



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

January 27, 2025

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. January 13, 2025, City Council Meeting, January 14, 2025, Special City Council Meeting, and January 21, 2025, Special City Council Meeting.

3. FINALIZATION AND APPROVAL OF CONSENT AGENDAS.

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

4. CEREMONIAL MATTERS.

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

6. SECOND READING AND FINAL PASSAGE.

Citizens Have Spoken. May Be Voted On.

6.1. Council Bill 2024-286 (Horton)

A special ordinance authorizing the City Manager, or designee, to enter into an agreement with BNSF Railway Company ("BNSF") for the purpose of accepting funds not to exceed \$40,000 for evaluating the feasibility of proceeding with additional services to raise the Jefferson Avenue Footbridge as part of the Rehabilitation of the Jefferson Avenue Footbridge project; and approving a budget adjustment amending the Fiscal Year 2024-2025 budget of the Department of Public Works in the amount of \$40,000 to appropriate the BNSF Railway funds for design services.

6.2. Council Bill 2025-006 (Jenson)

A special ordinance authorizing the City Manager, or designee, to enter into a Grade Crossing Signal Installation Agreement with BNSF Railway Company in an amount not to exceed \$459,908 for the purpose of installing new signal equipment at Boonville Avenue.

6.3. Council Bill 2025-007 (Jenson)

A special ordinance authorizing the City Manager, or designee, to enter into a Grade Crossing Signal Installation Agreement with BNSF Railway Company in an amount not to exceed \$73,500 for the purpose of installing new signal equipment at Campbell Avenue.

7. RESOLUTIONS.

8. EMERGENCY BILLS.

9. PUBLIC IMPROVEMENTS.

10. GRANTS.

11. AMENDED BILLS.

12. COUNCIL BILLS FOR PUBLIC HEARING.

Citizens May Speak. Not Anticipated To Be Voted On.

12.1. Council Bill 2025-010 (McGull)

A special ordinance granting Conditional Use Permit No. 478 for the purpose of permitting an adaptive use of a nonresidential structure, generally located at 3080 East Cherry Street, within the R-LD, Low Density Multi-Family Residential District. (By: Franklin Partners, LP; 3080 E. Cherry Street; Conditional Use Permit No. 478)

12.2. Council Bill 2025-011 (McGull)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 4.86 acres of property generally located at 3697 and 3703 North Glenstone Avenue (State Highway H) from GR, General Retail District with Conditional Overlay District 182 to R-LD, Low-Density Multi-family Residential District; establishing Conditional Overlay District No. 263; and adopting an updated Official Zoning Map.(By: South Valley Apartments, LLC and Mike Seitz; 3697 and 3703 N. Glenstone Avenue (State Highway H); Z-29-2024 with Conditional Overlay District No. 263)

12.3. Council Bill 2025-012 (Jenson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.36 acres of property generally located at 3505 South Campbell Avenue from R-TH, Residential Townhouse District to HC, Highway Commercial District; and adopting an

updated Official Zoning Map. (By: Westport Management LLC; 3505 South Campbell Avenue; Z-31-2024)

12.4. Council Bill 2025-013 (Horton)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.27 acres of property generally located at 2409 North Boonville Avenue from HC, Highway Commercial District to R-LD, Low-Density Multi-family Residential District; establishing Conditional Overlay District No. 264; and adopting an updated Official Zoning Map.(By: Locust Investments LLC; 2409 North Boonville Avenue; Z-30-2024 w/ Conditional Overlay District No. 264)

12.5. Council Bill 2025-014 (Horton)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 4.5 acres of property generally located at 910 and 920 South West Avenue from O-1, Office District to GI, Government and Institutional Use District; and adopting an updated Official Zoning Map. (By: Greene County; 910 and 920 South West Avenue; Z-33-2024)

12.6. Council Bill 2025-015 (Simpson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 29 acres of property generally located at 851 East Primrose Street from Planned Development No. 21, 7th Amendment, to GI, Government and Institutional Use District; establishing Conditional Overlay District No. 266; and adopting an updated Official Zoning Map. (By: Lester E. Cox Medical Center; 851 E. Primrose Street; Z-34-2024 with Conditional Overlay District No. 266)

13. FIRST READING BILLS. Requiring One Reading.

14. FIRST READING BILLS. Requiring Two Readings.

Citizens May Speak. Not Anticipated To Be Voted On.

14.1. Council Bill 2025-016 (Hosmer)

A general ordinance amending the Springfield City Code, Chapter 96, 'Storm Water,' Article I, 'Flood Control and Water Quality Protection,' by adding three new sections regulating access to, and the creation of obstructions in, underground stormwater infrastructure.

14.2. Council Bill 2025-017 (Simpson)

A special ordinance approving and authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of Chimney Rock Subdivision, generally located at 3040 South Arcadia Avenue, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance.

15. PETITIONS, REMONSTRANCES AND COMMUNICATIONS.

15.1. William Dixon wishes to address City Council.

16. NEW BUSINESS.

16.1. As per RSMo. 109.230 (4), City records that are on file in the City Clerk's office and have met the retention schedule will be destroyed in compliance with the guidelines established by the Secretary of State's office.

17. UNFINISHED BUSINESS.

18. MISCELLANEOUS.

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

19.1. Council Bill 2025-018 (Simpson)

A special ordinance authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of Spirit Filled Estates, generally located at 3114 East Sunset Street and 2658 South Hillsboro Avenue, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance.

19.2. Council Bill 2025-019 (McGull)

A special ordinance authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of North Glenstone Heights, generally located at 3627, 3697, and 3703 North Glenstone Avenue, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance.

19.3. Council Bill 2025-020 (Hardinger)

A special ordinance authorizing the City Manager, or designee, to enter into a Sponsorship Agreement with Watershed Committee of the Ozarks, Inc for the purpose of continuing to support drinking water source protection and water quality activities.

20. CONSENT AGENDA – ONE READING BILLS.

21. CONSENT AGENDA – SECOND READING BILLS.

22. END OF CONSENT AGENDA.

23. ADJOURN.



City of Springfield

Minutes

City Council Meeting

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

January 13, 2025

6:30 PM

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

1. ROLL CALL.

Present: Councilmember Jenson, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Absent: Councilmember Horton and Councilmember Hardinger.

2. APPROVAL OF MINUTES.

2.1. Approval of Minutes. December 16, 2024, City Council Meeting.

Mayor Pro Tem Simpson moved to approve the December 16, 2024, City Council meeting minutes as presented. Councilmember Jenson seconded the motion, and it was approved by the following vote: Ayes: Councilmember Jenson, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Horton and Councilmember Hardinger. Abstain: None.

3. FINALIZATION AND APPROVAL OF CONSENT AGENDAS.

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

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

4. CEREMONIAL MATTERS.

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

Collin Quigley, Interim City Manager, noted the Springfield Fire Department Water Rescue team saved the life of a Springfield woman and her small terrier dog after they fell partially through the ice at the Lakeshore Apartments' pond on Sunday. The woman went after one of her two dogs, fearing the pup might drown when he fell through the ice. Mr. Quigley further noted Captain Chris Gardner and Equipment Operator Tyler Nevins performed the rescue, with back up from members of the water rescue team.

Mr. Quigley thanked Public Works who had 64 crew members out clearing streets during the most recent winter storm. He acknowledged their dedication and overnight work to keep the community open and safe.

Mr. Quigley noted Mayor Ken McClure issued challenge to the community for a cleaner, greener Springfield in 2025. With several high-profile events in 2026, the 100th anniversary of Route 66, FIFA World Cup coming to Kansas City, and America's 250th Birthday; Mayor McClure expressed his belief it was time to focus on improving Springfield. Mr. Quigley further noted the City's work to complete this task was to focus on understanding and improving trash and recycling management.

Mr. Quigley noted the official groundbreaking ceremony for the Renew Jordan Creek project would be held on February 7 at 2:00 p.m. He added more details would be provided in the future.

Mr. Quigley noted the Sports Field Management Association and Springfield Cardinals announced that Hammons Field, the home of the Springfield Cardinals, was named the 2024 Professional Baseball Field of the Year. The Field of the Year honor was awarded to the best natural grass field among all 120 teams across all levels of affiliated Minor League Baseball. He added since the City purchased Hammons Field in early 2023, the City has been committed to improving the ballpark by investing considerably in upgrades both for players and visitors.

6. SECOND READING AND FINAL PASSAGE.

Citizens Have Spoken. May Be Voted On.

6.1. Council Bill 2024-272 (Horton, Jenson)

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 39.5 acres of private property, generally located on the north side 4000 block and 4069 West Republic Road, and including the private properties at 3803-3949 South Timbercreek, 3808-3990 South Jonathan, 3801-3880 South York, 4022-4050 West Wilderness, and 3956 West Farm Road 168, the right-of-way within the Evergreen Park, Evergreen Park-Replat of Lots 3-12, Evergreen Park-Administrative Replat of Lots 47-49, and The Dell Townhomes on Wire Road Subdivisions into the City of Springfield as Annexation A-5-2024.

Ordinance 6896. Council Bill 2024-272 (Horton, Jenson) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Horton and Councilmember Hardinger. Abstain: None.

6.2. Council Bill 2024-273 (McGull, Jenson)

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 49.35 acres of private property generally located at 2916, 2936, and 3040 West Republic Road; 4233 and 4268 South Hillcrest; 5601 and 5617 South Campbell Avenue; the north side 3900 block and 3929 East State Highway D; 3146, 3166, the south side 3100 block, and 3250 West Battlefield Road; 3501, 3533, 3535, and 3601 West Sunshine Street; and 1739 and 1747 South West Bypass into the City of Springfield as Annexation A-4-2024.

Ordinance 6897. Council Bill 2024-273 (McGull, Jenson) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Horton and Councilmember Hardinger. Abstain: None.

6.3. Council Bill 2024-274 (Simpson)

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 25.7 acres of private property generally located at 6116 South Farm Road 175, and a portion of South Farm Road adjacent to the property, into the City of Springfield as Annexation A-6-2024.

Councilmember Hosmer thanked Mayor McClure for his leadership in making annexation a policy that was being pursued. He expressed his belief it was important for any growing city to annex.

Ordinance 6898. Council Bill 2024-274 (Simpson) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Horton and Councilmember Hardinger. Abstain: None.

6.4. Council Bill 2024-275 (Jenson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 16.5 acres of property generally located at 315 East Weaver Road from R-SF, Single-Family Residential District to HC, Highway Commercial District; establishing Conditional Overlay District No. 260; and adopting an updated Official Zoning Map. (By: Ward Weaver Property, LLC; 315 East Weaver Road; Z-24-2024 with Conditional Overlay District No. 260.)

Ordinance 6899. Council Bill 2024-275 (Jenson) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Horton and Councilmember Hardinger. Abstain: None.

6.5. Council Bill 2024-276 (Horton)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.3 acres of property generally located at 1910 West Division Street and 1455 North Wabash Avenue from GM, General Manufacturing District to HC, Highway Commercial District; and adopting an updated Official Zoning Map. (By: David Rensch; 1910 West Division Street and 1455 North Wabash Avenue; Z-27-2024.)

Ordinance 6900. Council Bill 2024-276 (Horton) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Horton and Councilmember Hardinger. Abstain: None.

6.6. Council Bill 2024-277 (McGull)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 3 acres of property generally located at 1914 East Blaine Street from GM, General Manufacturing District to IC, Industrial Commercial District; and adopting an updated Official Zoning Map. (By: AVS Sunset, LLC; 1914 East Blaine Street; Z-28-2024.)

Ordinance 6901. Council Bill 2024-277 (McGull) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Horton and Councilmember Hardinger. Abstain: None.

6.7. Council Bill 2024-281 (Carroll)

A special ordinance authorizing the City Manager, or designee, to accept the United States Department of Justice, Edward Byrne Memorial Justice Assistance Grant, in the amount of \$179,612.00, and to enter into an interlocal agreement with Greene County outlining the division of the grant funds; and amending the budget for the Springfield Police Department for Fiscal Year 2024-2025 in the amount of \$179,612.00.

Ordinance 28091. Council Bill 2024-281 (Carroll) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Horton and Councilmember Hardinger. Abstain: None.

6.8. Council Bill 2024-282 (Lee)

A general ordinance amending the Springfield City Code, Chapter 106 'Traffic and Vehicles,' Article VI, 'Stopping Standing and Parking,' Division 3, 'Method of Parking,' by amending section 106-300, 'Stopping, standing or parking prohibited in certain places;' amending the Springfield City Code, Chapter 106 'Traffic and Vehicles,' Article II, 'Administration and Enforcement,' Division 1, 'Generally,' by amending section 106-78. 'Police and fire department officials authorized to enforce traffic regulations and direct traffic;' and amending the Springfield City Code, Chapter 106 'Traffic and Vehicles,' Article II, 'Administration and Enforcement,' Division 2, 'Violations and Procedure Upon Arrest,' by amending section 106-95. 'Placing of citations on illegally parked vehicles; presumption of responsibility for violation,' and section 106-96 "Authority of persons appointed as conservators of the peace.'

Ordinance 6902. Council Bill 2024-282 (Lee) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Horton and Councilmember Hardinger. Abstain: None.

6.9. Council Bill 2024-283 (Hosmer)

A general ordinance amending the Springfield City Code, Chapter 54, 'Fire Prevention and Protection,' Article II, 'Fire Prevention Code,' Section 54-32, 'Amendments and additions,' Section 903.4.1, relating to monitoring of sprinkler systems.

Ordinance 6903. Council Bill 2024-283 (Hosmer) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Horton and Councilmember Hardinger. Abstain: None.

6.10. Council Bill 2024-284 (Horton)

A special ordinance approving the First Amended and Restated Redevelopment Plan for the 521 Boonville Redevelopment Area, which is generally located along the west side of North Boonville Avenue between West Tampa Street and West Phelps Street; declaring the area in such plan to be a blighted area and its redevelopment necessary for the preservation of the public peace, prosperity, health, safety, morals, and welfare; and authorizing certain tax abatement within the plan area.

Ordinance 28092. Council Bill 2024-284 (Horton) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Horton and Councilmember Hardinger. Abstain: None.

6.11. Council Bill 2024-285 (McGull)

A special ordinance authorizing the City Manager, or designee, to enter into a Cost Share Agreement for Roadway Improvements with Springfield Underground, Inc. d/b/a Erlen Group for the not to exceed price of \$2,271,377.57 to coordinate participation in the cost of constructing improvements to LeCompte Road from Division Street north to the BNSF Railroad tracks, an extension of Eastgate Avenue north of Division Street, and a shared use path along Eastgate Avenue and LeCompte Road.

Ordinance 28093. Council Bill 2024-285 (McGull) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Horton and Councilmember Hardinger. Abstain: None.

6.12. Council Bill 2024-286 (Horton)

A special ordinance authorizing the City Manager, or designee, to enter into an agreement with BNSF Railway Company ("BNSF") for the purpose of accepting funds not to exceed \$40,000 for evaluating the feasibility of proceeding with additional services to raise the Jefferson Avenue Footbridge as part of the Rehabilitation of the Jefferson Avenue Footbridge project; and approving a budget adjustment amending the Fiscal Year 2024-2025 budget of the Department of Public Works in the amount of \$40,000 to appropriate the BNSF Railway funds for design services.

Mayor McClure noted he would be moving to postpone Council Bill 2024-286 in an effort to ensure City Council had as much clarity and answers to questions regarding the proposed as possible.

Mayor McClure moved to postpone Council Bill 2024-286 until the January 27, 2025, City Council meeting. Mayor Pro Tem Simpson seconded the motion, and it was approved by the following vote: Ayes: Councilmember Jenson, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Horton and Councilmember Hardinger. Abstain: None.

7. **RESOLUTIONS.**

Citizens May Speak. May Be Voted On.

7.1. Council Bill 2025-001 (Jenson)

A resolution approving the use of Zone 3 Minor Neighborhood Improvement Program funds from the 1/4-Cent Capital Improvements Sales Tax in the amount of \$40,402 to partially fund improvements to the intersection of Walnut Street and Broadway Avenue.

Brett Foster, Assistant Director of Public Works, provided a brief overview of the proposed. Mr. Foster noted the section of Walnut Street was prone to speeding and had a building in the southeast corner that limited visibility. He further noted to remedy the situation, Public Works proposed using bulb-outs at the location that would narrow the roadway, a raised crosswalk on Walnut Street, and some additional striping, and possibly some green infrastructure. Mr. Foster added the Minor Neighborhood Improvements would fund approximately \$40,000, and an additional \$90,000 would be funded from the 1/8-cent Transportation Turn Lane Safety Program. He noted the anticipated completion date was mid- 2025.

Councilmember Jenson noted the proposed work was a request from the neighborhood. He further noted this was an example of how speeding could be addressed in the community by using design principles. Councilmember Jenson added he would be interested in exploring adjusting the cap to allow neighborhoods to apply for these types of projects out of the program.

An opportunity was given for citizens to express their views.

Duane Keys, President of the West Central Neighborhood Alliance, spoke in support of the proposed. Mr. Keys noted he had spoken with ten neighbors close to the proposed area, and they were in support. He expressed his belief the proposed was a needed improvement.

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

Resolution 10805. Council Bill 2025-001 (Jenson) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Horton and Councilmember Hardinger. Abstain: None.

7.2. Council Bill 2025-002 (Lee)

A resolution authorizing the City Manager, or designee, to apply for multiple grants of up to \$350,000 through the Environmental Protection Agency's Environmental Justice Thriving Communities Grantmaking Program, Heartland Environmental Justice Center's Cultivating Healthy Environments – Region 7 grant initiative.

Amanda Ohlensehlen, Director of Economic Vitality and Workforce Development, provided a brief overview of the proposed. Ms. Ohlensehlen noted the proposed would allow application for grant funds as part of the Environmental Protection Agency's Environmental Justice Thriving Communities grant making program through the Heartland Environmental Justice Centers Cultivating Healthy Environments. Ms. Ohlensehlen further noted the structure was a tiered approach of up to \$350,000 on a rolling basis. She added they were hoping to apply the funds to multiple projects targeted for assessment, planning, and project development. Ms. Ohlensehlen noted no match was required, and the first deadline for review was January 31. She further noted there would be opportunity to partner with and support community organizations. She added the program was targeted to help address persistent environmental and public health concerns and challenges that existed in the underserved and disadvantaged community.

Councilmember Jenson asked for examples of the types of projects anticipated to be funded through the proposed. Ms. Ohlensehlen responded the program was broad and types of activities that could be considered were related to air quality, water quality sampling, small clean-up projects, increased access to food, healthy home projects, and stormwater issues. She added remediation improvements, emergency preparedness, workforce training, and environmental job training could also be included, as well as additional projects.

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

Resolution 10806. Council Bill 2025-002 (Lee) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Horton and Councilmember Hardinger. Abstain: None.

7.3. Council Bill 2025-003 (City Council)

A resolution establishing the Citizens' Advisory Board for the 3/4-cent sales tax approved by the qualified voters of the City of Springfield, Missouri, on November 5, 2024.

Jordan Paul, City Attorney, provided a brief overview of the proposed. Mr. Paul noted the 3/4-cent sales tax was recently approved by the voters. He further noted a citizen oversight was required for the tax. Mr. Paul added the proposed would assign the monitoring function to the existing Citizens Tax Oversight Committee. He noted the functions could be divided between the recommendation committee and a committee that was existing to oversee funds. The proposed would assign that portion of the obligations under the authorizing ordinance to the Citizens' Tax Oversight Committee. Mr. Paul further noted the proposed would create the committee that would serve to recommend projects to City Council. This committee would be called the Citizens Advisory Board. Mr. Paul added their recommendation function would be specific to the 1/2-cent portion of the tax dedicated to funding projects consistent with the City's Comprehensive Plan. He noted some examples that appeared on the ballot were capital improvements, community and neighborhood initiatives, and park projects. Mr. Paul further noted the criteria included whether the project could be completed with no ongoing debt obligation, whether the project was eligible for matching funds, if it generated new sales tax or jobs and created economic growth, and if the project was a catalyst that retained existing or attracted new residents or businesses.

Mr. Paul noted the Citizens Advisory Board would consist of seven to eleven members for terms of three years, with those initial appointments being staggered to ensure even rotation. He added members must have lived or worked in Springfield for at least one year. The deadline to submit an application was January 31, 2025.

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

Resolution 10807. Council Bill 2025-003 (City Council) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Horton and Councilmember Hardinger. Abstain: None.

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 2025-004 (McGull)

A special ordinance authorizing the City Manager, or designee, to accept Budget Stabilization funds, in the amount of \$3,400,000, and to enter into a Budget Stabilization Funds Agreement with the Missouri Highways and Transportation Commission for the purpose of funding the LeCompte Road Improvement Project; amending the Fiscal Year 2024-2025 budget in the amount of \$3,400,000 to appropriate the state funds for this project; and declaring this Ordinance qualifies for approval in one reading pursuant to City Charter Section 2.16(25).

Dan Smith, Director of Public Works, provided a brief overview of the proposed. Mr. Smith noted the proposed would authorize the City Manager to enter into an agreement with the Missouri Department of Transportation (MoDOT) in relation to \$3.4 million in funding for LeCompte Road. He added the proposed was tied to a cost share agreement with the Erlen Group where there had been improvements for LeCompte Road and Eastgate Avenue. Mr. Smith further noted an incorrect exhibit was inadvertently inserted; however, the agreement and description were correct. Mr. Paul noted he had no procedural concern as the exhibit was an exhibit to an exhibit and the text of the Council Bill was accurate. He added the attachment showed an extension of the road which was substantially similar.

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

Ordinance 28094. Council Bill 2025-004 (McGull) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Horton and Councilmember Hardinger. Abstain: None.

13.2. Council Bill 2025-005 (Simpson)

A special ordinance authorizing the City Manager, or designee, to enter into a Cost Apportionment and Carbon Reduction Program Agreement with the Missouri Highways and Transportation Commission for the purpose of funding the design and construction of a shared use path crossing the intersection of Sunset Street and Glenstone Avenue; amending the Fiscal Year 2024-2025 budget in the amount of \$402,209.28 to appropriate the federal and state funds for this project; and declaring that this Ordinance qualifies for approval in one reading pursuant to City Charter Section 2.16(25).

Evan Bergmann, Engineer II, provided a brief overview of the proposed. Mr. Bergmann noted the proposed grant agreement would allow acceptance of Carbon Reduction Program grant funds for the extension of the South Creek Greenway Trail across Glenstone Avenue. He further noted there were two other City projects ongoing to extend the trail further to the east: the National and Sunset Intersection Improvement Project, and the South Creek Greenway Fremont to Glenstone Project. Mr. Bergmann added they worked with MoDOT on the proposed project to apply for the additional grant funds to create a more logical termination point on the east side. He noted the project was 80 percent grant funded with a 20 percent match. Mr. Bergmann further noted MoDOT was committed to providing half of the local match.

Councilmember Hosmer asked if there was thought about making a safer crossing at Fremont and Sunset. Mr. Foster responded the signal would be changed and a crosswalk added.

Councilmember Jenson thanked staff for their work on the project. He asked if there were any planned improvements at the southern terminus of the project on Glenstone to add a shelter or bench where the City Utilities (CU) bus stop sign was located. Mr. Bergmann responded they were working with CU Transit to install a bus pad. He added there were forthcoming opportunities for investment in McDaniel Park, and Minor Neighborhood Improvement funds and donations would complement this work.

Councilmember Lee clarified that the funding was for 80 percent and that half of the 20 percent match would be covered by MoDOT. Mr. Bergmann responded affirmatively. Councilmember Lee expressed his belief this was a great way to leverage funds to increase improvements in the city.

Mayor Pro Tem Simpson thanked staff for their work. He noted collectively the three projects would tie Meador Park into McDaniel Park and provide access to neighborhoods to the east of Glenstone Avenue and north of Sunset Street.

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

Ordinance 28095. Council Bill 2025-005 (Simpson) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Horton and Councilmember Hardinger. Abstain: None.

14. FIRST READING BILLS. Requiring Two Readings.

Citizens May Speak. Not Anticipated To Be Voted On.

14.1. Council Bill 2025-006 (Jenson)

A special ordinance authorizing the City Manager, or designee, to enter into a Grade Crossing Signal Installation Agreement with BNSF Railway Company in an amount not to exceed \$459,908 for the purpose of installing new signal equipment at Boonville Avenue.

Anita Cotter, City Clerk, read Council Bills 2025-006 and 2025-007 together.

Dan Smith, Director of Public Works, provided a brief overview of the proposed. Please see Council Bill 2025-007 for a summary of the presentation.

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

14.2. Council Bill 2025-007 (Jenson)

A special ordinance authorizing the City Manager, or designee, to enter into a Grade Crossing Signal Installation Agreement with BNSF Railway Company in an amount not to exceed \$73,500 for the purpose of installing new signal equipment at Campbell Avenue.

Anita Cotter, City Clerk, read Council Bills 2025-006 and 2025-007 together.

Dan Smith, Director of Public Works, provided a brief overview of Council Bills 2025-006 and 2025-007. Mr. Smith noted both projects related to Burlington Northern Santa Fe (BNSF) and the Jordan Creek project, which was ongoing and currently impacting the railroad crossings on Campbell Avenue and Boonville Avenue. He further noted the proposed would allow the signal equipment to be replaced, and the City would reimburse BNSF for that work. Mr. Smith added the funds for the proposed were already budgeted and planned for in the Jordan Creek project.

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

15. PETITIONS, REMONSTRANCES AND COMMUNICATIONS.

15.1. Terry Rucker wishes to address City Council. Did Not Appear.

15.2. Suzanne Hume wishes to address City Council.

Suzanne Hume, Educational Director and founder of Clean Earth for Kids, addressed City Council. Ms. Hume asked City Council to shut down the coal plant at the John Twitty Energy Center. She noted the plant was scheduled to retire the first unit in 2030 and the second unit in 2051. Ms. Hume expressed her belief coal was toxic and damaging to people. Ms. Hume further noted renewable energy was available and expressed her belief the timeline to shut down the coal plant should be accelerated.

Mayor McClure responded currently City Utilities (CU) had a renewable portfolio of 34 percent, the highest in the State. Mayor McClure added the renewable portfolio requirement from the Public Service Commission was 15 percent, and CU was a leader by moving forward rapidly.

15.3. John Bottorff wishes to address City Council.

John Bottorff addressed City Council. Mr. Bottorff expressed his belief there was a massive amount of acreage, rooftops, and parking lots that would allow for installation of solar panels. He asked that stopping the use of coal be accelerated and the City utilize additional renewable options.

15.4. Tim Havens wishes to address City Council.

Tim Havens addressed City Council. Mr. Havens expressed his belief it was important that public statements be honest and made easy to understand by the public. Mr. Havens expressed his belief there were statements made regarding the Jenny Lind Apartments' satisfaction of a City order that were not accurate. He further expressed his belief the owners of the Jenny Lind Apartments had not satisfied City demands, and a clarification statement had not been issued. Mr. Havens expressed his belief the statement should be corrected.

