 2024-2025 budget is hereby amended in the
34 accounts and in the amounts as shown on Budget Adjustment No. 026, a copy of which
35 is attached hereto and incorporated herein by reference as “Exhibit A.”
36

37 Section 3 – City Council finds that the budget adjustment made above has been
38 recommended by the City Manager.
39

40 Section 4 – The City Manager, or designee, is directed to cause the appropriate
41 accounting entries to be made in the books and records of the City.
42

43 Section 5 – This Ordinance shall be in full force and effect from and after
44 passage.
45

46 Passed at meeting: _____
47

48 _____
49 Mayor
50

51 Attest: _____, City Clerk
52

53 Filed as Ordinance: _____
54

55 _____
56 Approved as to form: Laura Vales, Assistant City Attorney
57

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

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit A

Budget Adjustment
026

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
10110	20	70010	416020	103556	00000	\$ 3,500,000	State of Missouri, Dept of Economic Development Fund
Net Revenue Adjustment						\$ 3,500,000	

Expenditures:

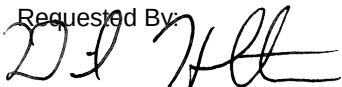
Fund	Dept	Org	Account	P&G	Location	Amount	Description
10110	20	70010	509110	103556	00000	\$ 3,500,000	Improvements to Hammons Field - State of MO fund
Net Expenditure Adjustment						\$ 3,500,000	

Fund Balance Appropriation:

Fund	Title	Amount

Explanation: To amend the FY2024-25 budget by appropriating funds from the State of Missouri, Department of Economic Development for the maintenance and improvements of Hammons Field.

Requested By:

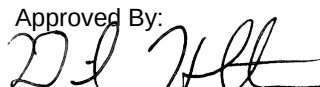


Department Head

10-15-2024

Date

Approved By:



Director of Finance

10-15-2024

Date

City Manager

Date

Authorization:

Council Bill No. 2024-216

Ordinance No.

1st Reading

2nd Reading

Journal Imp No.



EXPLANATION TO COUNCIL BILL 2024-217 (LEE)

FILED: 10/04/2024

ORIGINATING DEPARTMENT: Human Resources

TITLE: A general ordinance amending the Springfield City Code, Section 2-92, known as the “Salary Ordinance,” to add a provision for a shift differential for certain employees working in the Springfield-Greene County 9-1-1 Emergency Communications Department; and by adding the new job title of Health Support Services Supervisor and salary grade of PAT-6 to the Classifications of the Professional, Administrative and Technical Schedule.

PURPOSE: To amend the Springfield City Code, Section 2-92, known as the ‘Salary Ordinance,’ to add a new shift differential for certain employees working 0100 (1:00 a.m.) to 1100 (11:00 a.m.) in the Springfield-Greene County 911 Emergency Communications Department, and to establish one new job title in the Classifications of the Professional, Administrative, and Technical (“PAT”) Non-Union Schedule.

BACKGROUND INFORMATION: The Emergency Communications Department has a “special shift” for 911 dispatchers from 1:00 a.m. to 11:00 a.m. to ensure critical continuity of staffing. The shift is designed to address busy times for 911 calls from night clubs as well as the busy hours during the morning work rush. It also assists with overlap with other shifts and this shift provides critical coverage when inevitable unplanned absences are called in during these critical peak periods. However, because the shift overlaps with both typical third shift and first shift hours, the Emergency Communications Department has difficulty staffing the shift. Therefore, in order to incentivize employees to work this special shift, a \$3.00 an hour shift differential is recommended for employees who are regularly assigned the shift. Employees who fill in for the shift will receive the shift differential during the hours of 1:00 a.m. to 5:00 a.m.

Additionally, a new job title is recommended for the Springfield-Greene County Health Department and addresses a need for a new job title based on changes in the administrative services area of the department. The Health Department is restructuring to better meet their needs in this area and the department is eliminating two full-time equivalent (FTE) Staff Assistant positions that are vacant and instead needs a new support services supervisor position. The recommended job title addition for the Springfield-Greene County Health Department is Health Support Services Supervisor, PAT-6. Human Resources completed a job study and supports the establishment of the new job title.

REMARKS: The recommendations related to the new shift differential and the new job title are consistent with Council’s policies. No budget adjustment is necessary as the



Emergency Communications Department already included funding for this new shift differential in their current budget and the Health Department is using the salary savings from the two eliminated Staff Assistant FTEs.

It is respectfully requested that Council give consideration and approval to these changes.