16. NEW BUSINESS.

- 16.1. As per RSMo. 109.230 (4), City records that are on file in the City Clerk's office and have met the retention schedule will be destroyed in compliance with the guidelines established by the Secretary of State's office.

17. UNFINISHED BUSINESS.

18. MISCELLANEOUS.

19. CONSENT AGENDA – FIRST READING BILLS.

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

20.1. Council Bill 2025-008 (Hardinger)

A resolution confirming the appointment of Joe Gidman to the Commercial Street Community Improvement District Board of Directors.

Resolution 10808. Council Bill 2025-008 (Hardinger) was approved by the following vote:

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

20.2. Council Bill 2025-009 (Hosmer)

A resolution confirming the appointment of Lacy Bridges and Casey Pyle, and the reappointment of Chris Ball, Kristofer Booth, and Nicole Brown, to the Downtown Springfield Community Improvement District Board of Directors.

Resolution 10809. Council Bill 2025-009 (Hosmer) was approved by the following vote: Ayes: Councilmember Jenson, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Carroll, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Horton and Councilmember Hardinger. Abstain: None. Abstain: None.

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

- 21.1. Confirm the following reappointments to the Springfield Convention & Visitors Bureau, Inc.: Missy Handyside, Callie Linville, and Tim Rosenbury, with terms to expire January 1, 2028.

- 21.2. Confirm the following appointment to the Citizens' Tax Oversight Committee: Daniel Furtak with term to expire May 1, 2025.

- 21.3. Confirm the following appointment to the Citizens' Tax Oversight Committee: Sheila Wright with term to expire May 1, 2027.

- 21.4. Confirm the following reappointment to the Landmarks Board: Nicole Falconer with term to expire November 1, 2027.

- 21.5. Confirm the following reappointment to the Planning and Zoning Commission: Randall Doennig with term to expire January 1, 2028.
- 21.6. Confirm the following reappointments to the Planning and Zoning Commission: Dan Scott and Carl Knuckles, with terms to expire January 1, 2027.
- 21.7. Confirm the following reappointments to the Planning and Zoning Commission: Chris LeBeck and Bruce Colony, with terms to expire January 1, 2026.
- 21.8. Confirm the following appointment to the Planning and Zoning Commission: Layne Hunton with term to expire January 1, 2028.

22. END OF CONSENT AGENDA.

23. ADJOURN.

**January 14, 2025
Springfield, Missouri**

The City Council met in special session on January 14, 2025, in the Councilman Denny Wayne Conference Room on the 4th Floor of the Busch Municipal Building. The meeting was called to order by Mayor McClure.

Roll Call

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

Closed Session

Councilmember Hosmer moved City Council hold a closed meeting to discuss legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys pursuant to Section 610.021(1), RSMo.; and this meeting, record, and vote shall be closed, and the City Council shall stand adjourned at the end of the closed session.

Councilmember McGull seconded the motion, and it was approved by the following vote: Ayes: Horton, McGull, Simpson, Hosmer, Lee, and McClure. Abstain: None. Absent: Jenson, Hardinger, and Carroll.

Prepared by
Michelle Kaasa

Anita J. Cotter, CMC/MRCC
City Clerk

**January 21, 2025
Springfield, Missouri**

The City Council met in special session on January 21, 2025, in the Councilman Denny Wayne Conference Room on the 4th Floor of the Busch Municipal Building. The meeting was called to order by Mayor McClure.

Roll Call

Present: Heather Hardinger, Callie Carroll, Derek Lee, Brandon Jenson, Monica Horton, Abe McGull, Craig Hosmer, Matthew Simpson, and Ken McClure. Absent: None.

Closed Session

Councilmember Hosmer moved City Council hold a closed meeting to discuss legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys pursuant to Section 610.021(1), RSMo.; and this meeting, record, and vote shall be closed, and the City Council shall stand adjourned at the end of the closed session.

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

Prepared by
Michelle Kaasa

Anita J. Cotter, CMC/MRCC
City Clerk



EXPLANATION TO COUNCIL BILL 2024-286 (HORTON)

FILED: 01/15/2025

ORIGINATING DEPARTMENT: Public Works

TITLE: A special ordinance authorizing the City Manager, or designee, to enter into an agreement with BNSF Railway Company ("BNSF") for the purpose of accepting funds not to exceed \$40,000 for evaluating the feasibility of proceeding with additional services to raise the Jefferson Avenue Footbridge as part of the Rehabilitation of the Jefferson Avenue Footbridge project; and approving a budget adjustment amending the Fiscal Year 2024-2025 budget of the Department of Public Works in the amount of \$40,000 to appropriate the BNSF Railway funds for design services.

PURPOSE: To authorize the City Manager, or designee, to enter into an agreement with BNSF Railway Company ("BNSF") for the purpose of accepting funds not to exceed \$40,000 for evaluating the feasibility of proceeding with additional services to raise the Jefferson Avenue Footbridge as part of the Rehabilitation of the Jefferson Avenue Footbridge; and approving a budget adjustment amending the Fiscal Year 2024-2025 budget of the Department of Public Works in the amount of \$40,000 to appropriate the BNSF Railway funds for design services.

BACKGROUND INFORMATION: Special Ordinance 28010 approved the plans and specifications for the Rehabilitation of the Jefferson Avenue Footbridge. This agreement ("Exhibit A") will evaluate raising the Jefferson Avenue Footbridge to increase clearance approximately three to four feet from the railway. Raising this historic structure would allow BNSF to perform track maintenance and replace rails and would bring Jefferson Avenue Footbridge into compliance with its height above the railroad tracks.

Supports the following City Council Priorities:

- Public Safety
- Fiscal Sustainability & Accountability
- Quality of Place

REMARKS: Public Works recommends passage of this Council bill and budget adjustment.

Submitted By: Brett Foster

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

- Attachments:**
1. Jefferson Avenue Footbridge BNSF Agreement_Ord
 2. Jefferson Footbridge BNSF Agree_ExhA
 3. Jefferson Footbridge BNSF Agree_ExhB

One-rdg. _____
P. Hrngs. _____
Pgs. 10
Filed: 12-10-24

Sponsored by: Horton

First Reading: _____

Second Reading: _____

COUNCIL BILL 2024-286

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AUTHORIZING the City Manager, or designee, to enter into an agreement with BNSF
2 Railway Company ("BNSF") for the purpose of accepting funds not to
3 exceed \$40,000 for evaluating the feasibility of proceeding with
4 additional services to raise the Jefferson Avenue Footbridge as part of
5 the Rehabilitation of the Jefferson Avenue Footbridge project; and
6 approving a budget adjustment amending the Fiscal Year 2024-2025
7 budget of the Department of Public Works in the amount of \$40,000 to
8 appropriate the BNSF Railway funds for design services.
9 _____

10
11 WHEREAS, City Council approved the plans and specifications for the
12 Rehabilitation of the Jefferson Avenue Footbridge project in Special Ordinance 28010;
13 and
14

15 WHEREAS, BNSF is willing to provide \$40,000 to evaluate the feasibility of
16 raising the height of the Jefferson Avenue Footbridge as part of its rehabilitation to
17 accommodate the requests of the railway.
18

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

22 Section 1 – The City Manager, or designee, is authorized to enter into an
23 agreement with BNSF Railway Company for the purpose of accepting \$40,000 in funds
24 to perform preliminary engineering services regarding the Jefferson Avenue Footbridge,
25 a true and accurate copy of said agreement being attached hereto and incorporated as
26 "Exhibit A", and the same is hereby approved.
27

28 Section 2 – The budget of the City of Springfield for Fiscal Year 2024-2025 is
29 hereby amended in the accounts and in the amounts as shown on Budget Adjustment
30 No. 039, a copy of which is attached hereto and incorporated herein by reference as
31 "Exhibit B."
32

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

35
36 Section 4 – The City Manager, or designee, is directed to cause the appropriate
37 accounting entries to be made in the books and records of the City.

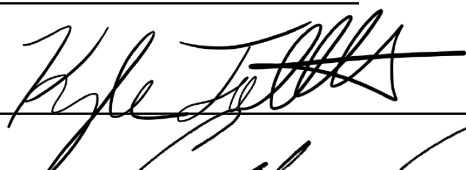
38
39 Section 5 – This Ordinance shall be in full force and effect from and after
40 passage.

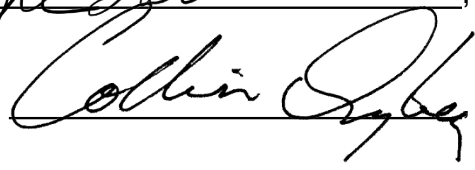
41
42 Passed at meeting: _____

43
44 _____
45 Mayor

46
47 Attest: _____, City Clerk

48
49 Filed as Ordinance: _____

50
51
52 Approved as to form:  _____, Assistant City Attorney

53
54
55 Approved for Council action:  _____, Interim City Manager



Contract Number: BF-20542798

PRELIMINARY ENGINEERING SERVICES AGREEMENT
Project Review

BNSF File No.: BF-20542798
Mile Post 237.581
Line Segment 1002
U.S. DOT Number 664159D
Cuba Subdivision

This Agreement ("**Agreement**") is executed to be effective as of November 20, 2024 ("**Effective Date**"), by and between BNSF RAILWAY COMPANY, a Delaware corporation ("**BNSF**") and the CITY OF SPRINGFIELD, a political subdivision of the State of Missouri ("**Agency**").

RECITALS

WHEREAS, BNSF owns and operates a line of railroad in and through the City of Springfield, State of Missouri;

WHEREAS, Agency has stated its intention to proceed initially with a project to rehabilitate the Jefferson Avenue Footbridge in accordance with the provisions of an agreement between the Agency and BNSF dated September 2, 1998 (the "**Project**");

WHEREAS, BNSF has requested that the Agency perform certain preliminary engineering services and other Work (defined below) with respect to its facilities located at or near the Project site to facilitate Agency's evaluation of the feasibility of proceeding with additional scope to raise the Jefferson Avenue Footbridge three to four feet as part of the Project ("**Additional Scope**"); and

WHEREAS, Agency is agreeable to performing the Work, subject to the terms and conditions of this Agreement;

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants and agreements of the parties contained herein, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:



Contract Number: BF-20542798

1) Scope of Work

As used herein, the term “**Work**” includes all work performed by the City of Springfield, its employees, contractors, consultants, or other agents (collectively, the “**Agency Parties**”) pursuant to this Agreement, including, but not limited to: (a) conducting on-site visits including diagnostic evaluations; (b) performing preliminary engineering services; (c) developing cost estimates for construction of the Project; and (d) reviewing and/or providing comments on preliminary layouts or other designs, plans, and/or documents in connection with the Project.

2) Payment and Deposit for Work

BNSF authorizes Agency to proceed with the Work relating to the Additional Scope. BNSF shall pay and reimburse Agency for all actual costs and expenses that Agency incurs in performing the Work. Agency’s expense for Work on this Project shall not exceed Forty Thousand and No/100 Dollars (\$40,000) (“**Estimated Cost**”). Any costs exceeding the Estimated Cost shall be approved in writing by BNSF prior to incurring said costs.

During its performance of the Work pursuant to this Agreement, Agency will send BNSF progressive invoices detailing the costs of the Work performed to date. BNSF will reimburse Agency for completed Work within forty-five (45) days of the date of the invoice for such Work. Upon final completion of the Work, Agency will send BNSF a detailed invoice of final costs. BNSF will pay the final invoice within ninety (90) days of the date of the final invoice.

3) Scope and Limitations of Agreement

The parties acknowledge that entering into this Agreement does not of itself obligate either BNSF or Agency to participate in the construction of the Additional Scope. If Agency elects to proceed with the Project including the Additional Scope after the Work is performed, then BNSF and Agency agree to enter into negotiations for appropriate agreements regarding the construction of the Project and other related activities. Nothing in this Agreement shall obligate BNSF to enter into any subsequent agreement or otherwise permit the Project *except and subject to* any terms and conditions that BNSF may subsequently approve in its sole discretion.

Notwithstanding anything to the contrary in this Agreement, BNSF’s review, approval, and/or other participation in the Project, Additional Scope, or any element thereof, are expressly limited to — and are intended and understood by the parties to be in furtherance of — BNSF’s railroad purposes, and are not in furtherance of Agency’s



Contract Number: BF-20542798

purposes in undertaking the Project. Any review, approval, and/or other participation performed by BNSF hereunder is intended for use in evaluating the impact of the Project on BNSF's railroad and the costs to Agency associated therewith. BNSF is providing its review, approval, and/or other participation in consideration of BNSF's subjective standards for its railroad purposes only. Consequently, BNSF's review, approval, and/or other participation shall in no way be construed or deemed to be BNSF's recommendation, condition, or direction to Agency, nor shall it be construed or deemed to be BNSF's opinion or approval that the plans and specifications or any work intended or completed on the Project (a) is appropriate for any other purpose; (b) is structurally sound; or (c) meets applicable standards, regulations, laws, statutes, local ordinances, and/or building codes. No benefits to Agency or any third party are provided, intended, or implied herein. Agency shall at all times be solely responsible for the adequacy and compliance of all design elements of the Project and Additional Scope for other public purposes. **AGENCY SHALL WAIVE ANY CLAIMS AGAINST BNSF FOR — AND SHALL RELEASE BNSF FROM — ANY AND ALL CLAIMS WHICH MAY OR COULD RESULT FROM THE REVIEW, APPROVAL, AND/OR OTHER PARTICIPATION PERFORMED HEREUNDER, AND IF APPLICABLE TO THE FULLEST EXTENT PERMITTED BY LAW, AGENCY SHALL INDEMNIFY BNSF FOR AND HOLD IT HARMLESS FROM AND AGAINST ANY SUCH CLAIMS.**

4) No Right of Entry

Nothing in this Agreement shall be construed as providing Agency, Agency Parties, or its contractors, consultants, or other agents any right of entry upon property owned or occupied by BNSF. Any preliminary engineering or other work required by Agency in connection with the Project necessitating entry upon BNSF's railroad right-of-way shall only be conducted as authorized by a separate written permit obtained by Agency from BNSF for such entry ("**Entry Permit**").

The Entry Permit will provide that any on-site visits, including diagnostic evaluations, by Agency and its parties required for the Project shall be conducted only from adjoining properties, and Agency shall ensure that no attendees enter or remain on BNSF's right-of-way, except when using an authorized highway-rail crossing designated for such purpose.

Agency or its agents must contact BNSF's Manager of Public Projects, Kara Brockamp at Kara.brockamp@bnsf.com, or BNSF's permitting agent Jones Lang LaSalle Brokerage, Inc. ("**JLL**") at <http://bnsf.railpermitting.com/> to obtain the required Entry Permit prior to any entry.

5) Disclaimer



Contract Number: BF-20542798

BNSF GIVES NO WARRANTY, EXPRESS OR IMPLIED, AS TO THE ACCURACY, QUALITY, MERCHANTABILITY, FITNESS FOR ANY PARTICULAR PURPOSE, OR ANY OTHER MATTER, OF OR FOR ANY REVIEW, APPROVAL, AND/OR OTHER PARTICIPATION PERFORMED PURSUANT TO THIS AGREEMENT OR ANY REPORT OR OTHER DELIVERABLE WHICH BNSF MAY FURNISH TO AGENCY PURSUANT TO THIS AGREEMENT. BNSF SHALL IN NO WAY BE RESPONSIBLE FOR AGENCY'S PROPER RELIANCE UPON, INTERPRETATION OF, OR OTHER USE OF BNSF'S REVIEW, APPROVAL, AND/OR OTHER PARTICIPATION. BNSF IS NOT A CONTRACTOR, AGENT, PARTNER, OR JOINT VENTURER OF AGENCY BECAUSE OF THIS AGREEMENT OR BECAUSE OF BNSF'S PERFORMANCE OF REVIEW, APPROVAL, AND/OR OTHER PARTICIPATION . LIKEWISE, THE BNSF PARTIES WHO MAY ASSIST BNSF IN PERFORMING ANY REVIEW, APPROVAL, AND/OR OTHER PARTICIPATION ARE DOING SO FOR BNSF'S BENEFIT ONLY, AND ARE NOT — AND SHALL NOT BE DEEMED TO BE — CONTRACTORS, SUBCONTRACTORS, OR AGENTS OF AGENCY.



Contract Number: BF-20542798

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed as of the day and year first written above.

City of Springfield

BNSF Railway Company

By: _____

By: _____

Name: _____

Name: _____

Assistant Director Public Projects

Accepted this ____ day of _____, 20__.

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit B

Budget Adjustment
039

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
46110	20	73020	411010	102266	00000	\$ 40,000	BNSF Railway Company Engineering Services Agreement
Net Revenue Adjustment						\$ 40,000	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
46110	20	73020	508530	102266	00000	\$ 40,000	Evaluating feasibility to raise the Jefferson Avenue Footbridge as part of the Jefferson Avenue Footbridge Rehabilitation
Net Expenditure Adjustment						\$ 40,000	

Fund Balance Appropriation:

Fund	Title	Amount

Explanation: To amend the FY2024-25 budget by appropriating a contribution from the BNSF Railway Company of \$40,000 towards evaluating the feasibility to raise the Jefferson Avenue Footbridge as part of the Footbridge Rehabilitation based on the proposed Preliminary Engineering Services Agreement with BNSF.

Requested By:

Approved By:

Authorization:

Department Head _____ Date _____

Director of Finance _____ Date _____

City Manager _____ Date _____

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



EXPLANATION TO COUNCIL BILL 2025-006 (JENSON)

FILED: 01/15/2025

ORIGINATING DEPARTMENT: Public Works

TITLE: A special ordinance authorizing the City Manager, or designee, to enter into a Grade Crossing Signal Installation Agreement with BNSF Railway Company in an amount not to exceed \$459,908 for the purpose of installing new signal equipment at Boonville Avenue.

PURPOSE: To authorize the City Manager, or designee, to enter into a Grade Crossing Signal Installation Agreement ("Exhibit 1") with BNSF Railway ("BNSF"), for the purpose of installing new signal equipment at Boonville Avenue ("Exhibit 2"), designated as United States Department of Transportation #664181R.

BACKGROUND INFORMATION: This proposed agreement will coordinate the cost of installing new signal equipment between the City and BNSF. The installation of the new box culverts under Boonville Avenue, as part of the Renew Jordan Creek – Main Avenue to Boonville Avenue project, will impact the existing railroad signal equipment at Boonville Avenue. In conjunction with the City's project, BNSF will install new signal equipment at Boonville Avenue. The improvements will include installing new signal equipment, and additional warning devices. The City's obligations will be performed by the City's contractor for the Renew Jordan Creek project or City crews. The City will fully fund the project, estimated at \$459,908, from the Renew Jordan Creek – Main Avenue to Boonville Avenue project funds that have already been budgeted. This agreement will allow BNSF to administer the project with funding provided by the City of Springfield.

Supports the following City Council Priorities

- Public Safety

REMARKS: Public Works recommends passage of this council bill.

Submitted By: Brett Foster, Assistant Director of Public Works

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

Attachments:

1. BNSF Signal - Boonville_ord
2. BNSF Signal Agreement Boonville Ave Agree_Exh1
3. BNSF Signal Agreement Boonville Ave Map_Exh2

One-rdg. _____
P. Hrngs. _____
Pgs. 16
Filed: 01-07-25

Sponsored by: Jenson

First Reading: _____

Second Reading: _____

COUNCIL BILL 2025-006

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AUTHORIZING the City Manager, or designee, to enter into a Grade Crossing Signal
2 Installation Agreement with BNSF Railway Company in an amount not
3 to exceed \$459,908 for the purpose of installing new signal equipment
4 at Boonville Avenue.
5 _____
6

7 WHEREAS, the installation of the new box culverts under Boonville Avenue as
8 part of the Renew Jordan Creek – Main Avenue to Boonville Avenue project will impact
9 the existing railroad signal equipment at Boonville Avenue; and
10

11 WHEREAS, this agreement will coordinate the cost of installing new signal
12 equipment and additional warning devices at Boonville Avenue between the City and
13 BNSF Railway; and
14

15 WHEREAS, the City's obligations will be performed by the City's contractor for
16 the Renew Jordan Creek project or City crews and use Renew Jordan Creek project
17 funds that have already been budgeted.
18

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

22 Section 1 – The City Manager, or designee, is hereby authorized to enter into a
23 Grade Crossing Signal Installation Agreement with BNSF Railway Company in an
24 amount not to exceed \$459,908, substantially similar in form as the document attached
25 hereto and incorporated herein by reference as "Exhibit 1."
26

27 Section 2 – This Ordinance shall be in full force and effect from and after
28 passage.
29

30 Passed at meeting: _____
31
32
33

Mayor

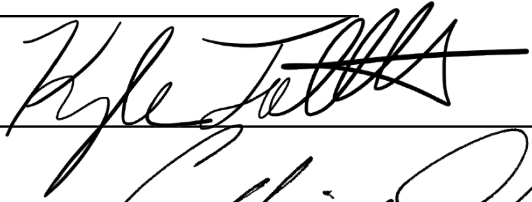
34 Attest: _____, City Clerk

35

36 Filed as Ordinance: _____

37

38

39 Approved as to form:  _____, Assistant City Attorney

40

41

42 Approved for Council action:  _____, Interim City Manager

EXHIBIT 1



Contract Number: BF-20536855

GRADE CROSSING SIGNAL INSTALLATION AGREEMENT

BNSF File No.: BF-20536855

Mile Post 202.269

Line Segment 1018

Track 1799

U.S. DOT Number 664181R

Cuba Subdivision

THIS GRADE CROSSING SIGNAL INSTALLATION AGREEMENT (hereinafter called, "Agreement"), is executed to be effective as of _____, by and between the **CITY OF SPRINGFIELD**, a Political Subdivision of the State of Missouri (hereinafter called, "AGENCY"), and **BNSF RAILWAY COMPANY**, a Delaware Corporation (hereinafter called, "RAILROAD");

WITNESSETH:

WHEREAS, in the interest of aiding vehicular travel and public safety, the AGENCY is undertaking a project to update by installing new railroad crossing signals and activation equipment on the road known as Boonville Ave;

WHEREAS, the project is located at U.S. DOT crossing 664181R as indicated on Exhibit "A", attached hereto and incorporated herein;

WHEREAS, the parties agree that the RAILROAD will receive no ascertainable benefit from the installation of advance warning signs, pavement marking stop bars or crossing signal equipment (hereinafter collectively called, "Crossing Signal Equipment");

WHEREAS, the AGENCY is paying for the acquisition and installation of crossing signal equipment at Boonville Ave;

WHEREAS, the RAILROAD agrees to purchase and install, at AGENCY'S sole expense, the crossing signal equipment described in the scope of work herein, and upon the terms and conditions set forth below.



Contract Number: BF-20536855

NOW, THEREFORE, in consideration of the mutual covenants and agreements of the parties contained herein, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

ARTICLE I – SCOPE OF WORK

- 1) The term “Project” as used in this agreement includes any and all work related to the installation of crossing signals and activation equipment at U.S. DOT crossing 664181R, more particularly described on Exhibit “A” and Exhibit “B” which are attached hereto and incorporated herein, including, but not limited to, any and all changes to telephone, telegraph, signal and electrical lines and appurtenances, installation of advance warning signs and pavement marking stop bars, installation of any new crossing surface, temporary and permanent track work, fencing, grading, alterations to or new construction of drainage facilities, preliminary and construction engineering and contract preparation.

ARTICLE II – RAILROAD OBLIGATIONS

In consideration of the covenants of AGENCY set forth herein and the faithful performance thereof, RAILROAD agrees as follows:

- 1) The RAILROAD will, using its own labor forces under applicable labor agreements, install the Crossing Signal Equipment at Boonville Ave. The work will be performed at AGENCY’s expense and in accordance with the MUTCD and the plans and specifications approved by AGENCY and the Federal Highway Administration. The plans and specifications are attached to this Agreement as Exhibit “B” and incorporated herein.
- 2) A detailed estimate of RAILROAD’S construction engineering, installation labor (including the costs, if any, of electrical service from a public utility) and material costs required for the Project are attached hereto as Exhibit “C” and incorporated herein. In the event construction for the Project has not commenced within six (6) months following the effective date of this Agreement, RAILROAD may, in its sole and absolute discretion, revise the cost estimates set forth in said Exhibit “C”. In such event, the revised cost estimates will become a part of this Agreement as though originally set forth herein. Any item of work incidental to the items listed on Exhibit “C” not specifically mentioned therein may be included as a part of this Agreement upon written approval of AGENCY, which approval will not be unreasonably withheld.



Contract Number: BF-20536855

- 3) RAILROAD will furnish all labor, materials, tools and equipment for the railroad portion of the work required for the construction of the Project.
- 4) The RAILROAD will, at AGENCY'S expense, dispose of all scrap from the RAILROAD'S work hereunder.
- 5) The RAILROAD will finalize and complete billing of all incurred costs under this Agreement no later than one (1) year following installation of the Crossing Signal Equipment.

ARTICLE III – AGENCY OBLIGATIONS

In consideration of the covenants of RAILROAD set forth herein and the faithful performance thereof, AGENCY agrees as follows:

- 1) AGENCY must perform, at AGENCY'S expense, the following work:
 - A. Installation of a pavement marking stop bar in accordance with the Manual on Uniform Traffic Control Devices (hereinafter called, "MUTCD").
 - B. Installation of advance warning signs in accordance with the MUTCD.
 - C. Traffic control in accordance with the MUTCD during installation of Crossing Signal Equipment.
 - D. Repair of sidewalk and roadway around Crossing Signal Equipment foundations in a manner approved by both AGENCY and RAILROAD.
- 2) The AGENCY will approve the location of the signals and signal bungalow prior to installation by RAILROAD.
- 3) Actual costs for engineering, materials and labor (including third party charges for the installation of electrical service) associated with the installation of the Crossing Signal Equipment must be paid by the AGENCY (including taxes, such as applicable sales and use taxes, business and occupation taxes, and similar taxes).
- 4) In the event the services of a consultant are needed after execution of this Agreement due to any exigency of the RAILROAD and the Project, the AGENCY and the RAILROAD will mutually agree, in writing, as to the selection of a consultant and the applicable scope of work to be performed by such consultant. All work performed



Contract Number: BF-20536855

hereunder by any consultant and any resulting costs must be paid by AGENCY as a part of the costs for the Project.

- 5) During the installation of the Crossing Signal Equipment, RAILROAD will send AGENCY progressive invoices detailing the costs of the work performed by RAILROAD under this Agreement. AGENCY must reimburse RAILROAD for completed force-account work within thirty (30) days of the date of the invoice for such work. Upon completion of the Project, RAILROAD will send AGENCY a detailed invoice of final costs, segregated as to labor and materials for each item in the recapitulation shown on Exhibit "C". Pursuant to this section, AGENCY must pay the final invoice within ninety (90) days of the date of the final invoice. RAILROAD will assess a finance charge of .033% per day (12% per annum) on any unpaid sums or other charges due under this Agreement which are past its credit terms. The finance charge continues to accrue daily until the date payment is received by RAILROAD, not the date payment is made or the date postmarked on the payment. Finance charges will be assessed on delinquent sums and other charges as of the end of the month and will be reduced by amounts in dispute and any un-posted payments received by the month's end. Finance charges will be noted on invoices sent to AGENCY under this section.
- 6) Intentionally Deleted
- 7) The AGENCY must have advance railroad crossing warning signs and standard pavement markings in place at the crossing shown on Exhibit "A" (if the same are required by the MUTCD) prior to the acceptance of this Project by the AGENCY. The AGENCY assumes full responsibility for the maintenance of advance warning signs and pavement markings and agrees to hold harmless and indemnify the RAILROAD for any claims, damages or losses, in whole or in part, caused by or due to the AGENCY'S failure to maintain the advance warning signs and markings or other requirements of the MUTCD.
- 8) The AGENCY must give RAILROAD's Manager of Public Projects written Notice to Proceed with the railroad portion of the work after receipt of necessary funds for the Project. BNSF will not begin the railroad work (including, without limitation, procurement of supplies, equipment or materials) until written notice to proceed is received from Agency.

ARTICLE IV- JOINT OBLIGATIONS

In consideration of the mutual covenants of the parties contained herein and the premises, the parties mutually agree as follows:



Contract Number: BF-20536855

- 1) All cost records of the RAILROAD pertaining to the Project will be open to inspection and audit at any reasonable time by representatives of the AGENCY (including the legislative auditor and fiscal analyst for the AGENCY) for a period of one (1) year from the date of the final RAILROAD invoice under this Agreement.
- 2) Upon completion of the installation of the Crossing Signal Equipment, the RAILROAD, will, at its sole cost and expense, operate and maintain the Crossing Signal Equipment and the new crossing surface in proper condition.
- 3) Notwithstanding the preceding provision, if any regulations, ordinances, acts, rules or other laws subsequently passed or amended by the AGENCY or any other appropriate governmental or legislative authority increase the AGENCY'S portion of maintenance costs under this Agreement, RAILROAD will receive the benefit of any such regulations, ordinances, acts, rules or other laws and the AGENCY'S increased portion of maintenance costs will be incorporated into and made a part of this Agreement.
- 4) If a railway or a highway improvement project necessitates rearrangement, relocation, or alteration of the Crossing Signal Equipment installed hereunder, the costs for such rearrangement, relocation or alteration will be the responsibility of the party requesting such changes.
- 5) If any of the Crossing Signal Equipment is partially or wholly destroyed, then such repair and/or replacement costs must be distributed among the parties as follows:
 - A. In the event the RAILROAD's sole negligence destroys or damages the Crossing Signal Equipment, RAILROAD must reimburse AGENCY for the costs to replace or repair such Crossing Signal Equipment.
 - B. In the event the Crossing Signal Equipment is damaged or destroyed by any other cause, AGENCY must, at its sole cost and expense, replace or repair such Crossing Signal Equipment.
- 6) If the Crossing Signal Equipment installed hereunder cannot, through age, be maintained, or, by virtue of its obsolescence, requires replacement, the cost of installation of new crossing signal equipment will be negotiated by the parties hereto on the basis of the current Federal Aid Railroad Signal Program participation and applicable AGENCY at the time of such replacement is warranted.



Contract Number: BF-20536855

- 7) This Agreement will inure to the benefit of and be binding on the parties hereto, their successors, and assigns.
- 8) In the event any paragraph contained in this Agreement or any item, part, or term within any particular paragraph is determined by a court of competent jurisdiction to be invalid or unenforceable, the validity of the remaining paragraphs or items will not be affected; and the rights and obligations of the parties will be construed and enforced as if this Agreement did not contain that particular paragraph or item held to be invalid or unenforceable.
- 9) This Agreement may be signed in counterparts, any one of which will be deemed to be an original. The parties further agree that any facsimile copy of a party's signature is valid and binding to the same extent as an original signature.

SIGNATURE PAGE FOLLOWS



Contract Number: BF-20536855

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

BNSF RAILWAY COMPANY

By: _____

Printed Name: _____

Title: _____

CITY OF SPRINGFIELD

By: _____

Printed Name: _____

Title: _____

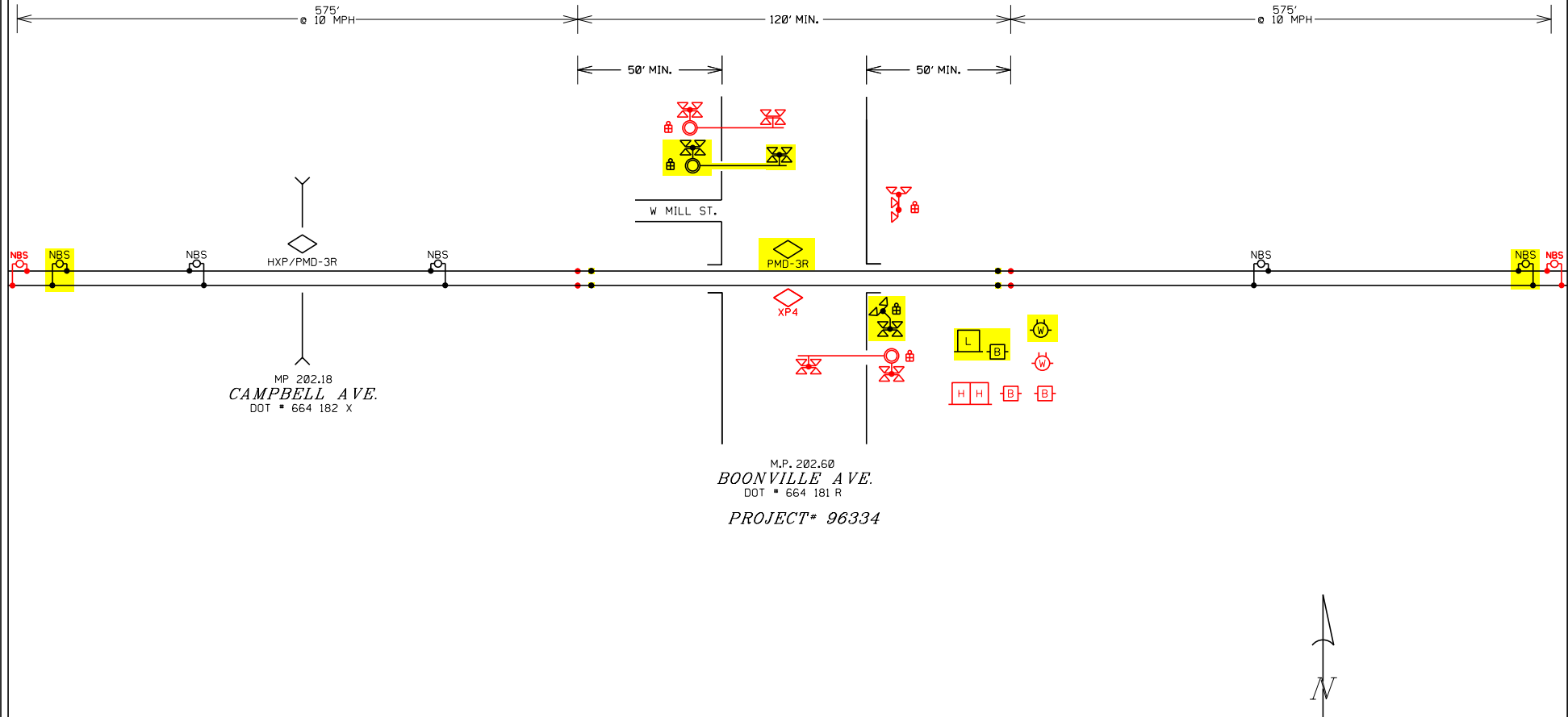


Contract Number: BF-20536855

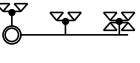
Exhibit "A"

[Insert drawing of crossing here]

BNSF RAILWAY COMPANY



DRAWING SYMBOLS

 RAILROAD BUNGALOW	 BIDIRECTIONAL CROSSING CONTROL	 GATE MECHANISM	 NARROW BAND SHUNT
 BELL	 CROSSING CONTROL CONNECTION	 AC POWER METER	 UNIDIRECTIONAL CROSSING CONTROL
 HARD WIRED SHUNT	 CANTILEVER	 INSULATED JOINTS	

SCOPE OF WORK

REPLACE: FLASHERS, CANTILEVERS & BUNGALOW
CONTROL DEVICES: CONSTANT WARNING
SALVAGE: NONE

GENERAL INFORMATION

LOCATION	SPRINGFIELD, MO
STREET	BOONVILLE AVE.
LINE SEGMENT	1018
MILEPOST	202.60
DOT#	664 181 R
DIVISION	HEARTLAND
SUBDIVISION	CUBA
OFFICE	LENEXA, KS
SCALE	NOT TO SCALE
DATE	08/20/2024
FILE	96334-STATESKETCH-.DGN
DRAW	AMW

RED = IN YELLOW = OUT



Contract Number: BF-20536855

Exhibit "C"

***** MAINTAIN PROPRIETARY CONFIDENTIALITY *****			
BNSF RAILWAY COMPANY FHPM ESTIMATE FOR SPRINGFIELD, MO			
LOCATION	DETAILS OF ESTIMATE	PLAN ITEM :	VERSION :
SPRINGFIELD		000367767	2
PURPOSE, JUSTIFICATION AND DESCRIPTION			
BOONVILLE AVE - SPRINGFIELD, MO: REPLACE CONSTANT WARNING / FLASHERS / CANTILEVERS; HEARTLAND DIV; CUBA SUBDIV; LS 1018; MP 202.60; DOT# 664181R; SEQ# 96334.			
MONTHLY POWER UTILITY COST CENTER : 61697.			
THE MATERIAL LIST BELOW REFLECTS TYPICAL REPRESENTATIVE PACKAGES USED FOR ESTIMATING PURPOSES ONLY.			
THIS ESTIMATE IS GOOD FOR 180 DAYS. THE ESTIMATE IS SUBJECT TO CHANGE IN COST FOR LABOR, MATERIAL, AND OVERHEAD.			
CONTRACTS HAVE BEEN ESTABLISHED FOR PORTIONS OF SIGNAL WORK ON THE BNSF RAILROAD.			
***** SIGNAL WORK ONLY *****			
THE CITY OF SPRINGFIELD, MO IS FUNDING 100% OF THIS PROJECT.			
MAINTAIN PROPRIETARY CONFIDENTIALITY. PRIMARY FUNDING SOURCE IS FHWA ** BUY AMERICA(N) APPLIES **			
DESCRIPTION	QUANTITY U/M	COST	TOTAL \$
***** LABOR *****			
ELECTRICAL LABOR F/SIGNAL EQUIPMENT	54.0 MH	2,620	
SIGNAL FIELD - REPLACE	1120.0 MH	55,689	
SIGNAL SHOP LABOR - CAP	0.01 MH	1	
PAYROLL ASSOCIATED COSTS		38,110	
DA OVERHEADS		86,122	
EQUIPMENT EXPENSES		20,710	
INSURANCE EXPENSES		11,556	
TOTAL LABOR COST		214,808	214,808
***** MATERIAL *****			
ARRESTOR, MDSA-1 XS	1.0 EA N	505	
BATTERY BOX	2.0 EA N	2,687	
BATTERY, VGL-255	10.0 EA N	2,578	
BATTERY, VGL-350	9.0 EA N	3,030	
BELLS	3.0 EA N	616	
BONDING MATERIAL	1.0 LS N	1,000	
BUNGALOW MATERIAL	1.0 LS N	9,058	
CABLE, 2C/6 TW	500.0 FT N	865	
CABLE, 3C/2	350.0 FT N	2,251	
CABLE, 5C/10	150.0 FT N	339	
CABLE, 5C/6	700.0 FT N	4,039	
CANTILEVER (REQUIRES QUOTE)	2.0 EA N	42,080	
CASE, DOUBLE HIGH	1.0 LS N	6,827	
CHARGERS, 12/80 (20/40/60)	2.0 EA N	3,262	
CONDUIT, STEEL 4"	100.0 FT N	1,528	
CONSTANT WARNING, XP4, 1TK	1.0 EA N	17,722	
ELECTRICAL MATERIAL	1.0 LS N	3,000	
EVENT RECORDER	1.0 EA N	5,641	
FIELD MATERIAL	1.0 LS N	5,980	
FILL DIRT	20.0 CY N	500	
FLASHER ASSEMBLY, COMPLETE	1.0 EA N	3,884	
FOUNDATION	1.0 EA N	786	
FOUNDATION, CANT	2.0 EA N	11,100	
LED LIGHT	20.0 EA N	4,466	
SHUNT, NBS	2.0 EA N	2,003	
SIDELIGHT, 1-WAY	1.0 EA N	847	
SWITCH INSULATED RODS	4.0 EA N	10,071	
USE TAX		10,765	
OFFLINE TRANSPORTATION		1,835	



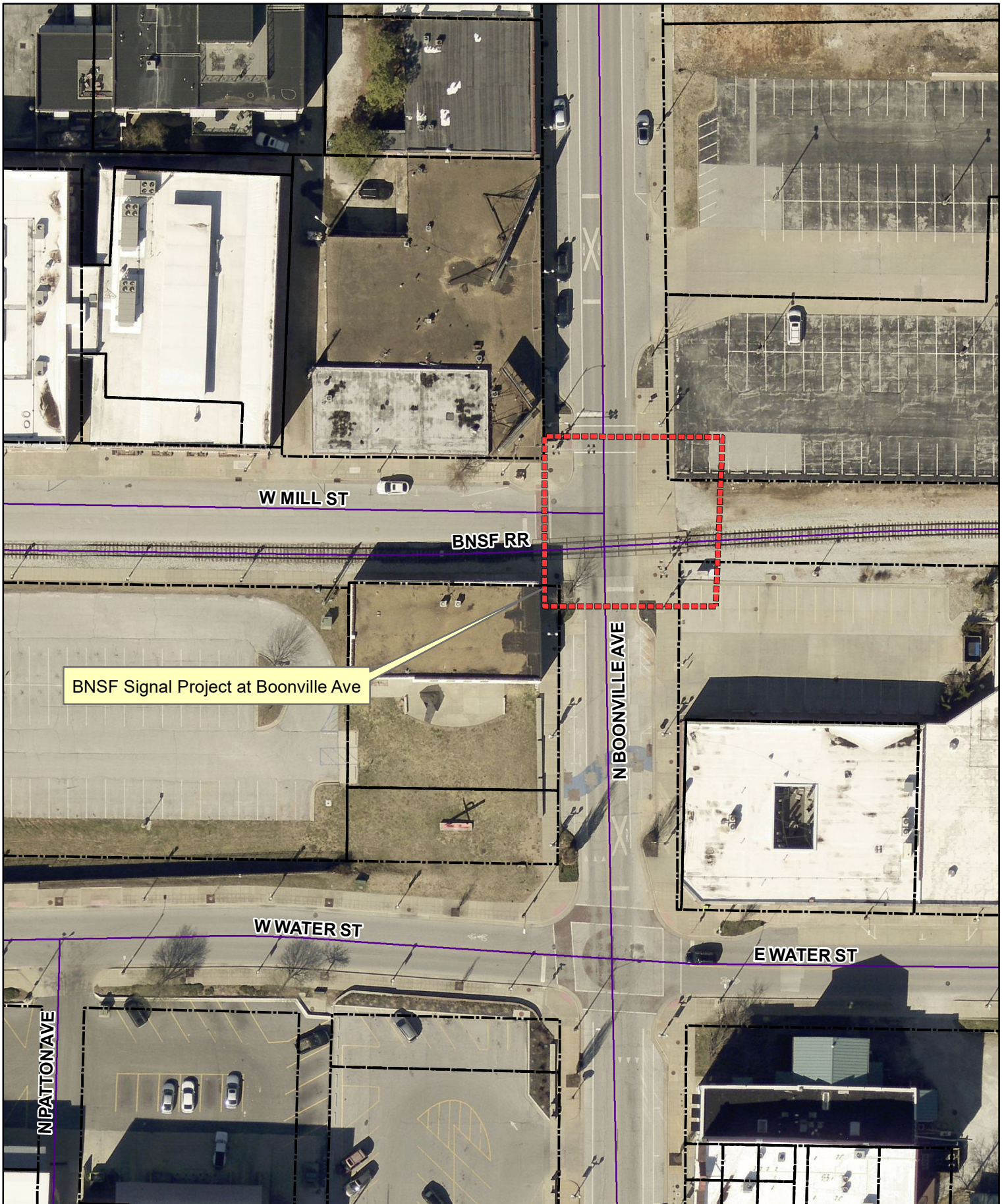
Contract Number: BF-20536855

Exhibit "C" cont.

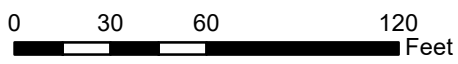
TOTAL MATERIAL COST		159,265	159,265

OTHER			

AC POWER SERVICE	1.0 EA N	6,250	
BUNGALOW, WIRE AND TEST	1.0 LS N	5,433	
CONTRACT ENGINEERING	1.0 LS N	15,000	
CONTRACT FLAGGING/ SIGNS/ CONES	1.0 LS N	6,000	
MACHINE RENTAL	1.0 LS N	10,000	
TOTAL OTHER ITEMS COST		42,683	42,683
PROJECT SUBTOTAL			416,756
CONTINGENCIES			38,598
BILL PREPARATION FEE			4,554
GROSS PROJECT COST			459,908
LESS COST PAID BY BNSF			0
TOTAL BILLABLE COST			459,908



City of Springfield, Missouri



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.



EXPLANATION TO COUNCIL BILL 2025-007 (JENSON)

FILED: 01/15/2025

ORIGINATING DEPARTMENT: Public Works

TITLE: A special ordinance authorizing the City Manager, or designee, to enter into a Grade Crossing Signal Installation Agreement with BNSF Railway Company in an amount not to exceed \$73,500 for the purpose of installing new signal equipment at Campbell Avenue.

PURPOSE: To authorize the City Manager, or designee, to enter into a Grade Crossing Signal Installation Agreement ("Exhibit 1") with BNSF Railway ("BNSF"), for the purpose of installing new signal equipment at Campbell Avenue ("Exhibit 2"), designated as United States Department of Transportation #664182X.

BACKGROUND INFORMATION: This proposed agreement will coordinate the cost of installing new signal equipment between the City and BNSF. The construction of the Renew Jordan Creek – Main Avenue to Boonville Avenue project will impact the existing railroad signal equipment at Campbell Avenue. In conjunction with the City's project, BNSF will install new signal equipment to alert southbound pedestrians of approaching trains. The improvements will include the installation of a new flasher and additional lights. The City will fully fund the project, estimated at \$73,200, from the Renew Jordan Creek – Main Avenue to Boonville Avenue project funds that have already been budgeted. This agreement will allow BNSF to administer the project with funding provided by the City of Springfield.

Supports the following City Council Priorities

- Public Safety

REMARKS: Public Works recommends passage of this council bill.

Submitted By: Brett Foster, Assistant Director of Public Works

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

Attachments:

1. BNSF Signal - Campbell_ord
2. BNSF Signal Agreement Campbell Ave Agree_Exh1
3. BNSF Signal Agreement Campbell Ave Map_Exh2

One-rdg. _____
P. Hrngs. _____
Pgs. 15
Filed: 01-07-25

Sponsored by: Jenson

First Reading: _____

Second Reading: _____

COUNCIL BILL 2025-007

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AUTHORIZING the City Manager, or designee, to enter into a Grade Crossing Signal
2 Installation Agreement with BNSF Railway Company in an amount not
3 to exceed \$73,500 for the purpose of installing new signal equipment
4 at Campbell Avenue.
5 _____
6

7 WHEREAS, the construction of the Renew Jordan Creek – Main Avenue to
8 Boonville Avenue project will impact the existing railroad signal equipment at Campbell
9 Avenue; and
10

11 WHEREAS, this agreement will coordinate the cost of installing new signal
12 equipment and additional warning devices at Campbell Avenue between the City and
13 BNSF Railway; and
14

15 WHEREAS, the City's obligations will be performed by the City's contractor for
16 the Renew Jordan Creek project or City crews and use Renew Jordan Creek project
17 funds that have already been budgeted.
18

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

22 Section 1 – The City Manager, or designee, is hereby authorized to enter into a
23 Grade Crossing Signal Installation Agreement with BNSF Railway Company in an
24 amount not to exceed \$73,500, substantially similar in form as the document attached
25 hereto and incorporated herein by reference as "Exhibit 1."
26

27 Section 2 – This Ordinance shall be in full force and effect from and after
28 passage.
29

30 Passed at meeting: _____
31
32
33

Mayor

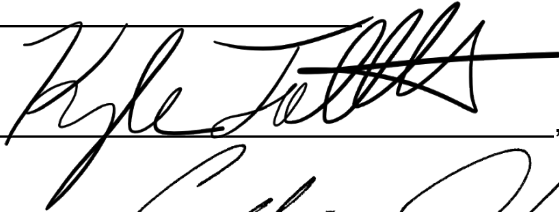
34 Attest: _____, City Clerk

35

36 Filed as Ordinance: _____

37

38

39 Approved as to form:  _____, Assistant City Attorney

40

41

42 Approved for Council action:  _____, Interim City Manager

EXHIBIT 1



Contract Number: BF-20536856

GRADE CROSSING SIGNAL INSTALLATION AGREEMENT

BNSF File No.: BF-2053686
Mile Post 202.269
Line Segment 1018
Track 1799
U.S. DOT Number 664182X
Cuba Subdivision

THIS GRADE CROSSING SIGNAL INSTALLATION AGREEMENT (hereinafter called, "Agreement"), is executed to be effective as of _____, by and between the **CITY OF SPRINGFIELD**, a Political Subdivision of the State of Missouri (hereinafter called, "AGENCY"), and **BNSF RAILWAY COMPANY**, a Delaware Corporation (hereinafter called, "RAILROAD");

WITNESSETH:

WHEREAS, in the interest of aiding vehicular travel and public safety, the AGENCY is undertaking a project to update by installing new railroad crossing signals and activation equipment on the road known as Campbell Ave;

WHEREAS, the project is located at U.S. DOT crossing 664182X as indicated on Exhibit "A", attached hereto and incorporated herein;

WHEREAS, the parties agree that the RAILROAD will receive no ascertainable benefit from the installation of advance warning signs, pavement marking stop bars or crossing signal equipment (hereinafter collectively called, "Crossing Signal Equipment");

WHEREAS, the AGENCY is paying for the acquisition and installation of crossing signal equipment at Campbell Ave;

WHEREAS, the RAILROAD agrees to purchase and install, at AGENCY'S sole expense, the crossing signal equipment described in the scope of work herein, and upon the terms and conditions set forth below.



Contract Number: BF-20536856

NOW, THEREFORE, in consideration of the mutual covenants and agreements of the parties contained herein, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

ARTICLE I – SCOPE OF WORK

- 1) The term “Project” as used in this agreement includes any and all work related to the installation of crossing signals and activation equipment at U.S. DOT crossing 664182X, more particularly described on Exhibit “A” and Exhibit “B” which are attached hereto and incorporated herein, including, but not limited to, any and all changes to telephone, telegraph, signal and electrical lines and appurtenances, installation of advance warning signs and pavement marking stop bars, installation of any new crossing surface, temporary and permanent track work, fencing, grading, alterations to or new construction of drainage facilities, preliminary and construction engineering and contract preparation.

ARTICLE II – RAILROAD OBLIGATIONS

In consideration of the covenants of AGENCY set forth herein and the faithful performance thereof, RAILROAD agrees as follows:

- 1) The RAILROAD will, using its own labor forces under applicable labor agreements, install the Crossing Signal Equipment at Campbell Ave. The work will be performed at AGENCY’s expense and in accordance with the MUTCD and the plans and specifications approved by AGENCY and the Federal Highway Administration. The plans and specifications are attached to this Agreement as Exhibit “B” and incorporated herein.
- 2) A detailed estimate of RAILROAD’S construction engineering, installation labor (including the costs, if any, of electrical service from a public utility) and material costs required for the Project are attached hereto as Exhibit “C” and incorporated herein. In the event construction for the Project has not commenced within six (6) months following the effective date of this Agreement, RAILROAD may, in its sole and absolute discretion, revise the cost estimates set forth in said Exhibit “C”. In such event, the revised cost estimates will become a part of this Agreement as though originally set forth herein. Any item of work incidental to the items listed on Exhibit “C” not specifically mentioned therein may be included as a part of this Agreement upon written approval of AGENCY, which approval will not be unreasonably withheld.



Contract Number: BF-20536856

- 3) RAILROAD will furnish all labor, materials, tools and equipment for the railroad portion of the work required for the construction of the Project.
- 4) The RAILROAD will, at AGENCY'S expense, dispose of all scrap from the RAILROAD'S work hereunder.
- 5) The RAILROAD will finalize and complete billing of all incurred costs under this Agreement no later than one (1) year following installation of the Crossing Signal Equipment.

ARTICLE III – AGENCY OBLIGATIONS

In consideration of the covenants of RAILROAD set forth herein and the faithful performance thereof, AGENCY agrees as follows:

- 1) AGENCY must perform, at AGENCY'S expense, the following work:
 - A. Installation of a pavement marking stop bar in accordance with the Manual on Uniform Traffic Control Devices (hereinafter called, "MUTCD").
 - B. Installation of advance warning signs in accordance with the MUTCD.
 - C. Traffic control in accordance with the MUTCD during installation of Crossing Signal Equipment.
 - D. Repair of sidewalk and roadway around Crossing Signal Equipment foundations in a manner approved by both AGENCY and RAILROAD.
- 2) The AGENCY will approve the location of the signals and signal bungalow prior to installation by RAILROAD.
- 3) Actual costs for engineering, materials and labor (including third party charges for the installation of electrical service) associated with the installation of the Crossing Signal Equipment must be paid by the AGENCY (including taxes, such as applicable sales and use taxes, business and occupation taxes, and similar taxes).
- 4) In the event the services of a consultant are needed after execution of this Agreement due to any exigency of the RAILROAD and the Project, the AGENCY and the RAILROAD will mutually agree, in writing, as to the selection of a consultant and the applicable scope of work to be performed by such consultant. All work performed



Contract Number: BF-20536856

hereunder by any consultant and any resulting costs must be paid by AGENCY as a part of the costs for the Project.