Submitted By: Danielle Allen, Executive Secretary

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

Jason Gage, City Manager 10/14/2024

Attachments: 1. Salary Ord 10-7-24 911 Shift Dif and Job Title

One-rdg. _____
P. Hrngs. _____
Pgs. 5
Filed: 10-15-24

Sponsored by: Lee

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-217

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield City Code, Section 2-92, known as the "Salary
2 Ordinance," to add a provision for a shift differential for certain
3 employees working in the Springfield-Greene County 9-1-1
4 Emergency Communications Department; and by adding the new
5 job title of Health Support Services Supervisor and salary grade of
6 PAT-6 to the Classifications of the Professional, Administrative and
7 Technical Schedule.
8 _____
9

10 WHEREAS, the Springfield-Greene County 9-1-1 Emergency Communications
11 Department has difficulty staffing the special shift, which runs from 0100 to 1100, and in
12 order to incentivize employees to work that shift, wishes to pay a \$3.00 per hour shift
13 differential to employees regularly assigned said shift who work hours within that shift;
14 and
15

16 WHEREAS, the expenses associated with paying such \$3.00 an hour shift
17 differential have been included in the Springfield-Greene County 9-1-1 Emergency
18 Communications budget that was approved by the Greene County Commission; and
19

20 WHEREAS, the intergovernmental agreement between the City and Greene
21 County regarding the 9-1-1 Emergency Communications Department provides that the
22 City will pay all expenses necessary for operating the 9-1-1 Emergency
23 Communications Department and will then invoice Greene County for such expenses,
24 and Greene County will remit payment for approved expenses; and
25

26 WHEREAS, the Springfield-Greene County Health Department wishes to
27 eliminate two full-time equivalent ("FTE") Staff Assistant positions, currently funded
28 vacancies, and use those salary savings to fund a new position of Health Support
29 Services Supervisor. A completed job study supports the establishment of the new job
30 title.
31

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

NOTE: **Bold** language is being added and ~~stricken~~ language is being deleted.

Section 1 – Springfield City Code, Section 2-92, known as the “Salary Ordinance,” shall be amended by adding, at a location deemed appropriate by the City Attorney, the following new section on special shift differential pay for certain employees within the Springfield-Greene County 9-1-1 Emergency Communications Department:

Special Shift Pay Differential for Eligible 9-1-1 Employees

- A. Effective November 5, 2024, employees within the Springfield-Greene County 9-1-1 Emergency Communications Department who are regularly assigned to work the special shift, which means 0100 to 1100, shall be paid a \$3.00 per hour shift differential for hours worked between 0100 to 1100.**
- B. Employees within the Springfield-Greene County 9-1-1 Emergency Communications Department who are not regularly assigned to work the special shift, shall be paid a \$3.00 per hour shift differential, but only for any hours worked between 0100 and 0500.**
- C. For the purposes of this section, “regularly assigned” means assigned to work a particular shift by the 911 Training and Education Manager, the 911 Operations Manager, the Assistant Director of Emergency Communications, or the Director of Emergency Communications. While other instances may occur, this will normally be as a result of a shift bid process, when an individual is hired into a particular shift, or when there is an opening on a shift and an employee is assigned to work that opening.**

Section 2 – Springfield City Code, Section 2-92, known as the ‘Salary Ordinance,’ relating to various salary grades for various job titles within the City service as contained in the Classifications of the Professional, Administrative and Technical Schedule is hereby amended by adding the following job title:

Proposed Job Title and Salary Grade
(Title to be Added)

Classification:

Salary Grade:

Health Support Services Supervisor

PAT-6

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

Passed at meeting: _____

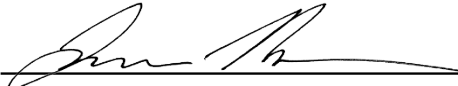
Mayor

80 Attest: _____, City Clerk

81

82 Filed as Ordinance: _____

83

84 Approved as to form:  _____, Assistant City Attorney

86

87 Approved for Council action:  _____ City Manager

88



EXPLANATION TO COUNCIL BILL 2024-218 (HOSMER)

FILED: 10/03/2024

ORIGINATING DEPARTMENT: Economic Vitality

TITLE: A resolution acknowledging the reappointment of Todd Wojciechowski to the Tax Increment Financing Advisory Commission made by the Republic R-3 School District

PURPOSE: To acknowledge the reappointment of Todd Wojciechowski to the Springfield Tax Increment Financing Advisory Commission made by the Republic R-3 School District.

BACKGROUND INFORMATION: Section 2-241 of the Springfield City Code establishes the Tax Increment Financing Advisory Commission, which shall be governed by an eleven-member board in accordance with State law. The Mayor appoints six of the eleven members with the consent of the City Council. Of the six, one of the members appointed by the Mayor shall be a member of the City Council, one shall be from the Springfield-Greene County Library Board, and the remaining four members shall be from the public at large. The other five members of the Commission are appointed by Greene County (2), the affected school board (2), and the other affected taxing districts (1).

The Republic R-3 School District Board of Education has made the following appointment to the Springfield Tax Increment Financing Advisory Commission for projects located within the Republic R-3 School District.

Name	Term
Todd Wojciechowski	5/31/2027

REMARKS: Passage of this Resolution acknowledges the appointment made by the Republic R-3 School District. 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 10/15/2024

Attachments: 1. TIF Commission Appointments October 2024_Res

37 Attest: _____, City Clerk

38

39 Filed as Resolution _____

40

41

42 Approved as to form: Laura Vales, Assistant City Attorney

43

44

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