- 5) During the installation of the Crossing Signal Equipment, RAILROAD will send AGENCY progressive invoices detailing the costs of the work performed by RAILROAD under this Agreement. AGENCY must reimburse RAILROAD for completed force-account work within thirty (30) days of the date of the invoice for such work. Upon completion of the Project, RAILROAD will send AGENCY a detailed invoice of final costs, segregated as to labor and materials for each item in the recapitulation shown on Exhibit "C". Pursuant to this section, AGENCY must pay the final invoice within ninety (90) days of the date of the final invoice. RAILROAD will assess a finance charge of .033% per day (12% per annum) on any unpaid sums or other charges due under this Agreement which are past its credit terms. The finance charge continues to accrue daily until the date payment is received by RAILROAD, not the date payment is made or the date postmarked on the payment. Finance charges will be assessed on delinquent sums and other charges as of the end of the month and will be reduced by amounts in dispute and any un-posted payments received by the month's end. Finance charges will be noted on invoices sent to AGENCY under this section.
- 6) Intentionally Deleted
- 7) The AGENCY must have advance railroad crossing warning signs and standard pavement markings in place at the crossing shown on Exhibit "A" (if the same are required by the MUTCD) prior to the acceptance of this Project by the AGENCY. The AGENCY assumes full responsibility for the maintenance of advance warning signs and pavement markings and agrees to hold harmless and indemnify the RAILROAD for any claims, damages or losses, in whole or in part, caused by or due to the AGENCY'S failure to maintain the advance warning signs and markings or other requirements of the MUTCD.
- 8) The AGENCY must give RAILROAD's Manager of Public Projects written Notice to Proceed with the railroad portion of the work after receipt of necessary funds for the Project. BNSF will not begin the railroad work (including, without limitation, procurement of supplies, equipment or materials) until written notice to proceed is received from Agency.

ARTICLE IV- JOINT OBLIGATIONS

In consideration of the mutual covenants of the parties contained herein and the premises, the parties mutually agree as follows:



Contract Number: BF-20536856

- 1) All cost records of the RAILROAD pertaining to the Project will be open to inspection and audit at any reasonable time by representatives of the AGENCY (including the legislative auditor and fiscal analyst for the AGENCY) for a period of one (1) year from the date of the final RAILROAD invoice under this Agreement.
- 2) Upon completion of the installation of the Crossing Signal Equipment, the RAILROAD, will, at its sole cost and expense, operate and maintain the Crossing Signal Equipment and the new crossing surface in proper condition.
- 3) Notwithstanding the preceding provision, if any regulations, ordinances, acts, rules or other laws subsequently passed or amended by the AGENCY or any other appropriate governmental or legislative authority increase the AGENCY'S portion of maintenance costs under this Agreement, RAILROAD will receive the benefit of any such regulations, ordinances, acts, rules or other laws and the AGENCY'S increased portion of maintenance costs will be incorporated into and made a part of this Agreement.
- 4) If a railway or a highway improvement project necessitates rearrangement, relocation, or alteration of the Crossing Signal Equipment installed hereunder, the costs for such rearrangement, relocation or alteration will be the responsibility of the party requesting such changes.
- 5) If any of the Crossing Signal Equipment is partially or wholly destroyed, then such repair and/or replacement costs must be distributed among the parties as follows:
 - A. In the event the RAILROAD's sole negligence destroys or damages the Crossing Signal Equipment, RAILROAD must reimburse AGENCY for the costs to replace or repair such Crossing Signal Equipment.
 - B. In the event the Crossing Signal Equipment is damaged or destroyed by any other cause, AGENCY must, at its sole cost and expense, replace or repair such Crossing Signal Equipment.
- 6) If the Crossing Signal Equipment installed hereunder cannot, through age, be maintained, or, by virtue of its obsolescence, requires replacement, the cost of installation of new crossing signal equipment will be negotiated by the parties hereto on the basis of the current Federal Aid Railroad Signal Program participation and applicable AGENCY at the time of such replacement is warranted.



Contract Number: BF-20536856

- 7) This Agreement will inure to the benefit of and be binding on the parties hereto, their successors, and assigns.
- 8) In the event any paragraph contained in this Agreement or any item, part, or term within any particular paragraph is determined by a court of competent jurisdiction to be invalid or unenforceable, the validity of the remaining paragraphs or items will not be affected; and the rights and obligations of the parties will be construed and enforced as if this Agreement did not contain that particular paragraph or item held to be invalid or unenforceable.
- 9) This Agreement may be signed in counterparts, any one of which will be deemed to be an original. The parties further agree that any facsimile copy of a party's signature is valid and binding to the same extent as an original signature.

SIGNATURE PAGE FOLLOWS



Contract Number: BF-20536856

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

BNSF RAILWAY COMPANY

By: _____

Printed Name: _____

Title: _____

CITY OF SPRINGFIELD

By: _____

Printed Name: _____

Title: _____

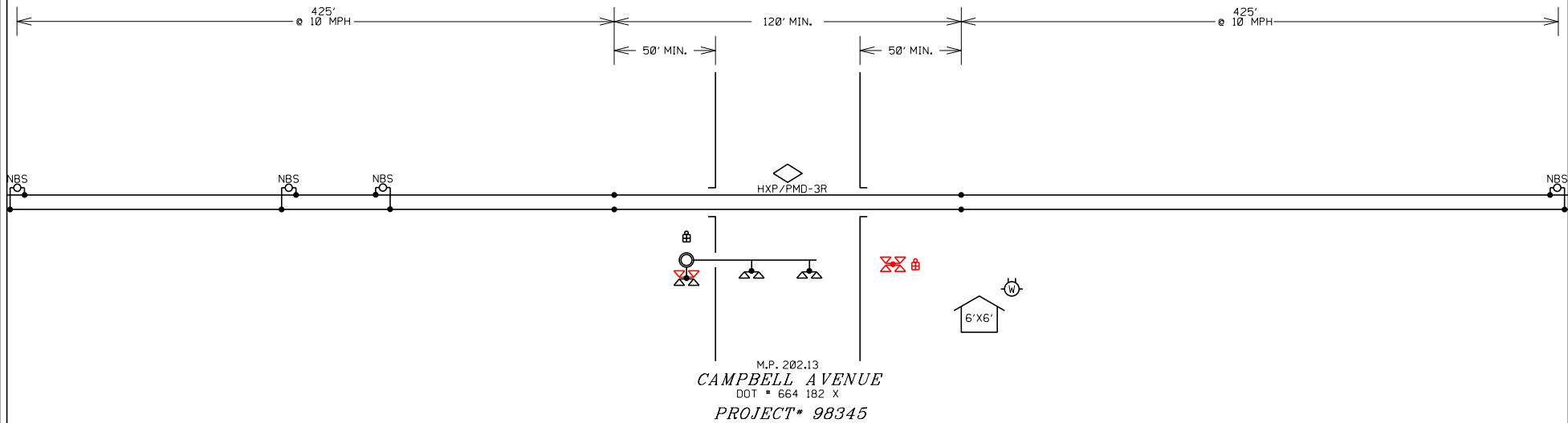


Contract Number: BF-20536856

Exhibit "A"

[Insert drawing of crossing here]

BNSF RAILWAY COMPANY



DRAWING SYMBOLS

 RAILROAD BUNGALOW	 BIDIRECTIONAL CROSSING CONTROL	 GATE MECHANISM	 NARROW BAND SHUNT
 BELL	 CROSSING CONTROL CONNECTION	 AC POWER METER	 UNIDIRECTIONAL CROSSING CONTROL
 HARD WIRED SHUNT	 CANTILEVER	 INSULATED JOINTS	

SCOPE OF WORK

REPLACE: FLASHERS
CONTROL DEVICES: CONSTANT WARNING
SALVAGE: NONE

GENERAL INFORMATION

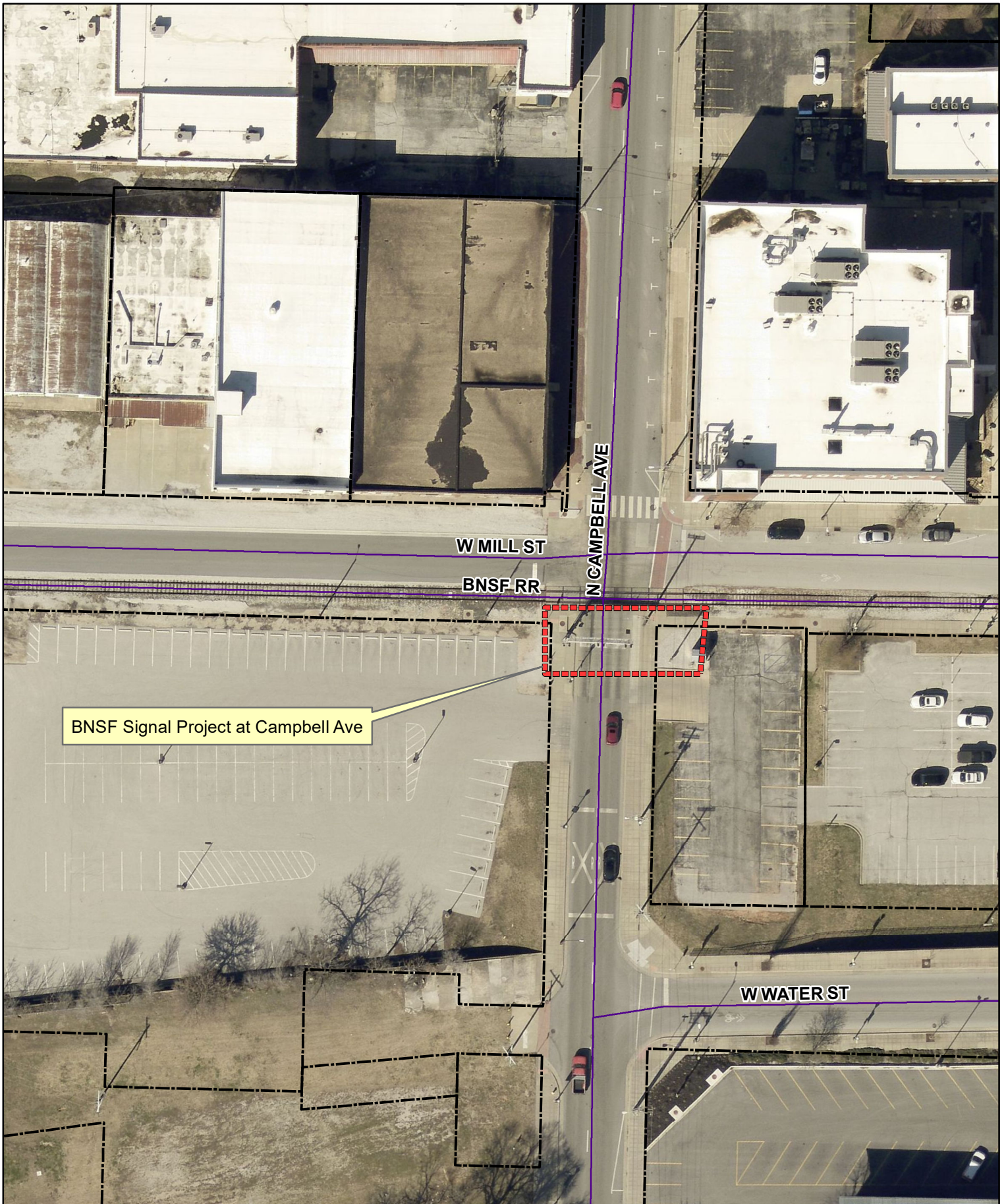
LOCATION	SPRINGFIELD, MO
STREET	CAMPBELL AVE
LINE SEGMENT	1018
MILEPOST	202.13
DOT#	664 182 X
DIVISION	HEARTLAND
SUBDIVISION	CUBA
OFFICE	LENEXA, KS
SCALE	NOT TO SCALE
DATE	09/26/2024
FILE	98345-STATESKETCH-.DGN
DRAW	AMW



Contract Number: BF-20536856

Exhibit "C"

***** MAINTAIN PROPRIETARY CONFIDENTIALITY *****			
BNSF RAILWAY COMPANY FHPM ESTIMATE FOR SPRINGFIELD, MO			
LOCATION	DETAILS OF ESTIMATE	PLAN ITEM :	VERSION :
SPRINGFIELD		000367957	4
PURPOSE, JUSTIFICATION AND DESCRIPTION			
CAMPBELL AVE - SPRINGFIELD, MO; REPLACE FLASHER; HEARTLAND DIV; CUBA SUBDIV; LS 1018; MP 202.13; DOT# 664182X; SEQ# 98345.			
MONTHLY POWER UTILITY COST CENTER : 61697.			
THE MATERIAL LIST BELOW REFLECTS TYPICAL REPRESENTATIVE PACKAGES USED FOR ESTIMATING PURPOSES ONLY.			
THIS ESTIMATE IS GOOD FOR 180 DAYS. THE ESTIMATE IS SUBJECT TO CHANGE IN COST FOR LABOR, MATERIAL, AND OVERHEAD.			
CONTRACTS HAVE BEEN ESTABLISHED FOR PORTIONS OF SIGNAL WORK ON THE BNSF RAILROAD.			
***** SIGNAL WORK ONLY *****			
THE CITY OF SPRINGFIELD, MO IS FUNDING 100% OF THIS PROJECT.			
MAINTAIN PROPRIETARY CONFIDENTIALITY. PRIMARY FUNDING SOURCE IS FHWA ** BUY AMERICA(N) APPLIES **			
DESCRIPTION	QUANTITY U/M	COST	TOTAL \$
***** LABOR *****			
SIGNAL FIELD - REPLACE	200.0 MH	9,945	
PAYROLL ASSOCIATED COSTS		6,500	
DA OVERHEADS		14,688	
EQUIPMENT EXPENSES		3,532	
INSURANCE EXPENSES		1,971	
TOTAL LABOR COST		36,636	36,636
***** MATERIAL *****			
BELLS	1.0 EA N	206	
BUNGALOW MATERIAL	1.0 LS N	3,000	
CABLE, 5C/10	250.0 FT N	600	
CABLE, 5C/6	200.0 FT N	1,240	
FLASHER ASSEMBLY, COMPLETE	1.0 EA N	3,884	
FOUNDATION	1.0 EA N	786	
LED LIGHT	6.0 EA N	1,340	
USE TAX		810	
OFFLINE TRANSPORTATION		134	
TOTAL MATERIAL COST		12,000	12,000
***** OTHER *****			
CONTRACT ENGINEERING	1.0 LS N	5,000	
DIRECTIONAL BORING	150.0 FT N	12,750	
TOTAL OTHER ITEMS COST		17,750	17,750
PROJECT SUBTOTAL			66,386
CONTINGENCIES			6,089
BILL PREPARATION FEE			725
GROSS PROJECT COST			73,200
LESS COST PAID BY BNSF			0
TOTAL BILLABLE COST			73,200



BNSF Signal Project at Campbell Ave

W MILL ST

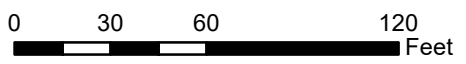
BNSF RR

N CAMPBELL AVE

W WATER ST



City of Springfield, Missouri



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.



EXPLANATION TO COUNCIL BILL 2025-010 (MCGULL)

FILED: 01/06/2025

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A special ordinance granting Conditional Use Permit No. 478 for the purpose of permitting an adaptive use of a nonresidential structure, generally located at 3080 East Cherry Street, within the R-LD, Low Density Multi-Family Residential District. (By: Franklin Partners, LP; 3080 E. Cherry Street; Conditional Use Permit No. 478)

PURPOSE: To establish a conditional use permit for an adaptive use of a nonresidential structure in a residential district within a R-LD, Low Density Multi-Family Residential District generally located at 3080 East Cherry Street (Staff and Planning and Zoning Commission recommend approval).

BACKGROUND INFORMATION: CONDITIONAL USE PERMIT NUMBER 478

The applicant, Franklin Partners, LP, is requesting a Conditional Use Permit for a pet grooming business and other low impact commercial uses as listed in the conditions.

CONDITIONS: The regulations and standards listed on Exhibit D - Attachment 2 shall govern and control the use and development of the land in Conditional Use Permit Number 476 in a manner consistent with the attached site plan (Exhibit D - Attachment 4).

FINDINGS FOR STAFF RECOMMENDATION:

1. The Comprehensive Plan's Land Use & Development chapter identifies the subject property as the Traditional neighborhood placetype. 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.
2. Staff has determined that the requested rezoning and Conditional Use Permit are in general alignment with the objectives and intent of the Comprehensive Plan's Traditional Neighborhood Placetype as outlined in the Compatibility with the Comprehensive Plan section (above).
3. This application is for an adaptive use of a non-residential structure in a residential district. The purpose of these regulations is to allow for the use of structures, originally constructed for nonresidential uses and currently located in residential districts, for selected nonresidential, multiple unit residential and mixed nonresidential and residential uses provided the review by the planning and zoning commission and city

council determines the proposed use would not have significant adverse impacts on the surrounding neighborhood. The applicant is requesting that the existing multi-family clubhouse be allowed to have business and professional offices, beauty and barber shops, dry cleaning and laundry pick-up or pet grooming with accessory product sales uses. The following are not accessory to the pet grooming use and are prohibited: a. Overnight pet stays b. The sale or breeding of pets c. Kennels d. Veterinarian services e. Outside Activity other than approved Supervised Outside Activities.

4. The business and professional offices, beauty and barber shops, dry cleaning and laundry pick-up or pet grooming with accessory product sales uses would have the following limitations per Section 36-363 of the Zoning Ordinance:

1. Hours during which the establishment is open to the public shall be limited to a daily period extending from 7:00 a.m. to 6:00 p.m.

2. The following condition modifies this section. No new detached signage is permitted for business and professional offices, beauty and barber shops, dry cleaning and laundry pick-up or pet grooming with accessory product sales in association with the adaptive use of a nonresidential structure in a residential district. Wall signs are permitted with a maximum sign area of ten percent of the façade if located along the façade with street frontage.

3. Expansions not to exceed 20 percent of the existing floor area of the structure or 1,000 square feet, whichever is less, may be approved at the time the conditional use permit is granted.

5. A site plan has been provided (Attachment 4) showing the existing site and structures and use area limitations.

6. There are no bufferyards required between this use since it is already a part of the existing development.

7. New additions or expansions to the existing structure is allowed as prescribed in Subsection 36-363(9).

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

9. Approval of this application is subject to the Requirements of Approval (Exhibit D - Attachment 1) and site plan (Exhibit D - Attachment 4).

REMARKS: The Planning and Zoning Commission held a public hearing on December 19, 2024, and recommended approval, by a vote of 7 to 0 of the proposed conditional use permit (see the attached "Exhibit C," Record of Proceedings). The Planning and Development staff recommends the application be approved with the conditions (see attached Exhibit A).

Submitted By: Daniel Neal, Senior City Planner

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

Maurice S. Jones, Deputy City Manager 1/21/2025

Attachments: 1. Conditional Use Permit 478 - 3080 East Cherry Street

2. CUP 478_exhA
3. CUP 478_exhB
4. CUP 478_exhC
5. CUP 478_exhD

One-rdg. _____
P. Hrngs. X
Pgs. 31
Filed: 01-21-25

Sponsored by: McGull

First Reading: _____

Second Reading: _____

COUNCIL BILL 2025-010

SPECIAL ORDINANCE _____

AN ORDINANCE

1 GRANTING Conditional Use Permit No. 478 for the purpose of permitting an
2 adaptive use of a nonresidential structure, generally located at 3080
3 East Cherry Street, within the R-LD, Low Density Multi-family
4 Residential District.
5 _____
6

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

11 WHEREAS, following proper notice, the Planning and Zoning Commission held a
12 public hearing on December 19, 2024, a copy of the Record of Proceedings from said
13 public hearing being attached hereto and incorporated herein by this reference as
14 "Exhibit C," and recommended approval of Conditional Use Permit No. 478 for the
15 property generally located at 3080 East Cherry Street by a vote of 7 to 0; and
16

17 WHEREAS, City Council finds that sufficient evidence has been presented to
18 satisfy all applicable standards of the Land Development Code for issuance of
19 Conditional Use Permit No. 478; and
20

21 WHEREAS, the granting of such permit is deemed proper, and it is not found to
22 harm the community or injure the value, lawful use, or reasonable enjoyment of
23 properties in the vicinity of 3080 East Cherry Street.
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 adopts the findings of fact on the proposed conditional
29 use as set forth in "Exhibit D – Attachment 2," attached hereto and incorporated herein
30 by this reference. Conditional Use Permit No. 478 is hereby granted in accordance with
31 and subject to the provisions of Section 36-363 of the Land Development Code.
32 Conditional Use Permit No. 478 is granted for the purpose of permitting an adaptive use
33 of a nonresidential structure as a conditional use within the R-LD – Low-Density Multi-
34 family Residential District located at the property described in "Exhibit B," which is

35 attached hereto and incorporated herein by this reference, and which is generally
36 located at 3080 East Cherry Street.

37
38 Section 2 – Building permits, certificates of occupancy, and any other required
39 permits or approvals may be issued by the duly authorized officials of the City provided
40 that such issuance is consistent with Section 36-363 of the Land Development Code,
41 any other applicable City regulation or ordinance, and the “Requirements for Conditional
42 Use Permit 478” described in “Exhibit D – Attachment 1” and “Exhibit A,” which is
43 attached hereto and incorporated herein by this reference. Additionally, the provisions
44 contained in “Exhibit D – Attachment 1” and “Exhibit A” shall govern and control the use
45 and development of the land described in “Exhibit B,” in a manner consistent with the
46 attached site plan depicted on “Exhibit D – Attachment 4.”

47
48 Section 3 – Any violation of the provisions of this Ordinance shall be grounds for
49 the revocation of the Conditional Use Permit granted by the adoption of this Ordinance.

50
51 Section 4 – This Ordinance shall be in full force and effect from and after
52 passage only so long as the Property and any improvements thereon conform to the
53 conditions and requirements described in Section 36-363 of the Land Development
54 Code, other applicable City regulations or ordinances, and this Ordinance.

55
56 Passed at meeting: _____

57
58 _____
59 Mayor

60
61 Attest: _____, City Clerk

62
63 Filed as Ordinance: _____

64
65 *Laura Vales*
66 Approved as to form: _____, Assistant City Attorney

67
68 *Colin Sykes*
69 Approved for Council action: _____, Interim City Manager

EXHIBIT A
REQUIREMENTS FOR CONDITIONAL USE PERMIT 478

1. The adaptive use of a nonresidential use in a residential district (business and professional offices, beauty and barber shops, dry cleaning and laundry pick-up or pet grooming with accessory product sales) shall comply with all the standards listed in Attachment 2.
2. **The following are not accessory to the pet grooming use and are prohibited:** a. Overnight pet stays b. The sale or breeding of pets c. Kennels d. Veterinarian services e. Outside Activity other than approved Supervised Outside Activities.
3. The adaptive use of a nonresidential use in a residential district (business and professional offices, beauty and barber shops, dry cleaning and laundry pick-up or pet grooming with accessory product sales) shall be permitted in conformance with Attachment 4.
4. The hours of operation for business and professional offices, beauty and barber shops, dry cleaning and laundry pick-up or pet grooming with accessory product sales as part of the adaptive use of a nonresidential structure in a residential district shall be from 7:00 a.m. to 6:00 p.m.
5. No new detached signage is permitted for business and professional offices, beauty and barber shops, dry cleaning and laundry pick-up or pet grooming with accessory product sales in association with the adaptive use of a nonresidential structure in a residential district. Wall signs are permitted with a maximum sign area of ten percent of the façade if located along the façade with street frontage.
6. All other standards of the Zoning Ordinance and other applicable Ordinances shall be adhered to.

EXHIBIT B
LEGAL DESCRIPTION
CONDITIONAL USE PERMIT 478

A TRACT OF LAND LOCATED IN LOT 1 OF "CHERRY HILLS VILLAGE PHASE II", AN ADMINISTRATIVE REPLAT OF LOT TWO (2) OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 29 NORTH, RANGE 21 WEST OF THE 5TH P.M., CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1, THENCE SOUTH 01°08'09" WEST ALONG THE EAST LINE OF SAID LOT 1, 106.03 FEET; THENCE LEAVING SAID EAST LINE, NORTH 84°54'12" WEST, 63.11 FEET; THENCE NORTH 05°05'48" EAST, 106.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST CHERRY STREET; THENCE SOUTH 84°40'22" EAST ALONG SAID RIGHT-OF-WAY LINE, 55.79 FEET TO SAID NORTHEAST CORNER AND THE **POINT OF BEGINNING**.

CONTAINING APPROXIMATELY 6,294 SQ. FT. OR 0.14 ACRES, MORE OR LESS.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS PER MISSOURI STATE PLANE COORDINATES, CENTRAL ZONE, NAD 83 (2011).

EXHIBIT C
RECORD OF PROCEEDINGS
Planning and Zoning Commission – December 19, 2024

Conditional Use Permit 478
3080 East Cherry Street
Applicant: Franklin Partners, LP

Mr. Neal states that this is a request to establish an adaptive use of a nonresidential structure in a residential district within a R-LD, Low Density Multi-Family Residential District.

Ms. Crystal Webster, 722 W. Olive Street, Morelock Builders noted that this is for a dog groomer business that serves 216 units of the multifamily and would like to allow clients from the outside to participate.

Ms. Broekhoven closed the meeting.

COMMISSION ACTION:

Planning and Zoning Commissioner Doennig moved to approve Conditional Use Permit 478; Commissioner Knuckles seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Broekhoven; Commissioner Ridge, Commissioner Colony, Commissioner Knuckles, Commissioner Pauly, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: Commissioner Lebeck and Commissioner Gunther. Abstain: None.



Bob Hosmer, AICP
Planning Manager

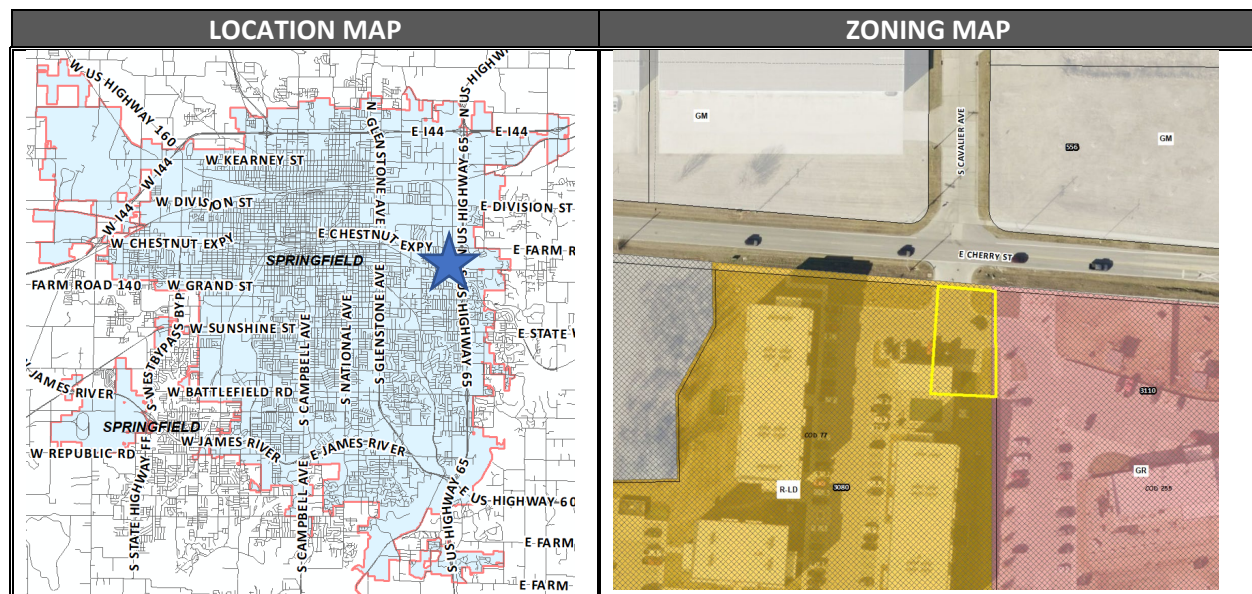


DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION	
Case Number:	Conditional Use Permit No. 478
Location:	3080 E. Cherry Street
Total Acres:	0.15 acre
Applicant:	Franklin Partners, LP
Existing Land Use:	Multi-family residential uses
Neighborhood Meeting:	November 25, 2024
Planning and Zoning Commission:	December 19, 2024
City Council:	January 27, 2024
Public Notification:	Mail, posted property, and legal in Daily Events
Staff:	Daniel Neal, Senior Planner, (417) 864-1036
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to adopt the staff's responses in Attachment 2 to the staff report as the findings of fact and recommend approval of CUP 478 subject to the conditions listed in Attachment 1 to the staff report. (All commission motions are made in the affirmative.)
Required Vote:	A majority of those present (5 members are a quorum).

PROJECT SUMMARY:

Request to establish an Adaptive Use of a Nonresidential structure in a residential district as a Conditional Use Permit within a R-LD, Low Density Multi-Family Residential District generally located at 3080 E. Cherry Street.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property was rezoned to R-LD, Low Density Multi-Family Residential District, in 2018. The existing apartments and clubhouse/amenities were constructed in 2021.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-363. – Conditional Use Permit

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

(8) *Period of validity.*

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

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

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

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

DEVELOPMENT REVIEW STAFF REPORT

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *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.

DEVELOPMENT REVIEW STAFF REPORT

- 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.

DEVELOPMENT REVIEW STAFF REPORT

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

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

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

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

This aerial map shows the intersection of S Cavalier Ave and E Cherry St. The map is overlaid with a grid of zoning districts. A yellow rectangle highlights a specific lot within the R-LD (Residential Low-Density) zone, located east of S Cavalier Ave and south of E Cherry St. The map also shows other zoning districts: GM (General Medium-Density) to the north, R-LD (Residential Low-Density) to the south, and GR (General Residential) to the east. The map includes labels for 'Secondary Arterial' roads, 'CITY Local' streets, and various zoning codes like GM, R-LD, and GR. A yellow rectangle highlights a specific lot within the R-LD zone.

	NORTH	SOUTH	EAST	WEST
ZONING	GM	R-LD	GR	R-LD
LAND USE	Manufacturing and storage uses	Multi-family apartment complex	Personal Service Establishment	Multi-family apartment complex
PLACETYPES	Business Flex	Traditional Neighborhood	Business Flex	Traditional Neighborhood

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT COMMENTS:

1. DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:
No comments.
2. CITY UTILITIES:
No issues with the proposed CUP.
3. DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:
No objection to the CUP.
4. FIRE DEPARTMENT:
No comments.
5. DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

The property is in the **Jordan Creek South Branch** drainage basin. The property **is not** located in a FEMA designated floodplain. Staff **is** aware of flooding problems in the local or downstream area. The city **is** aware of a sinkhole or other Karst feature at this location. The property **does not have a stream buffer on site**. A fee in lieu of on-site stormwater detention **is not applicable because detention is already provided**.

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

DETENTION AND DISCHARGE REQUIREMENTS

1. Detention for flood control is provided on site by the Sinkhole G073. PRJ2020-00011, PRJ2021-00760, and PRJ2021-01557 provide the grading needed to drain to the sinkhole.

WATER QUALITY REQUIREMENTS

1. Water Quality is provided by an extended dry detention basin built as part of PRJ2021-00760.

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

DEVELOPMENT REVIEW STAFF REPORT

SINKHOLES & KARST FEATURES

Sinkhole G073 is a large sinkhole and is present on the southern part of the property. The sinkhole has a drainage area of 100-110 acres. The sinkhole is providing flood control volume to the development at 3080 E Cherry

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.

6. DEPARTMENT OF PUBLIC WORKS TRAFFIC DIVISION:

TRAFFIC REPORT

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	E. Cherry Street	Secondary Arterial	City	35	35	NA	No	Yes	Yes

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

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

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

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant, Franklin Partners, LP, has requested this Conditional Use Permit to establish an Adaptive Use of a Nonresidential structure in a residential district as a Conditional Use Permit within a R-LD, Low Density Multi-Family Residential District generally located at 3080 E. Cherry Street. The applicant is requesting a Conditional Use Permit for a pet grooming business and potentially other low impact commercial uses as listed in the conditions.
2. This application is for an adaptive use of a non-residential structure in a residential district. The purpose of these regulations is to allow for the use of structures, originally constructed for nonresidential uses and currently located in residential districts, for selected nonresidential, multiple unit residential and mixed nonresidential and residential uses provided the review by the planning and zoning commission and city council

DEVELOPMENT REVIEW STAFF REPORT

determines the proposed use would not have significant adverse impacts on the surrounding neighborhood. The applicant is requesting that the existing multi-family clubhouse be allowed to have business and professional offices, beauty and barber shops, dry cleaning and laundry pick-up or pet grooming with accessory product sales uses. **The following are not accessory to the pet grooming use and are prohibited:**

- Overnight pet stays
- The sale or breeding of pets
- Kennels
- Veterinarian services
- Outside Activity other than approved Supervised Outside Activities.

- The business and professional offices, beauty and barber shops, dry cleaning and laundry pick-up or pet grooming with accessory product sales uses would have the following limitations per Section 36-363 of the Zoning Ordinance:
 - Hours during which the establishment is open to the public shall be limited to a daily period extending from 7:00 a.m. to 6:00 p.m.
 - The following condition modifies this section. No new detached signage is permitted for business and professional offices, beauty and barber shops, dry cleaning and laundry pick-up or pet grooming with accessory product sales in association with the adaptive use of a nonresidential structure in a residential district. Wall signs are permitted with a maximum sign area of ten percent of the façade if located along the façade with street frontage.
 - Expansions not to exceed 20 percent of the existing floor area of the structure or 1,000 square feet, whichever is less, may be approved at the time the conditional use permit is granted.
- A site plan has been provided (Attachment 4) showing the existing site and structures and use area limitations.
- There are no bufferyards required between this use since it is already a part of the existing development.
- New additions or expansions to the existing structure is allowed as prescribed in Subsection 36-363(9).
- Staff has determined that the requested rezoning and Conditional Use Permit are in general alignment with the objectives and intent of the *Comprehensive Plan's* Traditional Neighborhood Placetype as outlined in the Compatibility with the Comprehensive Plan section (above).
- The proposed Conditional Use Permit was reviewed by City departments and comments are contained in the staff report (above).
- The applicant held a neighborhood meeting on November 25, 2024, regarding the rezoning request. A summary of the meeting is attached (Attachment 3).
- 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

DEVELOPMENT REVIEW STAFF REPORT

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 based on the development's compliance with the standards of approval below (Attachment 2).

PLANNING AND ZONING OPTIONS:

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

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

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ATTACHMENT 1 CONDITIONAL USE PERMIT NO. 478

1. The adaptive use of a nonresidential use in a residential district (business and professional offices, beauty and barber shops, dry cleaning and laundry pick-up or pet grooming with accessory product sales) shall comply with all the standards listed in Attachment 2.
2. **The following are not accessory to the pet grooming use and are prohibited:** a. Overnight pet stays b. The sale or breeding of pets c. Kennels d. Veterinarian services e. Outside Activity other than approved Supervised Outside Activities.
3. The adaptive use of a nonresidential use in a residential district (business and professional offices, beauty and barber shops, dry cleaning and laundry pick-up or pet grooming with accessory product sales) shall be permitted in conformance with Attachment 4.
4. The hours of operation for business and professional offices, beauty and barber shops, dry cleaning and laundry pick-up or pet grooming with accessory product sales as part of the adaptive use of a nonresidential structure in a residential district shall be from 7:00 a.m. to 6:00 p.m.
5. No new detached signage is permitted for business and professional offices, beauty and barber shops, dry cleaning and laundry pick-up or pet grooming with accessory product sales in association with the adaptive use of a nonresidential structure in a residential district. Wall signs are permitted with a maximum sign area of ten percent of the façade if located along the façade with street frontage.
6. All other standards of the Zoning Ordinance and other applicable Ordinances shall be adhered to.

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ATTACHMENT 2 STANDARDS FOR CONDITIONAL USE PERMIT NO. 478

Sec. 36-363 (10) Standards. An application for a Conditional Use Permit shall be granted only if evidence is presented at the public hearing which establishes the following:	Applicant's response:	Staff's response:
1. The proposed conditional use will be consistent with the adopted policies in the Springfield <i>Comprehensive Plan</i> .	The proposed conditional use will have a negligible impact on the existing characteristic of the surrounding neighborhood. It would serve to relocate a limited number of trips through congested traffic corridors for similar services, better serving the surrounding community, and would further utilize a portion of the city where the infrastructure has been built up.	Staff has concluded that the proposed conditional use within the requested R-LD district is in general alignment with the <i>Comprehensive Plan's</i> Traditional Neighborhood Placetype designation.
2. The proposed conditional use will not adversely affect the safety of the motoring public and of pedestrians using the facility and the area immediately surrounding the site.	The subject property currently provides both active vehicular and pedestrian access to the East Cherry Street right-of-way via driveway and sidewalk connections, respectively. These connections are existing as part of the overall development and the proposed conditional use will not alter their operation, nor adversely affect the safety of motorists and pedestrians in the area.	Public Works – Traffic has reviewed the proposed conditional use and has determined that it will not adversely affect the safety of the motoring public or of pedestrians using the facility or within the immediate surroundings of the proposal.
3. The proposed conditional use will adequately provide for safety from fire hazards and have effective measures of fire control.	The proposed conditional use shall occupy existing facilities equipped with portable fire extinguishers and fire alarm systems. The	The Fire Department has reviewed the proposed conditional use and hasn't noted any concerns about fire safety and fire control measures. The

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	nearest fire hydrant is within 150 feet of the most remote point on the external façade of the building.	Fire Department's comments are provided within the Department Comments section of the staff report, above.
4. The proposed conditional use will not increase the hazard to adjacent property from flood or water damage.	The proposed conditional use shall occupy existing facilities that will in no way increase the hazard to adjacent property from flood or water damage.	Public Works – Stormwater has reviewed the proposed conditional use and has provided their comments within the Department Comments section of the staff report, above.
5. The proposed conditional use will not have noise characteristics that exceed the sound levels that are typical of uses permitted as a matter of right in the district.	The proposed conditional use shall operate in accordance with the noise standards contained in Section 36-485 of the Land Development Code of The City of Springfield.	Staff does not have any concerns pertaining to the anticipated noise levels associated with the proposed CUP uses which should fit in with the existing uses in the area and with the restrictions on hours of operation.
6. The glare of vehicular and stationary lights will not affect the established character of the neighborhood, and to the extent such lights will be visible from any residential district, measures to shield or direct such lights to eliminate or mitigate such glare are proposed.	The existing site lighting on the subject property is provided in accordance with previously approved photometric plans. The existing parking spaces for the overall development are generally directed away or set back from both public right-of-way and residential districts adjacent to the subject property. The proposed conditional use will not alter the existing facilities. The existing parking spaces designated for the proposed conditional use are oriented towards the building containing it and away from any residential use.	All future stationary lighting will be required to be meet the requirements and limitations of Section 36-484, Exterior lighting.
7. The location, lighting, and type of signs and the relationships of signs to traffic control is appropriate for the site.	There is currently one existing wall sign, internally lit as to be visible after dark, on the subject building for the lot's principal use. Signage for the proposed use shall be limited to wall	All future signage must comply with the requirements and limitations of the CUP approval standards and Section 36-454, Signs, of the Zoning Ordinance.

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	signs with a maximum sign area of ten percent of the facade. Wall signs shall only be located on facades with street frontage and be installed to visually direct patrons to the proposed use entry point. Signs shall not be internally lit or externally illuminated without specific approval by the City under a separate permit.	
8. Such signs will not have an adverse effect on any adjacent properties.	There is currently one existing wall sign on the subject building for the lot's principal use. Adjacent properties along this corridor are zoned either General Manufacturing (GM) or General Retail (GR) with buildings displaying similar signage. Signage for the proposed use will not have an adverse effect on any adjacent properties.	All future signage must comply with the requirements and limitations of the CUP approval standards and Section 36-454, Signs, of the Zoning Ordinance.
9. The street right-of-way and pavement width in the vicinity is or will be adequate for traffic reasonably expected to be generated by the proposed use.	The street right-of-way, pavement width, and classification were deemed adequate for the existing multi-family development currently in operation as the principal use of the subject property. The proposed conditional use is expected to generate a low, non-concentrated volume of additional trips to and from the subject property and not impact the overall level of service of the adjacent street.	As noted by Public Works – Traffic, there are no concerns at this time regarding the proposal's impact on traffic in the area.
10. The proposed conditional use will not have any substantial or undue adverse effect upon, or will lack amenity or will be	The proposed conditional use will allow the commercial space to offer services both to residents of the multi-family	Staff doesn't anticipate that the proposed development will adversely impact or be incompatible with the surrounding property. The

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incompatible with, the use or enjoyment of adjacent and surrounding property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety and general welfare.	development and the public at large. Without the ability to offer services to the public at large, the commercial space tenant would be limited in their ability to obtain business and be successful. For this reason, a commercial space restricted solely to the business of the multi-family development would not be a lucrative location, and therefore difficult for the property owner to maintain an active tenant. The approval of the conditional use permit would ensure that commercial space is regularly occupied and operating, providing a benefit to the multi-family development and surrounding properties. The proposed conditional use will not interfere with any other existing amenities or the activities of surrounding properties.	applicant is proposing to use a portion of an existing nonresidential structure.
11. The proposed conditional use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. In determining whether the proposed conditional use will so dominate the immediate neighborhood, consideration shall be given to: a. The location, nature and height of buildings,	The proposed conditional use will occupy existing facilities, with a very minimal footprint, in a one-story building adequately set back from the road and neighboring properties. The buildings and site design, including existing landscaping, are per previously approved plans.	Staff does not anticipate any changes that would dominate the immediate vicinity or interfere with the development and use of the neighboring property. The applicant is proposing to use a portion of an existing nonresidential structure.

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structures, wall and fences on the site; and b. The nature and extent of landscaping and screening on the site.		
12. The proposed conditional use, as shown by the application, will not destroy, damage, detrimentally modify or interfere with the enjoyment and function of any significant natural topographic or physical features of the site.	The proposed conditional use shall occupy existing facilities and will not destroy, damage, detrimentally modify or interfere with the enjoyment and function of any feature of the site or adjacent properties.	Staff has no concerns with the effects this use will have to surrounding properties as they are using an existing building.
13. The proposed conditional use will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance.	The proposed conditional use shall occupy existing facilities and will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.	The applicant is utilizing the existing structure.
14. The proposed conditional use otherwise complies with all applicable regulations of the Article, including lot size requirements, bulk regulations, use limitations and performance standards.	The proposed conditional use shall occupy existing facilities that are compliant with the bulk regulations and operate within the use limitations of the R- LD zoning district.	The proposed use and site plan appear to comply with all district regulations.
15. The proposed conditional use at the specified location will contribute to or promote the welfare or convenience of the public.	The proposed conditional use will allow the commercial space to offer services both to residents of the multi-family development and the public at large. By providing services to the public at large, the proposed conditional use would provide the surrounding area with a benefit by adding an additional option for consumers to obtain these services. The location of the use, outside of	The proposed use is for adaptive uses that will serve residents.

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	congested commercial corridors, would be beneficial to patrons and the city in general.	
16. Off-street parking and loading areas will be provided in accordance with the standards set out in 36-455, 36-456 and 36-483 of this Article, and such areas will be screened from any adjoining residential uses and located to protect such residential uses from any injurious effect.	The proposed conditional use shall utilize (4) existing parking spaces as designated on the site plan. The proposed multi-family development currently has an excess of (28) parking spaces per parking calculations noted on the site plan.	One space each 300 square feet of total building floor area for pet grooming uses and one space for each 350 square feet of total building floor area for business or professional office uses. The proposed CUP building area is approximately 425 sq. ft. Four spaces would meet the requirements of Section 36-455 of the Zoning Ordinance.
17. Adequate access roads or entrance or exit drives will be provided and will be designed so as to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.	The subject property currently provides both active vehicular and pedestrian access to the East Cherry Street right-of-way via driveway and sidewalk connections, respectively. These connections are existing as part of the overall development and the proposed conditional use will not alter their operation, nor adversely affect the safety of motorists and pedestrians in the area.	PW Traffic indicates no issues with existing access to the site.
18. The vehicular circulation elements of the proposed application will not create hazards to the safety of vehicular or pedestrian traffic on or off the site, disjointed vehicular or pedestrian circulation paths on or off the site, or undue interference and inconvenience to vehicular and pedestrian travel.	The subject property currently provides both active vehicular and pedestrian access to the East Cherry Street right of way via driveway and sidewalk connections, respectively. On the subject property, sidewalks are provided to separate pedestrian and vehicular traffic. The proposed use is at the front of the property and will not interfere with pedestrian or vehicular facilities, on or off site.	Since the building is small and existing, staff does not expect the creation of traffic or pedestrian hazards with the approval of this Conditional Use Permit.

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19. The proposed use, as shown by the application, will not interfere with any easements, roadways, rail lines, utilities and public or private rights-of-way.	The proposed conditional use shall occupy existing facilities and will not interfere with any easements, roadways, rail lines, utilities and public or private rights-of-way.	There is not any known interference with any public rights-of-way or easements.
20. In the case of existing structures proposed to be converted to uses requiring a conditional use permit, the structures meet all fire, health, building, plumbing and electrical requirements of the City of Springfield.	The existing structure was constructed per plans originally dated January 2, 2020, and issued original occupancy permits July 23, 2021.	Any new or converted facilities must meet all City code requirements.
21. The proposed conditional use will be served adequately by essential public facilities and services such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services.	The subject property currently provides both active vehicular and pedestrian access to the East Cherry Street right of way via driveway and sidewalk connections, respectively. Existing facilities have sufficient parking for the existing principal use and the proposed conditional use. The property and existing facilities are served by City Utilities for water, sewer, and electric and the proposed commercial tenant shall not be sub-metered or sub-billed. Police and fire protection are available at the property.	The property is currently served by all public facilities and services.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Conditional Use Permit for: Adaptive Use of a Nonresidential Structure
2. Meeting Date & Time: November 25th - 4PM to 6:30PM
3. Meeting Location: 3080 E Cherry Street
4. Number of invitations that were sent: 18
5. How was the mailing list generated: City of Springfield Staff
6. Number of neighbors in attendance (attach a sign-in sheet): 0
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

N/A - No neighbors notified were in attendance of the neighborhood meeting

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

N/A - No neighbors notified were in attendance of the neighborhood meeting

I, Josh Burris (*print name*), attest that the neighborhood meeting was held on 11/25/2024 (*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

Josh Burris

Printed name of person completing affidavit

Neighborhood Meeting
Conditional Use Permit 478
3080 E Cherry Street, Springfield MO 65802
Meeting Date: **November 25, 2024**
Meeting Time: **4:00 - 6:30 PM**

Name:

Address:

Phone #[illegible]



EXPLANATION TO COUNCIL BILL 2025-011 (MCGULL)

FILED: 01/07/2025

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 4.86 acres of property generally located at 3697 and 3703 North Glenstone Avenue (State Highway H) from GR, General Retail District with Conditional Overlay District 182 to R-LD, Low-Density Multi-family Residential District; establishing Conditional Overlay District No. 263; and adopting an updated Official Zoning Map.(By: South Valley Apartments, LLC and Mike Seitz; 3697 and 3703 N. Glenstone Avenue (State Highway H); Z-29-2024 with Conditional Overlay District No. 263)

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 4.86 acres generally located at 3697 and 3703 North Glenstone Avenue (State Highway H) from GR, General Retail District with Conditional Overlay District No. 182 to R-LD, Low-Density Multi-family Residential District with Conditional Overlay District No. 263. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-29-2024/ CONDITIONAL OVERLAY DISTRICT NO. 263

The applicant is requesting to approximately 4.86 acres generally located at 3697 and 3703 North Glenstone Avenue (State Highway H) from GR, General Retail District with Conditional Overlay District No. 182 to R-LD, Low-Density Multi-family Residential District with Conditional Overlay District No. 263. This will facilitate the development of an apartment complex.

REMARKS: The Planning and Zoning Commission held a public hearing on December 19, 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 south half of the subject property is located within City Corridor placetype. This placetype, predominantly consists of commercial and service-related development varying in scale, ranging from standalone businesses to large retail centers. City Corridors are also key locations to support and encourage multi-family developments that rely on proximity to retail, commercial services, and employment centers. Each of these use groups are best located along major roadways with high volumes of traffic.

This placetype is not only highly accessible by car, but also by walking, biking, and transit. Office and multifamily uses can be placed on the periphery of the placetype to transition into adjacent lower density residential placetypes.

2. The Comprehensive Plan's Land Use & Development chapter identifies the north half of the subject property within the Traditional Neighborhood placetype.

3. Multi-family residential is a primary land use in the City Corridor placetype and low-intensity multi-family residential is a supporting land use in the Traditional Neighborhood placetype.

4. The R-LD, Low Density Multi-Family District is consistent with the goals and objectives of the City Corridor placetype (south half). Office and multifamily uses can be placed on the periphery of the City Corridor placetype to transition into adjacent lower density residential placetypes. The R-LD is also a less intense district, than the existing GR District which includes both properties (north and south).

5. City staff has reviewed the proposed multi-family site plan and determined that it was in general compliance with the Multi-Family Location and Design Guidelines. Staff has determined that based on its location in the City Corridor placetype and GR zoning district that the site be awarded 2 additional points for Opportunities and Constraints. This allows the proposed development to reach the R-LD districts maximum density of 18 du/ac.

6. The proposed multi-family structures will be three stories and approximately 38 feet tall (above grade). This would be below the minimum height requirements for the district of 45 feet or three stories above the finished grade, when side yards are greater than 15 feet, and below a 45-degree bulk plane from any R-SF or R-TH district boundary.

7. The applicant is proposing additional landscaping along the major corridor of Glenstone Avenue and a walking trail with benches. The trail will provide internal connection to the public sidewalk.

8. The subject properties once final platted will be located along Glenstone Avenue which is primary arterial roadway that has a diversity of uses in the vicinity including a convenience store with fuel pumps, a grocery/retail store, a restaurant and professional offices.

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

10. There are changing conditions in the area affected that make the proposed rezoning necessary. This property was recently annexed and rezoned to GR for the new Dollar General store. The proposed development is located within an area of the Comprehensive Plan that supports higher density along major corridors like Glenstone



Avenue and major intersections like Glenstone Avenue and Valley Water Mill Rd which has already been zoned to a higher intensity GR District.

11. The range of uses in the proposed R-LD district are compatible with the uses permitted on other property in the immediate vicinity. The area to the north is County C-1, Neighborhood Commercial with an adult daycare and uses on the other three corners of the intersection are zoned commercial. The applicant is proposing additional landscaping along the major corridor of Glenstone Avenue.

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

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

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

15. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The site can be developed with GR uses if denied.

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

Submitted By: Daniel Neal, Senior City Planner

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

Maurice S. Jones, Deputy City Manager 1/21/2025

Attachments:

1. Z-29-2024 COD 263 - 3697 and 3703 North Glenstone Avenue
2. Z-29-2024 COD 263_exh A
3. Z-29-2024 COD 263_exh B
4. Z-29-2024 COD 263_exh C
5. Z-29-2024 COD 263_exh D

One-rdg. _____
P. Hrngs. X
Pgs. 33
Filed: 01-21-25

Sponsored by: McGull

First Reading: _____

Second Reading: _____

COUNCIL BILL 2025-011

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 4.86 acres of property generally located at 3697 and 3703 North
4 Glenstone Avenue (State Highway H) from GR, General Retail
5 District with Conditional Overlay District 182 to R-LD, Low-Density
6 Multi-family Residential District; establishing Conditional Overlay
7 District No. 263; and adopting an updated Official Zoning Map.
8
9

10 WHEREAS, an application has been filed for a zoning change of the
11 approximately 4.86 acres of property generally located at 3697 and 3703 North
12 Glenstone Avenue (State Highway H) from GR, General Retail District with Conditional
13 Overlay District 182, to R-LD, Low-Density Multi-family Residential District, and
14 establishing Conditional Overlay District No. 263; and
15

16 WHEREAS, Conditional Overlay District No. 263 shall modify the requirements of
17 the Springfield Land Development Code Section 36-382, R-LD – Low-Density Multi-
18 family Residential District, by requiring that the property described in "Exhibit B" comply
19 with the requirements described in "Exhibit A," both attached hereto and incorporated
20 herein by this reference; and
21

22 WHEREAS, following proper notice, the Planning and Zoning Commission held a
23 public hearing on December 19, 2024, a copy of the Record of Proceedings from said
24 public hearing being attached hereto and incorporated herein by this reference as
25 "Exhibit C," and said Commission made its recommendation of approval with a vote of 8
26 to 0; and
27

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

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

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

36
37 Section 1 – The property described in "Exhibit B" is hereby rezoned from GR,
38 General Retail District with Conditional Overlay District 182, to R-LD, Low-Density Multi-
39 family District, with Conditional Overlay District No. 263. Springfield Land Development
40 Code, Section 36-306, 'Official zoning map and rules for interpretation,' is hereby
41 amended, changed, and modified consistent with this Ordinance.

42
43 Section 2 – City Council hereby establishes Conditional Overlay District No. 263,
44 which shall contain the requirements and standards provided in "Exhibit A." The
45 requirements of Conditional Overlay District No. 263 shall modify the requirements of
46 the Springfield Land Development Code Section 36-382, R-LD, Low-Density Multi-
47 family Residential District, by requiring the property described in "Exhibit B" to comply
48 with the requirements contained in "Exhibit A."

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

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

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

61
62 Passed at meeting: _____

63
64
65 _____
66 Mayor

67 Attest: _____, City Clerk

68
69 Filed as Ordinance: _____

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

72
73 Approved for Council action: Colin O'Leary, Interim City Manager
74
75

EXHIBIT A
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-29-2024 COD 263

The requirements of Section 36-382., Low-density multifamily residential district of the Springfield Zoning Ordinance shall be modified herein for development within this district:

1. The development shall have a maximum density of 18 dwelling units per acre for a maximum total of 87 dwelling units.
2. A major subdivision following the Subdivision Regulations will need to be reviewed and approved by Planning and Zoning Commission and City Council. The zoning district boundaries will need to match the new property boundaries as established on the final plat.
3. The development of the subject property shall be in conformance with the Multi-Family Location and Design Guidelines (Attachment 2), site plan and elevations (Attachment 4).

**EXHIBIT B
LEGAL DESCRIPTION**

A TRACT OF LAND BEING PART OF LOT 5 IN THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 29 NORTH, RANGE 21 WEST OF THE 5TH P.M., CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE SOUTHEAST CORNER OF THE FRACTIONAL NORTHWEST QUARTER OF SAID LOT 5, THENCE N01°59'05"E A DISTANCE OF 69.26 FEET; THENCE N88°07'27"W 74.88 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF STATE HIGHWAY H, SAID POINT BEING THE POINT OF BEGINNING.

THENCE LEAVING SAID RIGHT OF WAY LINE OF STATE HIGHWAY H S73°30'57"W ALONG THE NORTH RIGHT OF WAY OF VALLEY WATER MILL ROAD 78.99 FEET; THENCE CONTINUING ON SAID NORTH RIGHT OF WAY LINE S88°58'49"W 115.33 FEET; THENCE S88°59'46"W 171.30 FEET; THENCE LEAVING SAID NORTH SAID RIGHT OF WAY LINE N02°14'59"E 718.12 FEET; THENCE S87°22'04"E 392.63 FEET TO A POINT ON SAID WEST RIGHT OF WAY LINE OF STATE HIGHWAY H; THENCE ALONG SAID WEST RIGHT OF WAY LINE S01°55'47"W 313.89 FEET; THENCE LEAVING SAID WEST RIGHT OF WAY LINE N88°47'47"W 205.61 FEET; THENCE S02°14'59"W 288.26 FEET; THENCE S88°46'08"E 78.25 FEET; THENCE S51°19'35"E 116.75 FEET TO THE POINT OF BEGINNING, CONTAINING 4.86 ACRES, MORE OR LESS.

SUBJECT TO A PROPERTY BOUNDARY SURVEY ANY AND ALL EASEMENTS, RESTRICTIONS, COVENANTS OF RECORD.

EXHIBIT C
RECORD OF PROCEEDINGS
Planning and Zoning Commission – December 19, 2024

Z-29-2024 COD 263

3697 North Glenstone Avenue

Applicant: South Valley Apartments, LLC and Mike Seitz

Mr. Neal states that this is a request to rezone approximately 4.86 acres from GR, General Retail District with Conditional Overlay District No. 182 to R-LD, Low-Density Multi-family Residential District with Conditional Overlay District No. 263.

Mr. Tim Schove, 2804 N. Biagio Drive, engineer for the developer and here to answer any questions and stated that it will be 3 story buildings with 24 units per building will try to leave the existing vegetation in the buffer areas. He also noted that at the neighborhood meeting there were complaints about the existing homeless population and trash.

Mr. Wayne Morelock, 3900 E. Bridgend and is the builder for the developer and trying to take care of a need for first time home buyers and workforce housing and here to answer any questions.

Ms. Broekhoven closed the meeting.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Z-29-2024 COD 263; Commissioner Colony seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Broekhoven, Commissioner Ridge, Commissioner Colony, Commissioner Knuckles, Commissioner Pauly, Commissioner Lebeck, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: Commissioner Gunther. Abstain: None.



Bob Hosmer, AICP
Planning Manager



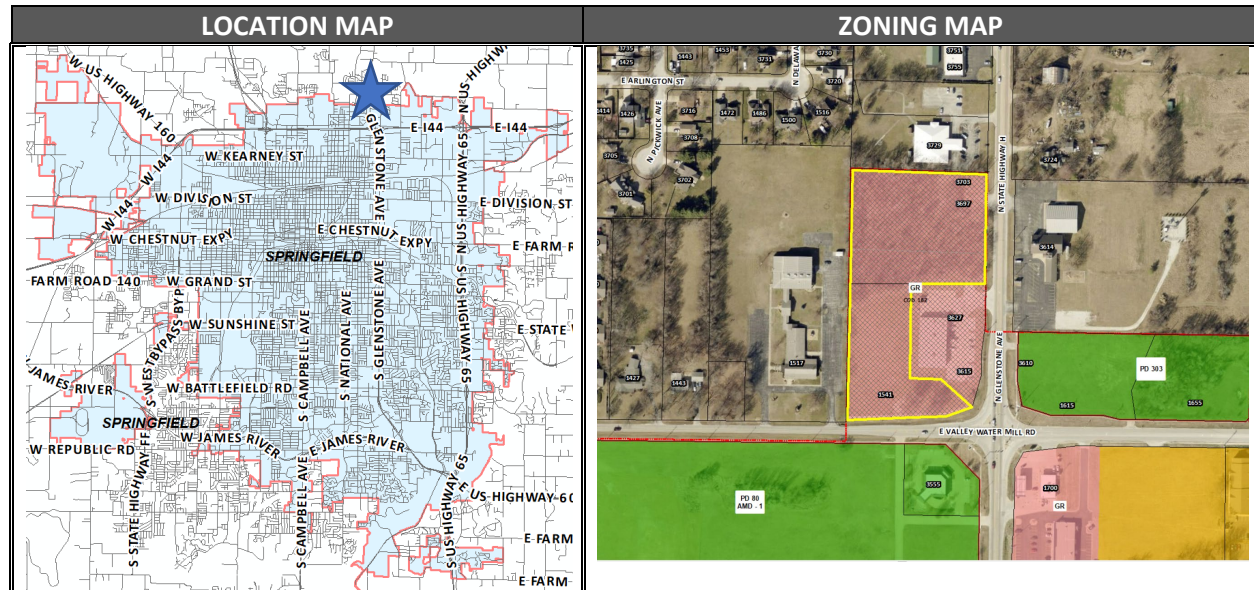
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-29-2024 with Conditional Overlay District No. 263
Location:	3697 and 3703 N. Glenstone Avenue (State Highway H)
Total Acres:	4.86 acres
Applicant:	South Valley Apartments, LLC and Mike Seitz
Existing Land Use:	Vacant/undeveloped and stormwater detention
Neighborhood Meeting:	October 17, 2024
Planning and Zoning Commission:	November 7, 2024
City Council:	December 16, 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-29-2024 with Conditional Overlay District No. 263 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).

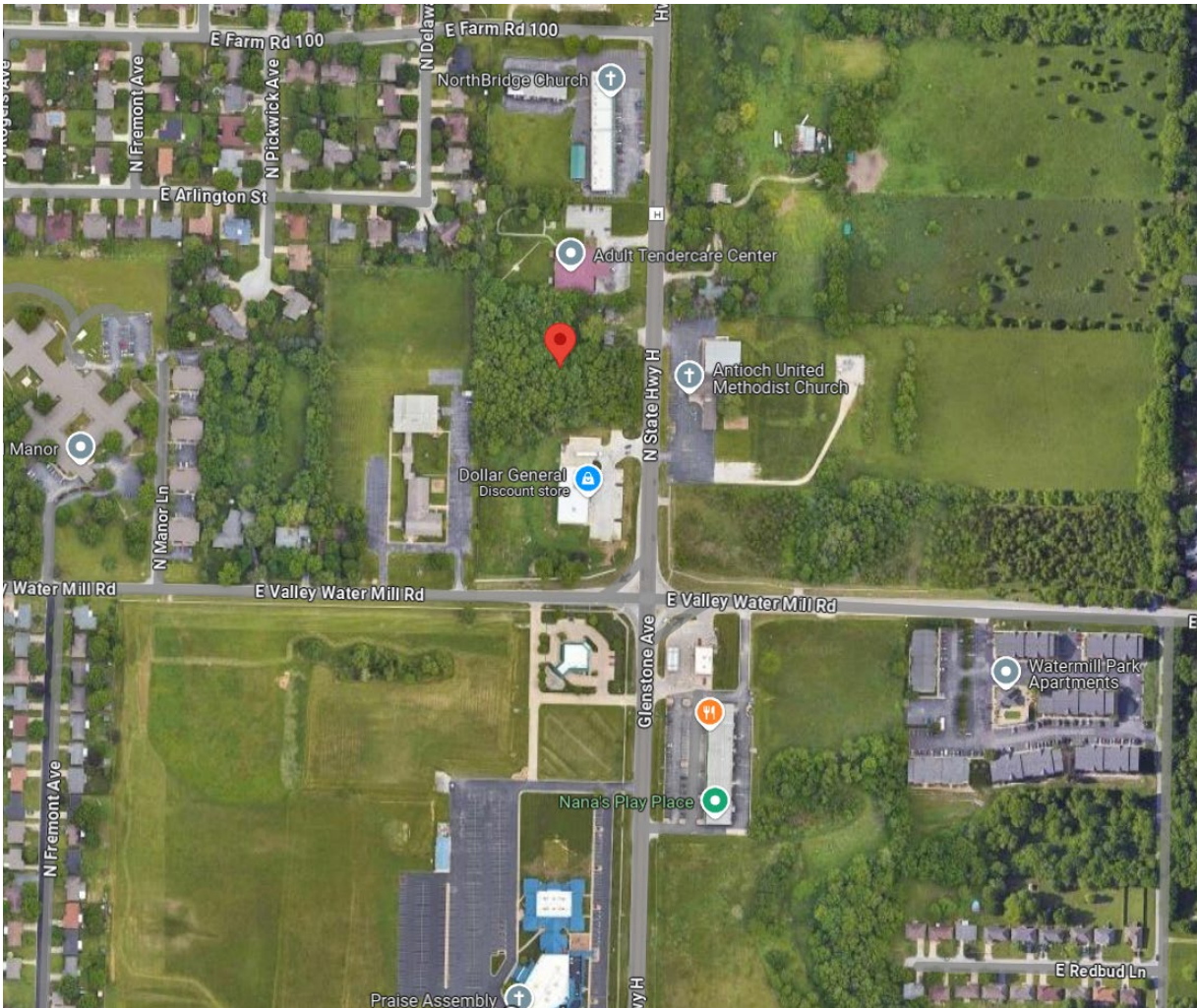
PROJECT SUMMARY:

Request to rezone approximately 4.86 acres generally located at 3697 and 3703 North Glenstone Avenue (State Highway H) from GR, General Retail District with Conditional Overlay District No. 182 to R-LD, Low-Density Multi-family Residential District with Conditional Overlay District No. 263.



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GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



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PROPERTY HISTORY:

The subject property was annexed in 2020 and rezoned to GR, General Retail District with Conditional Overlay District No. 182 which now contains a Dollar General retail store.

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, LOW DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT
Use Limitations	(4) (a) Single-family detached and single-family semi-detached dwellings are not permitted unless they exist at the time the district is mapped. (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	(5) (a) Minimum lot area: 1. Each townhouse on a separate platted lot: 2,400 square feet. 2. Existing single-family detached dwellings: 5,000 square feet. 3. Duplexes: 6,500 square feet. 4. Existing single-family semi-detached dwellings: 3,750 square feet.

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	5. All other uses: 8,250 square feet. (5) (b) Minimum lot width: 1. Each townhouse on a separate platted lot: a. End lots: 30 feet. b. Interior lots with driveway in front yard: 26 feet. c. Interior lots without driveway in front yard: 20 feet. 2. Existing single-family semi-detached dwelling units: 30 feet. 3. All other uses: 45 feet. (5) (c) Minimum lot depth: 1. Each townhouse on a separate platted lot: 75 feet. 2. All other uses: 80 feet.
Maximum Height	(6) (a) 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.
Bulk Plane	(6) (a) Maximum structure height: 2. No portion of a multifamily dwelling shall be higher than allowed by a 45-degree bulk plane where the property adjoins an R-SF district. Any multifamily dwelling for which a building permit has been issued prior to July 1, 2009, that does not conform to the 45-degree bulk plane shall be considered conforming with regard to the 45-degree bulk plane.
Minimum Yard Requirements	(6) (b) Minimum yard requirements: 1. Front yard: a. Twenty-five feet along a street classified as a collector or higher classification street or as required by Section 36-453. 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). 2. Side yards: Six feet or as required by Section 36-453, provided that no side yard is required for any building that has a common wall on a lot line. 3. Rear yard: Ten percent of the lot depth but may not be less than ten feet, nor will more than 20 feet be required.
Minimum Open Space	(6) (c) Minimum open space: Not less than 20% of the total lot area shall be devoted to open space including required

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	bufferyards unless modified in accordance with subsection 36-482 (15). Open space shall not include areas covered by buildings, structures, parking areas, driveways, and internal streets. Open space shall contain living ground cover and other landscaping materials. (6) (d) Maximum impervious area: The combined area occupied by all main and accessory buildings or structures, parking areas, driveways and any other surfaces which reduce and prevent absorption of stormwater shall not exceed 80 percent of the total lot area unless modified in accordance with subsection 36-482 (15).
Buffering and Landscaping	(9) Whenever any development in an R-LD district is located adjacent to another zoning district or a nonresidential use in an R-LD district is located adjacent to a residential use in an R-LD 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 south half of the subject property within the City Corridor placetype.

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

Primary Land Uses:

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

Supporting Land Uses:

- Public and private schools and places of worship
- Parks, greenways, and open space
- Urban agriculture

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- Universities, colleges, and vocational schools
- Personal and outdoor storage

Characteristics

TRANSPORTATION & INFRASTRUCTURE

- Access management is improved for vehicles through curb cut consolidation and cross-access between commercial properties, reducing traffic conflicts and backups.
- Electric vehicle charging facilities, pedestrian and bicycle infrastructure, and automated vehicle parking and loading spaces are integrated along major corridors, installed at key destinations, and incorporated into private development plans.
- As technology, trends, and funds permit, utilities are buried or consolidated along rear property lines, reducing conflicts with street trees, pedestrian infrastructure, and viewsheds.
- Transit service is expanded along key commercial corridors over the long term with bus stops enhanced with shelters and live timetables.

URBAN DESIGN - BUILDING AND SITE TYPOLOGY:

- Residential development and commercial buildings should be oriented to the street.
- Parking should be located behind or beside the primary buildings with abundant landscaping and screening to encourage greater interest and interaction between the adjoining street and the building, that contributes to community-wide quality of place.
- Pedestrian pathways within large parking lots provide safe access to business entrances.
- A greater focus on site design, parking access, massing, and building orientation are adopted to ensure development that is complementary to adjacent lower density residential development.
- Multi-story buildings designed with active ground floor spaces should be visible and inviting to increase a vibrant pedestrian environment.
- Use of quality materials, construction methods, workmanship, and design should be incorporated into new development and redevelopment.
- A mix of building heights is supported through structured site and building design strategies to soften the impact on adjacent lower intensity residential development.
- Lighting, landscaping, signage, mail, and delivery accommodations should also be proactively incorporated into the site design.
- Design should avoid the placement of mechanical equipment along major roadways or should be completely screened, along with adequate spacing for storage of waste receptacles.
- Best management practices for stormwater management are required in development projects and within public rights-of-way, such as permeable paving, rain gardens, green roofs, native landscaping, and other low impact design strategies.
- Encourage code adjustments regarding parking minimums instead of parking maximums.

TRANSITIONS:

- Office and multifamily uses can be placed on the periphery of the placetype to transition into adjacent lower density residential Placetypes.

DEVELOPMENT REVIEW STAFF REPORT

- Higher density residential development should be integrated along existing commercial corridors in need of reinvestment, transitioning aging commercial properties to new uses and focusing future commercial development at high activity nodes.
- Commercial and higher density residential is sufficiently screened and buffered between low-density residential development.
- Multi-story buildings should be sited and designed to reduce the impact on adjacent lower intensity residential development.

The *Comprehensive Plan's Land Use & Development* chapter identifies the north half of the subject property within 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

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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.
- 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.

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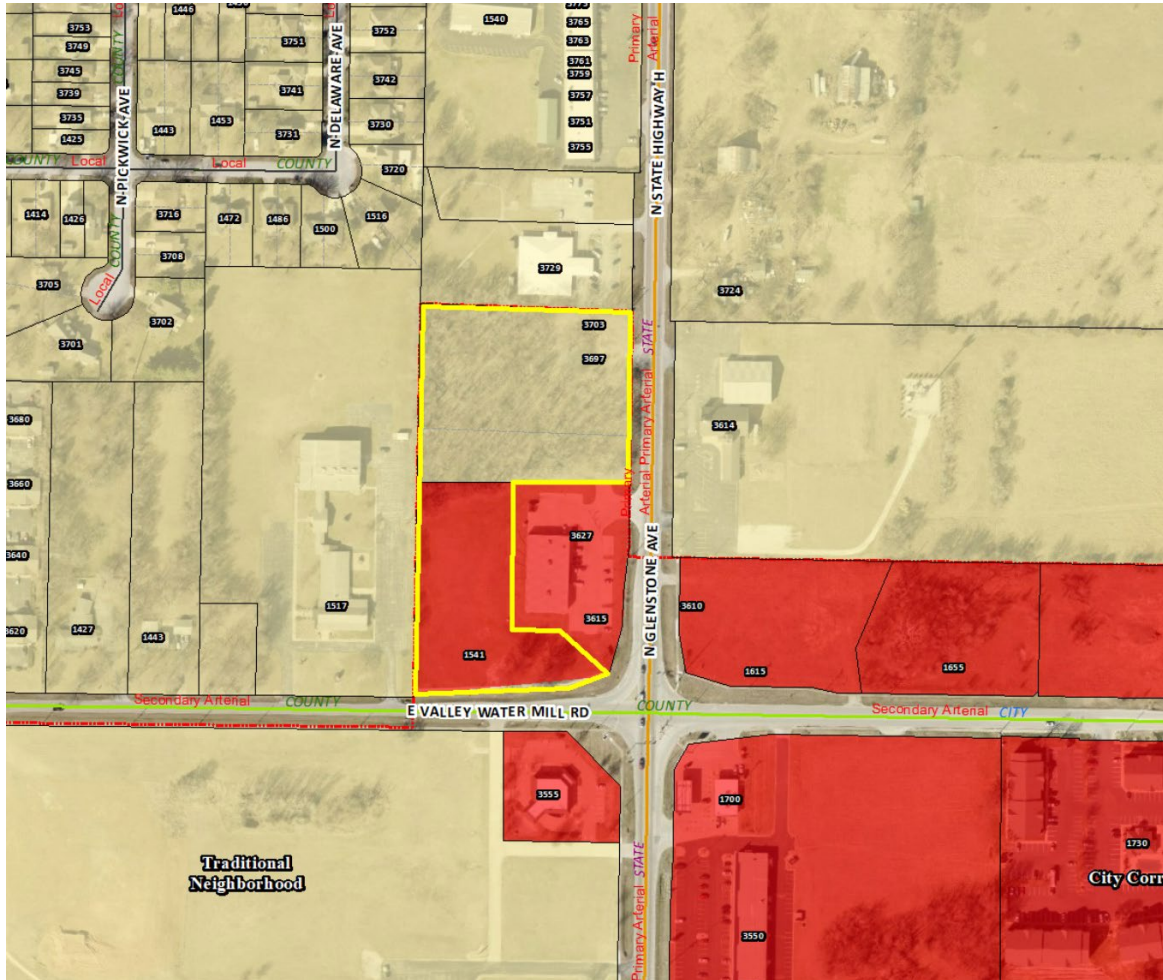
- Vehicular driveways are provided for each home and are accessed almost exclusively from the front or side street, limiting on-street parking opportunities.
- Neighborhoods are often self-regulated by covenants that limit use, size, and design of structures, as well as care and use of private amenities and common areas.

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.

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

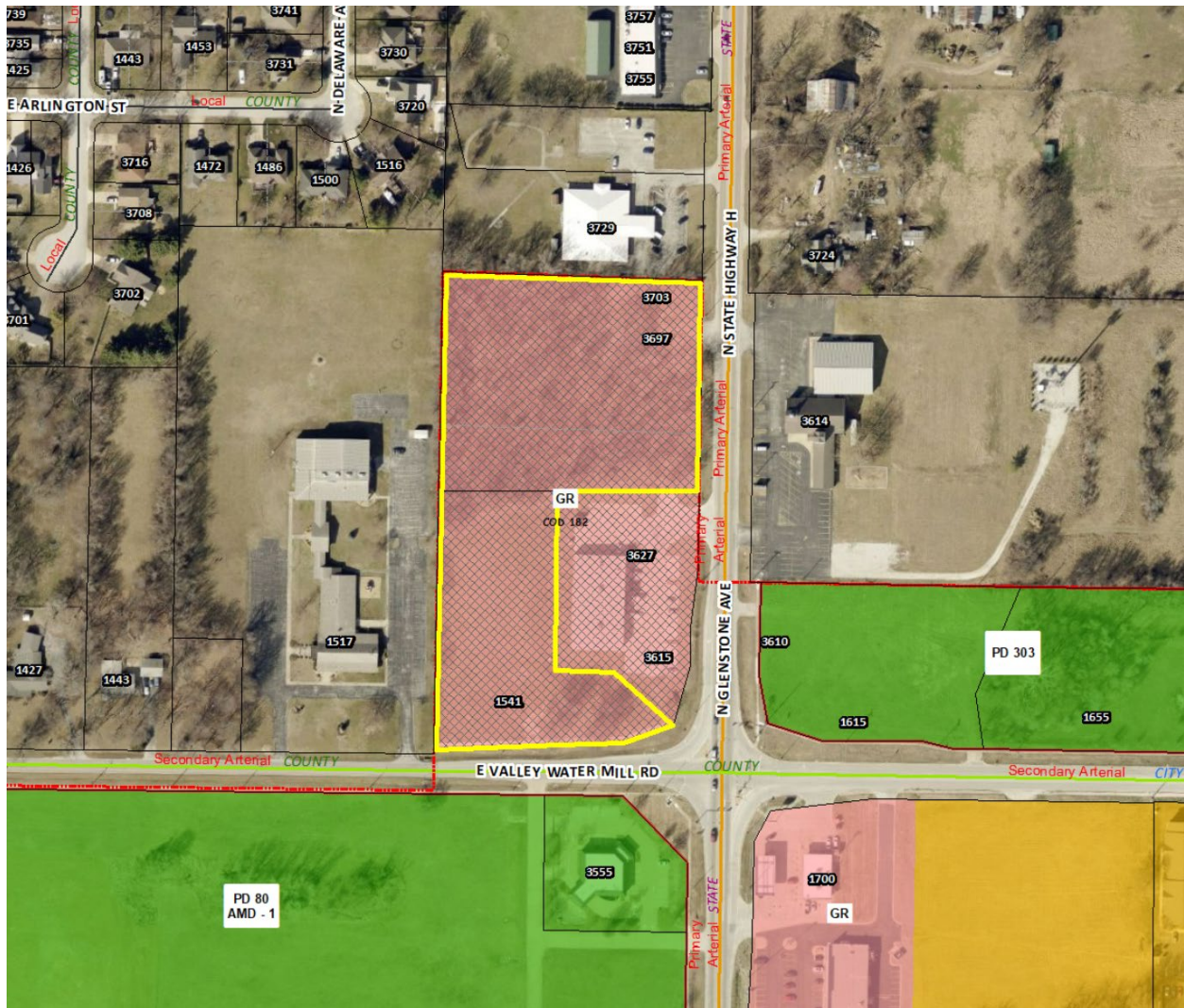
● **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype

○ **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	County C-1	PD 80 Am	PD 303 & County R-1	County R-1
LAND USE	Adult daycare uses	Office uses	Church uses	Church uses
PLACETYPES	Traditional Neighborhood	City Corridor	Traditional Neighborhood	Traditional Neighborhood

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT COMMENTS:

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues with the proposed rezoning.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No objection to rezoning. Each lot will have access to public sewer. Building no. 3 may need to route its private sewer lateral south of the Dollar General store.

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	N. Glenstone Avenue	Primary Arterial	MoDOT	50	40+	NA	No	Yes	No
Street 2	E. Valley Water Mill	Secondary Arterial	City	35	35+	NA	No	Yes	Yes

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

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

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

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

The property is in the **Pea Ridge 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 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**.

DEVELOPMENT REVIEW STAFF REPORT

Please note that development of the property will be subject to the following conditions at the time of development:

DETENTION AND DISCHARGE REQUIREMENTS

1. Any development or redevelopment that increases runoff, through the increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3. The only exception to building detention is a Fee in Lieu of detention application per the City of Springfield Code and the manual dependent on approvable by the Director of Public Works.

a. The property has an existing basin built with the Dollar General project (PRJ2020-00571). The new proposed development or any future developments are required to provide detention for flood control.

2. Any new SCMs that provide flood control for the multiple-lots are required to submit the project on public Improvement Plan.

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

1. The northwest corner of the property drains to Sinkhole E003 on 1517 E Valley Water Mill Rd. The proposed development will need to redirect and drain to new proposed stormwater control measure.

2. The entire property will drain to the south in the E Valley Water Mill Rd Right-of-Way. The ROW and property drain to the Sinkhole E005 on 3535 N Glenstone Ave. This sinkhole was previously developed into a private detention basin for flood control. The new proposed development required to provide detention for flood control prior to discharging to the ROW.

DEVELOPMENT REVIEW STAFF REPORT

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 4.86 acres generally located at 3697 and 3703 North Glenstone Avenue (State Highway H) from GR, General Retail District with Conditional Overlay District No. 182 to R-LD, Low-Density Multi-family Residential District with Conditional Overlay District No. 263. This will facilitate the development of an apartment complex.
2. The south half of the subject property is located within City Corridor Placetype. This Placetype, predominantly consists of commercial and service-related development varying in scale, ranging from standalone businesses to large retail centers. City Corridors are also key locations to support and encourage multi-family developments that rely on proximity to retail, commercial services, and employment centers. Each of these use groups are best located along major roadways with high volumes of traffic. This placetype is not only highly accessible by car, but also by walking, biking, and transit. Office and multifamily uses can be placed on the periphery of the placetype to transition into adjacent lower density residential placetypes.
3. The R-LD, Low Density Multi-Family District is consistent with the goals and objectives of the City Corridor placetype (south half). Office and multifamily uses can be placed on the periphery of the City Corridor placetype to transition into adjacent lower density residential placetypes. The R-LD is also a less intense district, than the existing GR District which includes both properties (north and south).
4. City staff has reviewed the proposed multi-family site plan and determined that it was in general compliance with the Multi-Family Location and Design Guidelines. Staff has determined that based on its location in the City Corridor placetype and GR zoning district that the site be awarded 2 additional points for Opportunities and Constraints. This allows the proposed development to reach the R-LD districts maximum density of 18 du/ac.
5. The proposed multi-family structures will be three stories and approximately 38 feet tall (above grade). This would be below the minimum height requirements for the district of 45 feet or three stories above the finished grade, when side yards are greater than 15 feet, and below a 45-degree bulk plane from any R-SF or R-TH district boundary.
6. The applicant is proposing additional landscaping along the major corridor of Glenstone Avenue and a walking trail with benches. The trail will provide internal connection to the public sidewalk.
7. The subject properties once final platted will be located along Glenstone Avenue which is primary arterial roadway that has a diversity of uses in the vicinity including a convenience store with fuel pumps, a grocery/retail store, a restaurant and professional offices.
8. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy.

DEVELOPMENT REVIEW STAFF REPORT

9. There are changing conditions in the area affected that make the proposed rezoning necessary. This property was recently annexed and rezoned to GR for the new Dollar General store. The proposed development is located within an area of the Comprehensive Plan that supports higher density along major corridors like Glenstone Avenue and major intersections like Glenstone Avenue and Valley Water Mill Rd which has already been zoned to a higher intensity GR District.
10. The range of uses in the proposed R-LD district are compatible with the uses permitted on other property in the immediate vicinity. The area to the north is County C-1, Neighborhood Commercial with an adult daycare and uses on the other three corners of the intersection are zoned commercial. The applicant is proposing additional landscaping along the major corridor of Glenstone Avenue.
11. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
12. The impact the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity. This application does not require a traffic study.
13. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
14. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The site can be developed with GR uses if denied.
15. The proposed rezoning was reviewed by City departments and comments are contained in the staff report (above).
16. The applicant held a neighborhood meeting on October 17, 2024, regarding the rezoning request. A summary of the meeting is attached (Attachment 3).
17. 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 City Corridor placetype and on the finding of facts above.

PLANNING AND ZONING OPTIONS:

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

DEVELOPMENT REVIEW STAFF REPORT

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

REQUIREMENTS FOR APPROVAL:

ATTACHMENT 1 CONDITIONAL OVERLAY DISTRICT PROVISIONS

The requirements of Section 36-382., Low-density multifamily residential district of the Springfield Zoning Ordinance shall be modified herein for development within this district:

1. The development shall have a maximum density of 18 dwelling units per acre for a maximum total of 87 dwelling units.
2. A major subdivision following the Subdivision Regulations will need to be reviewed and approved by Planning and Zoning Commission and City Council. The zoning district boundaries will need to match the new property boundaries as established on the final plat.
3. The development of the subject property shall be in conformance with the Multi-Family Location and Design Guidelines (Attachment 2), site plan and elevations (Attachment 4).

DEVELOPMENT REVIEW STAFF REPORT**ATTACHMENT 2****MULTI-FAMILY DEVELOPMENT LOCATION AND DESIGN GUIDELINES ASSESSMENT**

The applicant is requesting approval of multi-family apartments on 4.86 acres of property. According to the Multi-Family Location and Design Assessment Matrix, the proposed development has attained 9 points, which would allow up to 12 to 14 dwelling units per acre. The applicant is providing a total of 72 units (15 du/ac) and is requesting up to 18 du/ac which is the maximum allowed residential density in the R-LD District with the Opportunities and Constraints.

- A. Land Use Accessibility (1/3 points)
One point was given for land use accessibility. There is a neighborhood retail mixture use located within a ¼ mile.
- B. Connectivity Analysis (1/5 points)
One out of a maximum of five points were given for connectivity. The proposed development received scores for its proximity to transit routes, roadway and sidewalk connectivity.
- C. Road Network Evaluation (1/2 points)
One point was given for the road network evaluation.
- D. Design Guidelines (6/6 points)
A maximum of six points were given for design guideline criteria. Below are the design considerations that have been incorporated into the proposed development.
 - 1. Pedestrian Amenities - Pedestrian amenities shall include benches placed near walkways at appropriate locations throughout the development. Pedestrian-scale lighting shall be provided within the development. Lighting sources or luminaries that have a cutoff shall not exceed a maximum of 30 feet in height. All lighting shall be glare-free and shielded from the sky and adjacent residential properties and structures, either through external shields or through optics within the fixture. A site lighting and photometric plan shall be submitted conforming to these requirements for building permits.
 - 2. Building Scale and Articulation – Street facing walls that are greater than 50 feet in length shall be articulated at least each 25 feet with bays, projections or recesses. Articulation means a difference in the vertical plane of the building at least 18 inches or more. This project shall be in compliance with the attached site plan.
 - 3. Building Orientation and Interior Landscaping – Landscaping and open spaces shown shall be provided with approved ground cover and/or plantings per required city ordinances and zoning requirements. Landscaping islands with plantings shall be located throughout the parking lot. A landscaping plan shall be submitted conforming to these requirements for building permits. Buildings adjacent to the street shall not have parking lots located between the building and the street.

DEVELOPMENT REVIEW STAFF REPORT

4. Avoidance of Blank Walls along pedestrian circulation areas – Facades that face public streets or connecting pedestrian frontage that are greater than 25 feet in length shall be subdivided and proportioned using at least one or more of the following features: windows, entrances, arcades, arbors, awning (over windows or doors), distributed along the façade at least once every 25 feet. This project shall be in conformance with the attached site plan and elevations.
 5. Internal Connectivity – Internal sidewalks shall connect internally and to the public sidewalk system.
 6. Useable Recreational Area/Facility – A minimum of 15% usable open space is required and shown on the site plan.
 7. Amenities – The development will provide a swimming pool and picnic area as shown on the site plan.
 8. Preservation of Trees – All existing trees of 6" caliper or greater shall be preserved or replaced with 2-inch caliper trees in accordance with the site plan, MFM design guidelines and other city ordinances. The applicant has provided a tree survey.
- E. Opportunities and Constraints (2 points)
1. The proposed development is located within an area of the Comprehensive Plan that supports higher density along major corridors like Glenstone Avenue and major intersections like Glenstone Avenue and Valley Water Mill Rd which has already been zoned to a higher intensity GR District, and therefore meets the criteria for Item #2 in the Opportunities or Constraints section. This would add two additional points to the assessment for a total of 18 dwelling units per acre with a maximum of 87 dwelling units onsite.

DATE: October 4, 2024

SUBJECT: Multi-family Location and Design Assessment Justification
Z-29-2024 COD 263
3627 N Glenstone Ave.

GENERAL PRINCIPLES MET:

- This land use facilitates a balanced land use pattern that includes a mixture of housing, shopping, employment, and civic uses nearby.
- The proposed site layout includes 1.13 acres of usable open space.
- With the walking trail and sidewalks, we are connecting the land use through both pedestrian and street systems.
- This property serves as a transition to the established neighborhood from General retail, and nearby commercial uses.
- This land use and density helps meet the needs of different types of households.
- The design accommodates pedestrians, bicyclists, and the automobile drivers. Although the buildings are not between the parking lot and the street, there are many avenues for pedestrians, bicyclists, and automobile drivers to get to the street and sidewalk. There is a proposed shared driveway with the Dollar General on the south east portion of the lot as well.
- Lastly, we are attempting to preserve many trees in the bufferyard and along the street to maintain some of the natural environment that is in place. We have provided a tree survey that highlights how many trees are on site. There will also be a large amount of green space on the property as well as providing more than double the amount of interior landscape area in the parking lot than required. We have provided sufficient landscaping along the right of way to provide additional trees and shrubs for beautification of Glenstone.

OPPORTUNITIES AND CONSTRAINTS:

- Our proposal supports redevelopment/revitalization goals because the lot is currently an overgrown, uninhabitable lot that would otherwise go unused.
- The proposal is not in an established neighborhood in city limits. The nearest residential lots nearby within city limits are also residential low-density apartments southeast of the development. The nearest single-family homes are northwest of the site and are in Greene County. Staff should consider this higher density proposal since it is near the edge of neighborhood that is within one-quarter mile of a major arterial street with transit service that allows quick and easy access to Interstate 44 for commuters.
- The proposal is a small site that will be provide a transition between commercial uses and residential uses.
- The proposed plan provides a swimming pool as well as a picnic area and walking trails that connect to the future planned park across Valley Water Mill. Our amenity area is nearly 25% of the site area.
- Site will provide stormwater detention to alleviate flooding concerns for existing storm culvert under Valley Water Mill Road that then discharges into an existing sinkhole.
- West property line borders city limits and development will be surrounded by an existing Dollar General and an existing Church.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: General Retail to Residential-Low Density
(existing zoning) (proposed zoning)
2. Meeting Date & Time: October 17, 2024. 4:00 - 6:30 PM
3. Meeting Location: Faith Lutheran Church, 1517 E Valley Water Mill Rd, 65803
4. Number of invitations that were sent: 37
5. How the mailing list was generated: City Generated Mailing List
6. Number of neighbors in attendance (attach a sign-in sheet): 5
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

Verbal comments have been compiled and addressed in the attached document.

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

No written comments received.

I, Ethan Dehl (print name), attest that the neighborhood meeting was held on 10/17/24 (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."

Ethan Dehl
Signature of person completing affidavit

Ethan Dehl
Printed name of person completing affidavit



Architecture • Civil Engineering • Land Surveying • Site Development • Geotechnical Engineering • Inspection & Materials Testing

NEIGHBORHOOD MEETING SIGN IN SHEET
VALLEY WATER MILL WEST APARTMENTS
CITY OF SPRINGFIELD
PROJECT NO. SW23-546
OCTOBER 17, 2024

NAME	ADDRESS	PHONE NO.	EMAIL ADDRESS
Ray Rushen	1486 E. Arlington		
MICHAEL MOORE	1516 E. ARLINGTON ST		
BEVERLEY MOORE			
Margaret Giosetti	1443 Valley Water Mill Rd		
Kevin Lutz	3727 N. State Hwy #		

8 East Main Street
Wentzville, MO 63385
Phone: 636-332-4574
Fax: 636-327-0760

737 Rudder Road
Fenton, MO 63026
Phone: 314-842-4033
Fax: 314-842-5957

530A East Independence Drive
Union, MO 63084
Phone: 636-584-0540
Fax: 636-584-0511

1163 Maple Valley Drive
Farmington, MO 63640
Phone: 573-315-4810
Fax: 573-315-4811

2804 North Biagio Street
Ozark, MO 65721
Phone: 417-595-4108
Fax: 417-595-4109

905 Executive Drive
Osage Beach, MO 65065
Phone: 573-525-0299
Fax: 573-525-0298

**VALLEY WATER MILL WEST APARTMENTS
CITY OF SPRINGFIELD
COCHRAN PROJECT NO. SW23-546**

NEIGHBOR COMMENTS AND SUGGESTIONS

- Homeless Occupy the area currently and the project would take care of that.
 - Project will clean up homeless encampments and demolish abandoned buildings.
 - Site Lighting will keep parking lot areas well lit, which will deter homeless activity.
- Happy to get rid of the run-down houses on the north lot.
 - Run down houses will be removed as part of this project.
- Will property values go down?
 - Large investment into area, that will raise surrounding property values.
- Will it benefit the churches and businesses?
 - Additional customers for Dollar General, and potential new congregation members for the adjacent churches.
- Noise and traffic concerns.
 - Landscape buffers will minimize noise pollution to nearest residential areas.
 - Traffic study will be required as part of the improvement plans and will determine if any road improvements are needed. Proposed access points will utilize existing entrances onto Highway H.
- There are homeless camping and living in the woods.
 - Project will clean up homeless encampments.
 - Site Lighting will keep parking lot areas well lit, which will deter homeless activity.
- The lots to be rezoned are getting trashy from the homeless traffic, as well as Dollar General not cleaning up trash often enough.
 - Maintenance company for apartments will clean up any debris that ends up on apartment property from Dollar General.
 - Maintenance company will keep apartment complex in a well-maintained condition.
- Concerns over people on the proposed lot looking from their balconies into their windows.
 - Closest residential house is roughly 270' from the nearest balcony. Proposed balconies or windows do not directly face single family houses to the north west.
 - Secondly, the bufferyard will also allow for existing mature trees along the property line to remain and obstruct views into the houses back yard. Additional trees will be added as needed to meet city required bufferyards.
- Concerns over privacy, noise, and trash.
 - The bufferyard will also allow for existing mature trees along the property line to remain and obstruct views into the houses back yard. Additional trees will be added as needed to meet city required bufferyards.
 - Landscape buffers will minimize noise pollution to surrounding areas.
 - Maintenance company for apartments will clean up any debris that ends up on apartment property from Dollar General.
 - Developer has numerous clauses in the leasing agreement in order to provide a clean and safe area for all residents.



5039 S National Avenue | Springfield, MO 65810 | 417.887.6595
Missouri Certificate of Authority: #2001015115

OWNER
WAYNE MORELOCK
722-B WEST OLIVE STREET
SPRINGFIELD, MISSOURI 65806
PHONE: 417-864-6661

PROJECT TEAM
CIVIL ENGINEER
COCHRAN ENGINEERING
2804 N BLAGIO STREET
OZARK, MO 65721
417-595-4108

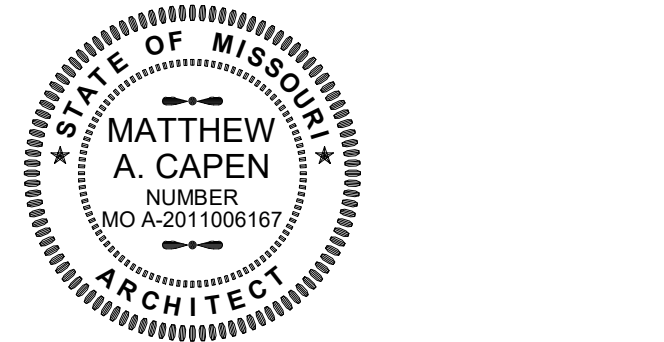
STRUCTURAL ENGINEER
PINNACLE DESIGN
2025 WEST SUNSHINE ST SUITE #124
SPRINGFIELD, MO 65807
417.501.8820

MEP ENGINEER
CJD ENGINEERING
2225 W. CHESTERFIELD ST. SUITE #200
SPRINGFIELD, MO 65807
417.877.1700

REVISIONS		
NO.	DESCRIPTION	DATE

PROJECT NO.: 24-007 DRAWN BY: HDG
DATE: 08/07/2024 REVIEWED BY: HDG

PROFESSIONAL SEAL
MATTHEW A. CAPEN, AIA
PROFESSIONAL TITLE: ARCHITECT
MO A-2011006167



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PROJECT TITLE
VALLEY WATER MILL APARTMENTS

PROJECT ADDRESS:
1777 N. FARM RD. 102
SPRINGFIELD, MISSOURI 65803

BUILDINGS 1, 2, AND 3 - EXTERIOR ELEVATIONS

A401



EXPLANATION TO COUNCIL BILL 2025-012 (JENSON)

FILED: 01/08/2025

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 0.36 acres of property generally located at 3505 South Campbell Avenue from R-TH, Residential Townhouse District to HC, Highway Commercial District; and adopting an updated Official Zoning Map. (By: Westport Management LLC; 3505 South Campbell Avenue; Z-31-2024)

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.36 acres generally located on a portion of 3505 South Campbell Avenue from R-TH, Residential Townhouse District to a HC, Highway Commercial District. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION:
ZONING CASE NUMBER Z-31-2024

The applicant is requesting to rezone approximately 0.36 acres generally located on a portion of 3505 South Campbell Avenue from R-TH, Residential Townhouse to HC, Highway Commercial.

The subject property is part of a larger lot that is split zoned. This application will consolidate the existing lot under one zoning district.

REMARKS: The Planning and Zoning Commission held a public hearing on December 19, 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 0.36 acres generally located on a portion of 3505 South Campbell Avenue from R-TH, Residential Townhouse to HC, Highway Commercial.
2. The subject property is part of a larger lot that is split zoned. This application will consolidate the existing lot under one zoning district.
3. The Comprehensive Plan's Land Use & Development chapter identifies the subject property as the City Corridor placetype.
4. The City Corridor placetype predominantly consists of commercial and service-

related development varying in scale, ranging from standalone businesses to large retail centers. City Corridors are also key locations to support and encourage multi-family developments that rely on proximity to retail, commercial services, and employment centers.

5. The range of uses in the proposed HC district is compatible with the uses permitted on other property in the immediate vicinity. The property to the west is zoned HC and has the same depth lot as the subject property.

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

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

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

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

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

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

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

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

Submitted By: Michael Sparlin, Senior City Planner

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

Maurice S. Jones, Deputy City Manager 1/21/2025

Attachments:

1. Z-31-2024 3505 South Campbell Avenue
2. Z-31-2024_exh A
3. Z-31-2024_exh B
4. Z-31-2024_exh C

One-rdg. _____
P. Hrngs. X
Pgs. 18
Filed: 01-21-25

Sponsored by: Jenson

First Reading: _____

Second Reading: _____

COUNCIL BILL 2025-012

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 0.36 acres of property generally located at 3505 South Campbell
4 Avenue from R-TH, Residential Townhouse District to HC, Highway
5 Commercial District; and adopting an updated Official Zoning Map.
6
7

8 WHEREAS, an application has been filed for a zoning change of the
9 approximately 0.36 acre property generally located on a portion of 3505 South
10 Campbell Avenue from R-TH, Residential Townhouse District to HC, Highway
11 Commercial District; and
12

13 WHEREAS, following proper notice, the Planning and Zoning Commission held a
14 public hearing on December 19, 2024, a copy of the Record of Proceedings from said
15 public hearing being attached hereto and incorporated herein by this reference as
16 "Exhibit B," and said Commission made a recommendation of approval by a vote of 8 to
17 0; and
18

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

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

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

29 Section 1 – The property generally located on a portion of 3505 South Campbell
30 Avenue and described in "Exhibit A," which is attached hereto and incorporated herein
31 by this reference, is hereby rezoned from R-TH, Residential Townhouse District to HC,
32 Highway Commercial District. Springfield Land Development Code, Section 36-306,
33 'Official zoning map and rules for interpretation,' is hereby amended, changed, and

34 modified consistent with this Ordinance.

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

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

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

47
48 Passed at meeting: _____

49
50 _____
51 Mayor

52
53 Attest: _____, City Clerk

54
55 Filed as Ordinance: _____

56
57 Approved as to form: Laura Vales, Assistant City Attorney

58
59 Approved for Council action: Colin Sykes, Interim City Manager
60
61

EXHIBIT A
LEGAL DESCRIPTION

THE WEST 90 FEET OF LOT 2 OF CAMPBELL ACRES, PHASE II, ALL BEING IN
SPRINGFIELD, GREENE COUNTY, MISSOURI.

EXHIBIT B
RECORD OF PROCEEDING
December 19, 2024

Z-31-2024

3505 South Campbell Avenue

Applicant: Westport Management, LLC

Mr. Sparlin states that this is a request to rezone approximately 0.36 acres from R-TH, Residential Townhouse to HC, Highway Commercial.

Mr. Daniel Richards, 1200 East Woodhurst Drive and represents the developer and are cleaning up split zoning at the Nissan dealership.

Ms. Broekhoven closed the meeting.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Z-31-2024;
Commissioner Colony seconded the motion. It **Passed** with the following vote: Ayes:
Commissioner Broekhoven, Commissioner Ridge, Commissioner Colony,
Commissioner Knuckles, Commissioner Pauly, Commissioner Lebeck, Commissioner
Doennig and Commissioner Scott. Nays: None. Absent: Commissioner Gunther.
Abstain: None.



Bob Hosmer, AICP
Planning Manager



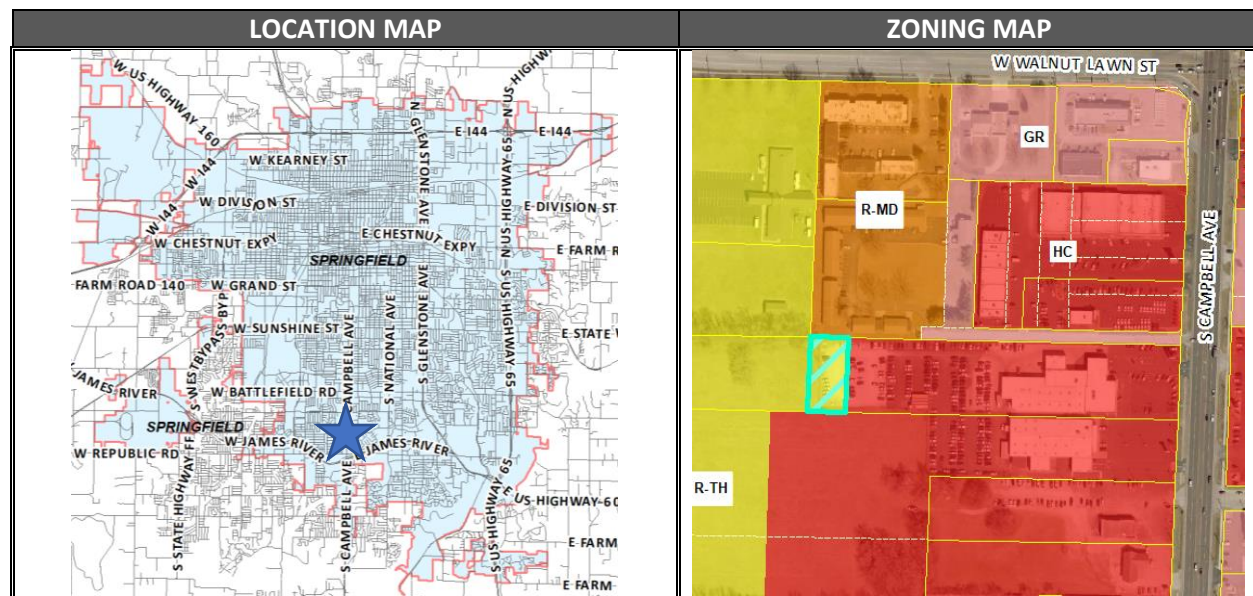
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-31-2024
Location:	3505 South Campbell Avenue
Total Acres:	0.36 acres
Applicant:	Westport Management LLC
Existing Land Use:	Car dealership parking lot
Neighborhood Meeting:	November 12, 2024
Planning and Zoning Commission:	December 19, 2024
City Council:	January 27, 2025
Public Notification:	Mail, posted property, and legal in Daily Events
Staff:	Michael Sparlin, Senior Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of rezoning case Z-31-2024 (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

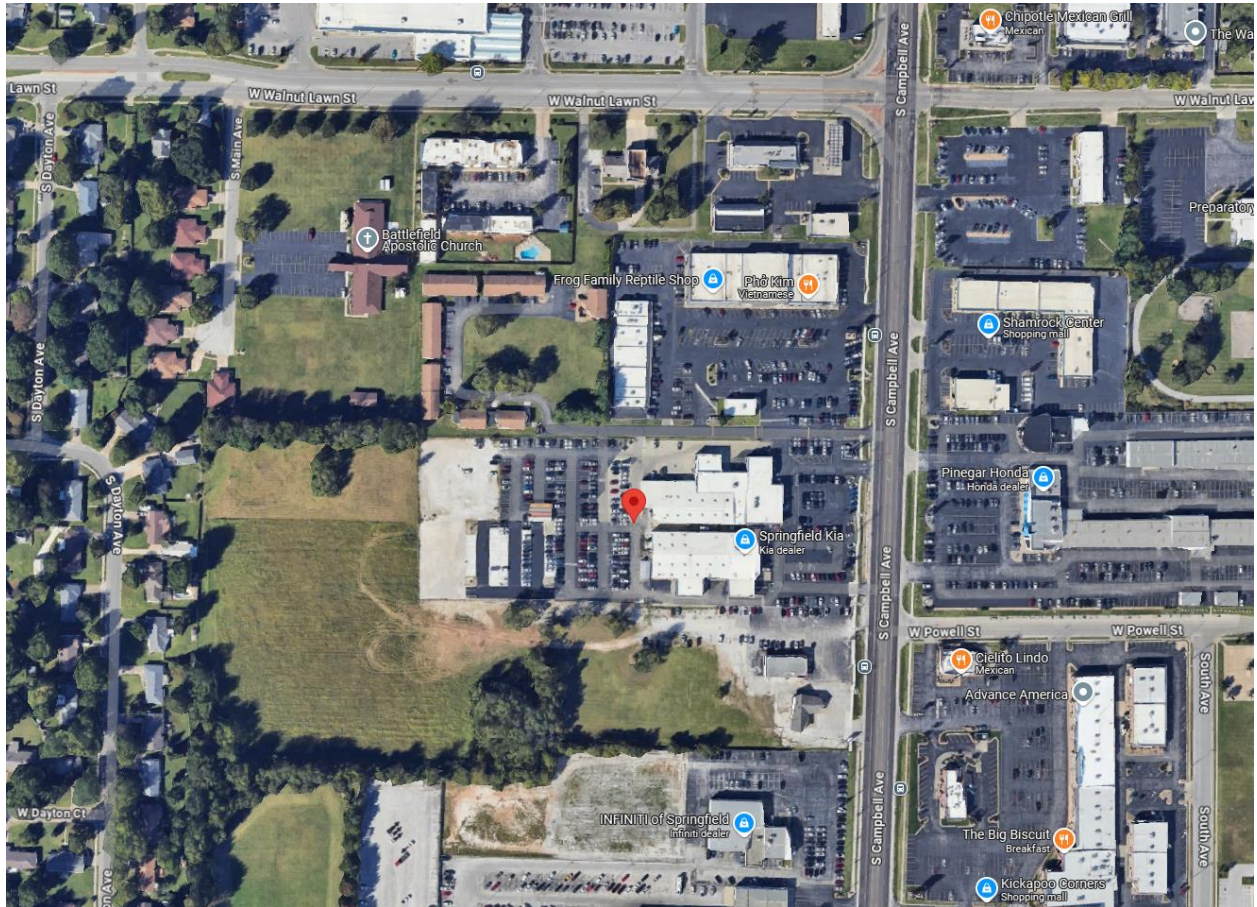
PROJECT SUMMARY:

Request to rezone approximately 0.36 acres generally located on a portion of 3505 South Campbell Avenue from R-TH, Residential Townhouse to HC, Highway Commercial.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

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

DEVELOPMENT REVIEW STAFF REPORT

	(f) Uses on parcels not served by public water and public sewer shall meet the requirements of subsection 36-303(22).
Minimum Lot Size	Not applicable to the HC District
Maximum Height	None.
Bulk Plane	All structures shall remain below a 30-degree bulk plane as measured from the boundaries of any R-SF or R-TH district.
Minimum Yard Requirements	1. <i>Front yard:</i> a. Twenty-five feet along a street classified as a collector or higher classification street or as required by section 36-453, supplemental open space, and yard regulations. b. Fifteen feet along a street classified as a local street or as required by section 36-453, supplemental open space, and yard regulations. 2. <i>Side yards:</i> None, except as required by section 36-453, supplemental open space and yard regulations, and the bufferyard requirements in subsection (8). 3. <i>Rear yards:</i> None, except as required by the bufferyard requirements in subsection (8).
Minimum Open Space	Not less than 20 percent of the total lot area shall be devoted to open space including required yards and bufferyards unless modified in accordance with subsection 36-482(15). Open space shall not include areas covered by buildings, structures, parking, loading and other paved areas and internal streets. Open space shall contain living ground cover and other landscaping materials.
Design Requirements	(a) A site plan meeting the requirements of section 36-360, site plan review, shall be submitted and approved. (b) A landscape plan meeting the requirements of section 36-482, landscaping and bufferyards, and 36-483, off-street parking and loading area design standards, shall be submitted, and approved. (c) All off-street parking and vehicular use areas shall be screened from all residential uses in accordance with section 36-480, screening, and fencing. (d) All outdoor storage and refuse storage areas shall be screened from view in accordance with section 36-480, screening, and fencing. (e) Mechanical and electrical equipment, including air conditioning units, shall be screened from view in accordance with section 36-480, screening, and fencing. (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.

DEVELOPMENT REVIEW STAFF REPORT

Buffering and Landscaping

Whenever any development in an HC 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 north portion of the subject property within the City Corridor placetype.

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

Primary Land Uses:

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

Supporting Land Uses:

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

Characteristics

TRANSPORTATION & INFRASTRUCTURE

- Access management is improved for vehicles through curb cut consolidation and cross-access between commercial properties, reducing traffic conflicts and backups.
- Electric vehicle charging facilities, pedestrian and bicycle infrastructure, and automated vehicle parking and loading spaces are integrated along major corridors, installed at key destinations, and incorporated into private development plans.

DEVELOPMENT REVIEW STAFF REPORT

- As technology, trends, and funds permit, utilities are buried or consolidated along rear property lines, reducing conflicts with street trees, pedestrian infrastructure, and viewsheds.
- Transit service is expanded along key commercial corridors over the long term with bus stops enhanced with shelters and live timetables.

URBAN DESIGN - BUILDING AND SITE TYPOLOGY:

- Residential development and commercial buildings should be oriented to the street.
- Parking should be located behind or beside the primary buildings with abundant landscaping and screening to encourage greater interest and interaction between the adjoining street and the building, that contributes to community-wide quality of place.
- Pedestrian pathways within large parking lots provide safe access to business entrances.
- A greater focus on site design, parking access, massing, and building orientation are adopted to ensure development that is complementary to adjacent lower density residential development.
- Multi-story buildings designed with active ground floor spaces should be visible and inviting to increase a vibrant pedestrian environment.
- Use of quality materials, construction methods, workmanship, and design should be incorporated into new development and redevelopment.
- A mix of building heights is supported through structured site and building design strategies to soften the impact on adjacent lower intensity residential development.
- Lighting, landscaping, signage, mail, and delivery accommodations should also be proactively incorporated into the site design.
- Design should avoid the placement of mechanical equipment along major roadways or should be completely screened, along with adequate spacing for storage of waste receptacles.
- Best management practices for stormwater management are required in development projects and within public rights-of-way, such as permeable paving, rain gardens, green roofs, native landscaping, and other low impact design strategies.
- Encourage code adjustments regarding parking minimums instead of parking maximums.

TRANSITIONS:

- Office and multifamily uses can be placed on the periphery of the placetype to transition into adjacent lower density residential Placetypes.
- Higher density residential development should be integrated along existing commercial corridors in need of reinvestment, transitioning aging commercial properties to new uses and focusing future commercial development at high activity nodes.
- Commercial and higher density residential is sufficiently screened and buffered between low-density residential development.
- Multi-story buildings should be sited and designed to reduce the impact on adjacent lower intensity residential development.

DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:



PLACETYPES	LAND USES													
	Single Family Detached	Single Family Attached	Multi-Family	Parks & Open Space	Sports Complexes & Recreational Facilities	Urban Agriculture	Office	Hospitality	Neighborhood Commercial	Major Retail	Public & Private Schools & Vocational Schools	Government, Health Care & Institutional Facilities	Personal Services	Light Industry
Residential Neighborhood	●	○	◇	○	◇	○	○	○	○	○	○	○	○	○
Mixed Residential	●	●	○	○	◇	○	○	○	○	○	○	○	○	○
Downtown	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Mixed-Use	○	○	○	○	○	○	○	○	○	○	○	○	○	○
City Corridor	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Institutional & Employment Center	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Business Flex	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Industry & Logistics	○	○	○	○	○	○	○	○	○	○	○	○	○	○
Urban Green Space & Recreation	○	○	○	○	○	○	○	○	○	○	○	○	○	○

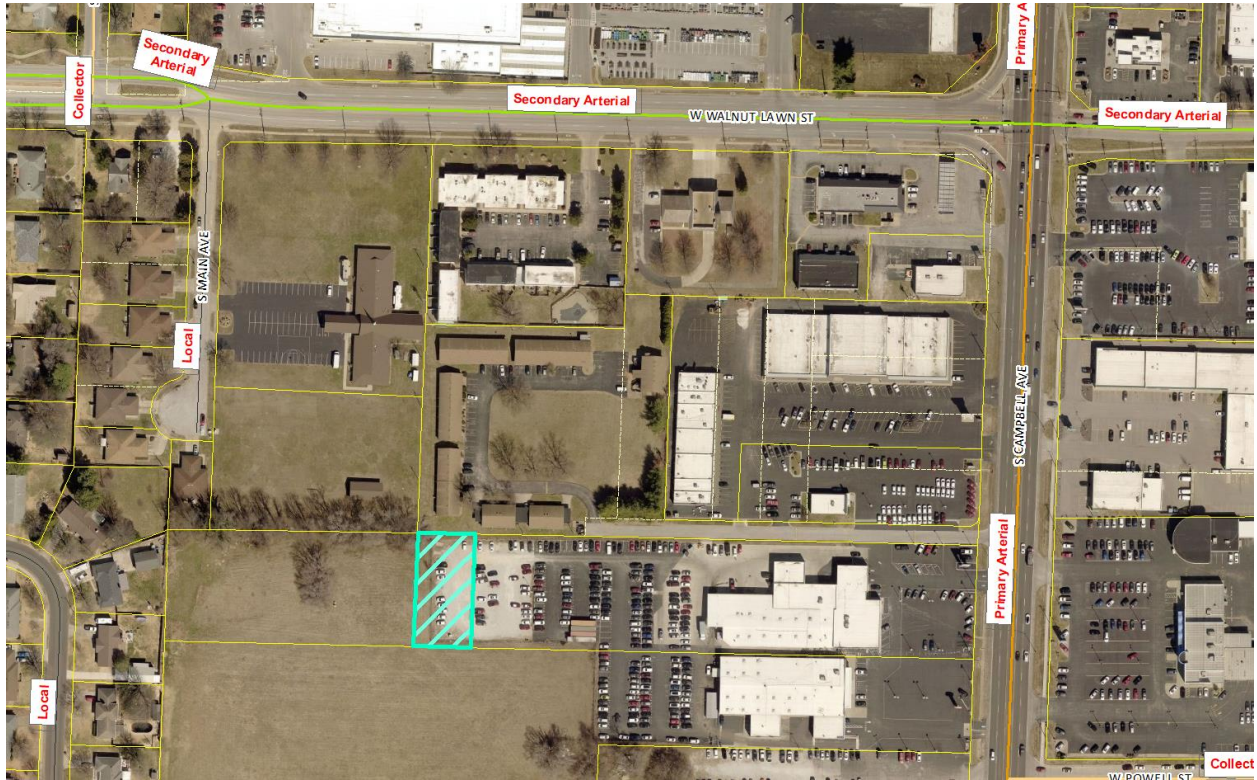
● **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype

○ **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-MD	HC	HC	R-TH
LAND USE	Multi-family apartments	Undeveloped land	Car dealership	Undeveloped land
PLACETYPES	Center City neighborhood	City Corridor	City Corridor	Corridor

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues. Tract has access to public sewer.

DEVELOPMENT REVIEW STAFF REPORT

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	60	41,126	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 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 both the **Ward Branch and Inman Creek** drainage basins. 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**.

DETENTION AND DISCHARGE REQUIREMENTS

1. Existing site has detention provided through underground flood control systems. Further expansion of impervious area would require more detention for flood control.

WATER QUALITY REQUIREMENTS

N/A

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

SINKHOLES & KARST FEATURES

N/A

ADDITIONAL STORMWATER REQUIREMENTS

DEVELOPMENT REVIEW STAFF REPORT

N/A

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 0.36 acres generally located on a portion of 3505 South Campbell Avenue from R-TH, Residential Townhouse to HC, Highway Commercial.
2. The subject property is part of a larger lot that is split zoned. This application will consolidate the existing lot under one zoning district.
3. The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the City Corridor placetype.
4. The City Corridor placetype predominantly consists of commercial and service-related development varying in scale, ranging from standalone businesses to large retail centers. City Corridors are also key locations to support and encourage multi-family developments that rely on proximity to retail, commercial services, and employment centers.
5. The range of uses in the proposed HC district is compatible with the uses permitted on other property in the immediate vicinity. The property to the west is zoned HC and has the same depth lot as the subject property.
6. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.
7. There are few changing conditions in the area affected that make the proposed rezoning necessary.
8. The range of uses in the proposed HC district is compatible with the uses permitted on other property in the immediate vicinity.
9. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
10. The impact of the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity.
11. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
12. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

STAFF RECOMMENDATION:

DEVELOPMENT REVIEW STAFF REPORT

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

PLANNING AND ZONING OPTIONS:

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

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

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: R-TH to HC
(existing zoning) (proposed zoning)
2. Meeting Date & Time: November 12, 2024; 4-6:30 pm
3. Meeting Location: Holiday Inn Express & Suites, 310 E Monastery St, Springfield, MO
4. Number of invitations that were sent: 36
5. How the mailing list was generated: City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 0
7. List the verbal comments and how you plan to address any issues:
(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

I, Martha Middleton (print name), attest that the neighborhood meeting was held on 11/12/2024 (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."

Martha Middleton
Signature of person completing affidavit

Martha Middleton
Printed name of person completing affidavit



EXPLANATION TO COUNCIL BILL 2025-013 (HORTON)

FILED: 01/08/2025

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 0.27 acres of property generally located at 2409 North Boonville Avenue from HC, Highway Commercial District to R-LD, Low-Density Multi-family Residential District; establishing Conditional Overlay District No. 264; and adopting an updated Official Zoning Map. (By: Locust Investments LLC; 2409 North Boonville Avenue; Z-30-2024 w/ Conditional Overlay District No. 264)

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.27 acres generally located at 2409 North Boonville Avenue from HC, Highway Commercial to R-LD, Low-density Multi-family Residential District and establishing Conditional Overlay District No. 264 (Staff and Planning and Zoning Commission recommend approval).

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-30-2025 Conditional Overlay District No. 264

The applicant is requesting to rezone approximately 0.27 acres generally located at 2409 North Boonville Avenue from HC, Highway Commercial to R-LD, Low-density multi-family residential district and establishing Conditional Overlay District No. 264. The applicant intends build a residential house.

REMARKS: The Planning and Zoning Commission held a public hearing on December 19, 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 *Comprehensive Plan's Land Use & Development* chapter identifies the subject property within the City Corridor placetype.
2. Multi-family is listed as a supporting use in the City Corridor placetype.
3. Although the placetype is City Corridor, single-family homes are the predominant use on the west-side of Boonville Avenue. This application will allow the

continued development of the housing stock in this area.

4. 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.
5. The range of uses in the proposed R-LD district is compatible with the uses permitted on other property in the immediate vicinity.
6. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.
7. There are few changing conditions in the area affected that make the proposed rezoning necessary.
8. The range of uses in the proposed R-LD district is compatible with the uses permitted on other property in the immediate vicinity. Single-family homes are the predominant use on the west-side of Boonville Avenue. This application will allow the continued development of the housing stock in this area.
9. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
10. The impact of the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity.
11. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
12. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.



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

Submitted By: Michael Sparlin, Senior City Planner

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

Maurice S. Jones, Deputy City Manager 1/21/2025

- Attachments:**
1. Z-30-2024 COD 264 - 2409 North Boonville Avenue
 2. Z-30-2024 COD 264_exhA
 3. Z-30-2024 COD 264_exhB
 4. Z-30-2024 COD 264_exhC
 5. Z-30-2024 COD 264_exhD

One-rdg. _____
P. Hrngs. X
Pgs. 21
Filed: 01-21-25

Sponsored by: Horton

First Reading: _____

Second Reading: _____

COUNCIL BILL 2025-013

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 0.27 acres of property generally located at 2409 North Boonville
4 Avenue from HC, Highway Commercial District to R-LD, Low-
5 Density Multi-family Residential District; establishing Conditional
6 Overlay District No. 264; and adopting an updated Official Zoning
7 Map.
8 _____
9

10 WHEREAS, an application has been filed for a zoning change of the
11 approximately 0.27 acre property generally located at 2409 North Boonville Avenue
12 from HC, Highway Commercial District, to R-LD, Low-Density Multi-family Residential
13 District, and establishing Conditional Overlay District No. 264; and
14

15 WHEREAS, Conditional Overlay District No. 264 shall modify the requirements of
16 the Springfield Land Development Code Section 36-382, R-LD – Low-Density Multi-
17 family Residential District, by requiring that the property described in "Exhibit B" comply
18 with the requirements described in "Exhibit A," both attached hereto and incorporated
19 herein by this reference; and
20

21 WHEREAS, following proper notice, the Planning and Zoning Commission held a
22 public hearing on December 19, 2024, a copy of the Record of Proceedings from said
23 public hearing being attached hereto and incorporated herein by this reference as
24 "Exhibit C," and said Commission made its recommendation of approval with a vote of 8
25 to 0; and
26

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

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

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

36
37 Section 1 – The property described in "Exhibit B" is hereby rezoned from HC,
38 Highway Commercial District, to R-LD, Low-Density Multi-family District, with
39 Conditional Overlay District No. 264. Springfield Land Development Code, Section 36-
40 306, 'Official zoning map and rules for interpretation,' is hereby amended, changed, and
41 modified consistent with this Ordinance.

42
43 Section 2 – City Council hereby establishes Conditional Overlay District No. 264,
44 which shall contain the requirements and standards provided in "Exhibit A." The
45 requirements of Conditional Overlay District No. 264 shall modify the requirements of
46 the Springfield Land Development Code Section 36-382, R-LD, Low-Density Multi-
47 family Residential District, by requiring the property described in "Exhibit B" to comply
48 with the requirements contained in "Exhibit A."

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

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

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

61
62 Passed at meeting: _____

63
64
65 _____
66 Mayor

67 Attest: _____, City Clerk

68
69 Filed as Ordinance: _____

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

72
73 Approved for Council action: Colin Sykes, Interim City Manager
74
75

EXHIBIT A
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-30-2024 COD 264

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.

EXHIBIT B
LEGAL DESCRIPTION

BEGINNING 65 FEET NORTH OF THE NORTHWEST CORNER OF KEARNEY STREET AND BOONVILLE AVENUE, THENCE NORTH 133 FEET; THENCE WEST 177.37 FEET; THENCE SOUTH 133 FEET; THENCE EAST 177.37 FEET TO BEGINNING, BEING A PART OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION ONE (1), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-TWO (22), IN GREENE COUNTY, MISSOURI, EXCEPT THE FOLLOWING:

BEGINNING 131 FEET NORTH OF THE NORTHWEST CORNER OF KEARNEY STREET AND BONNEVILLE AVENUE; THENCE NORTH 67 FEET; THENCE WEST 177.37 FEET; THENCE SOUTH 67 FEET; THENCE EAST 177.37 FEET, BEING PART OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION ONE (1), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-TWO (22).

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND COVENANTS OF RECORD, IF ANY.

EXHIBIT C
RECORD OF PROCEEDING
December 19, 2024

Z-30-2024 COD 264
2409 North Boonville Avenue
Applicant: Locust Investments, LLC

Mr. Sparlin states that this is a request to rezone approximately 0.27 acres from HC, Highway Commercial to R-LD, Low-density Multi-family Residential District and establishing Conditional Overlay District No. 264.

Mr. Scott asked if the house on the corner and to the north were renovated as single family and concerning of putting multifamily development between single family.

Mr. Sparlin noted that they were renovated as single family and stated that additional units could benefit the area and housing is a need.

Mr. Rick Wilson, 1835 S. Stewart and stating that the initial request was for single family (may still develop single family), but staff have recommended residential low-density and at the neighborhood meeting, the concern was that an apartment complex would not be compatible with the existing neighborhood.

Questions asked about current regulations and allowing for single family residential in a low-density multifamily district and how many units are they anticipating (two if multifamily).

Ms. Broekhoven closed the meeting.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Z-30-2024 COD 264; Commissioner Doennig seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Broekhoven, Commissioner Ridge, Commissioner Colony, Commissioner Knuckles, Commissioner Pauly, Commissioner Lebeck, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: Commissioner Gunther. Abstain: None.



Bob Hosmer, AICP
Planning Manager



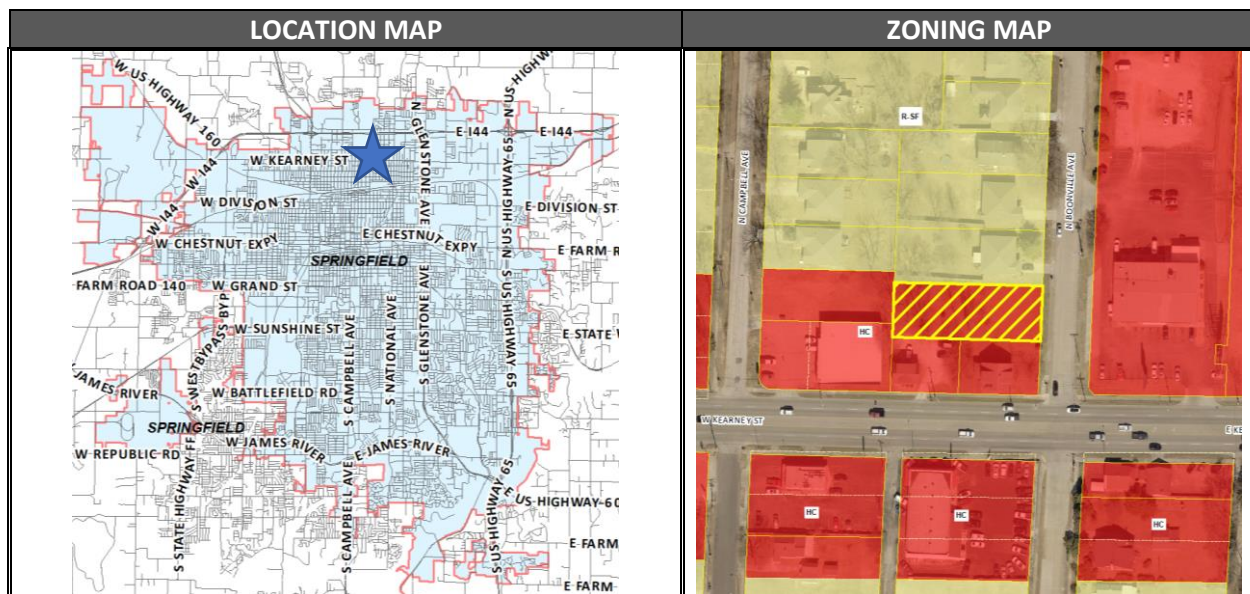
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-30-2024 w/ Conditional Overlay District No. 264
Location:	2409 North Boonville Avenue
Total Acres:	0.27 acres
Applicant:	Locust Investments LLC
Existing Land Use:	Vacant land
Neighborhood Meeting:	November 25, 2024
Planning and Zoning Commission:	December 19, 2024
City Council:	January 27, 2025
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-30-2024 with Conditional Overlay District No. 264 as set forth in Attachment 1 (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

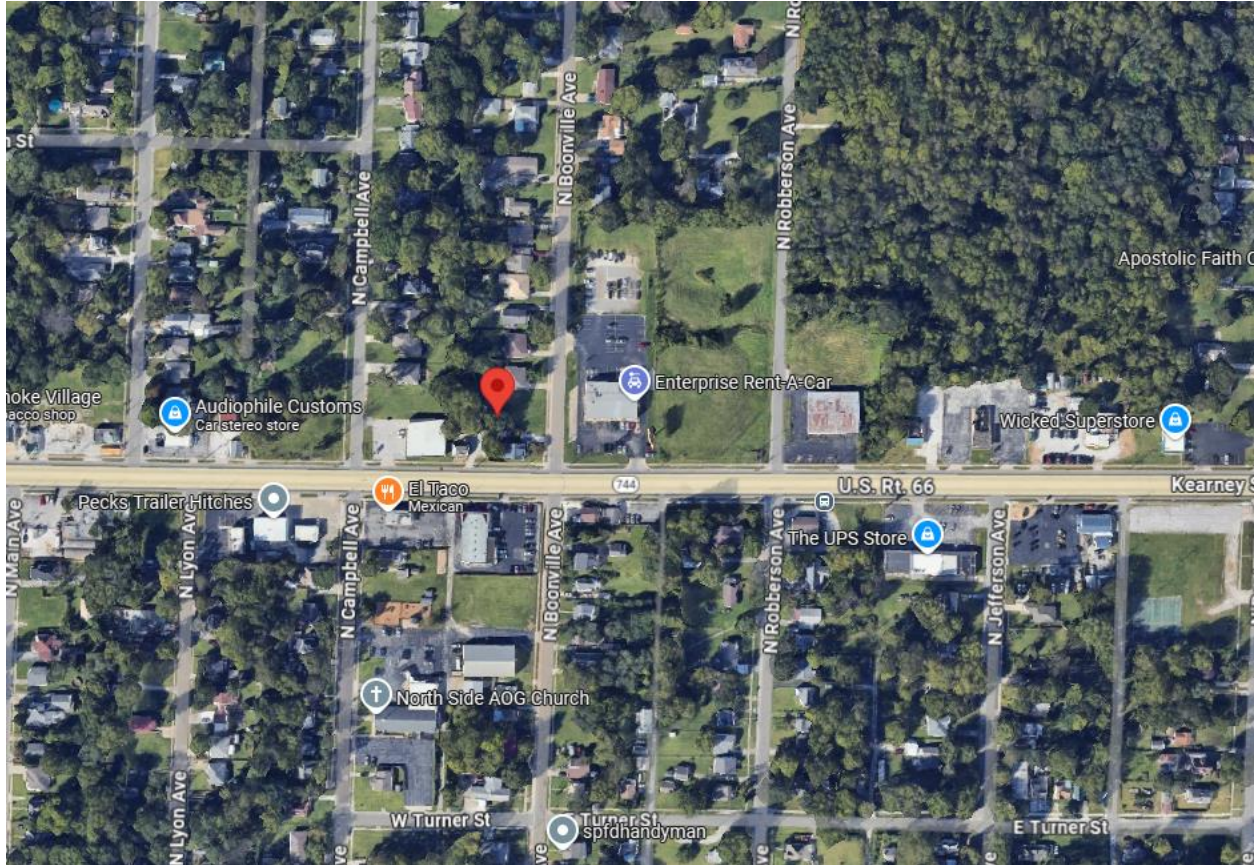
PROJECT SUMMARY:

Request to rezone approximately 0.27 acres generally located at 2409 North Boonville Avenue from HC, Highway Commercial to R-LD, Low-density Multi-family Residential District and establishing Conditional Overlay District No. 264



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property was zoned HC 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-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	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. 3. No portion of a multifamily dwelling shall be higher than allowed by a 45-degree bulk plane where the property adjoins an R-SF district. Any multifamily dwelling for which a building permit has been issued prior to July 1, 2009, that does not conform to the 45-degree bulk plane shall be considered conforming with regard to the 45-degree bulk plane.

DEVELOPMENT REVIEW STAFF REPORT

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 areas, driveways and internal streets. Open space shall contain living ground cover and other landscaping materials.
Buffering and Landscaping	A bufferyard type B will be required adjacent to the R-SF zoned property.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the north portion of the subject property within the City Corridor placetype.

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

Primary Land Uses:

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

Supporting Land Uses:

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

Characteristics

TRANSPORTATION & INFRASTRUCTURE

DEVELOPMENT REVIEW STAFF REPORT

- Access management is improved for vehicles through curb cut consolidation and cross-access between commercial properties, reducing traffic conflicts and backups.
- Electric vehicle charging facilities, pedestrian and bicycle infrastructure, and automated vehicle parking and loading spaces are integrated along major corridors, installed at key destinations, and incorporated into private development plans.
- As technology, trends, and funds permit, utilities are buried or consolidated along rear property lines, reducing conflicts with street trees, pedestrian infrastructure, and viewsheds.
- Transit service is expanded along key commercial corridors over the long term with bus stops enhanced with shelters and live timetables.

URBAN DESIGN - BUILDING AND SITE TYPOLOGY:

- Residential development and commercial buildings should be oriented to the street.
- Parking should be located behind or beside the primary buildings with abundant landscaping and screening to encourage greater interest and interaction between the adjoining street and the building, that contributes to community-wide quality of place.
- Pedestrian pathways within large parking lots provide safe access to business entrances.
- A greater focus on site design, parking access, massing, and building orientation are adopted to ensure development that is complementary to adjacent lower density residential development.
- Multi-story buildings designed with active ground floor spaces should be visible and inviting to increase a vibrant pedestrian environment.
- Use of quality materials, construction methods, workmanship, and design should be incorporated into new development and redevelopment.
- A mix of building heights is supported through structured site and building design strategies to soften the impact on adjacent lower intensity residential development.
- Lighting, landscaping, signage, mail, and delivery accommodations should also be proactively incorporated into the site design.
- Design should avoid the placement of mechanical equipment along major roadways or should be completely screened, along with adequate spacing for storage of waste receptacles.
- Best management practices for stormwater management are required in development projects and within public rights-of-way, such as permeable paving, rain gardens, green roofs, native landscaping, and other low impact design strategies.
- Encourage code adjustments regarding parking minimums instead of parking maximums.

TRANSITIONS:

- Office and multifamily uses can be placed on the periphery of the placetype to transition into adjacent lower density residential Placetypes.
- Higher density residential development should be integrated along existing commercial corridors in need of reinvestment, transitioning aging commercial properties to new uses and focusing future commercial development at high activity nodes.
- Commercial and higher density residential is sufficiently screened and buffered between low-density residential development.

DEVELOPMENT REVIEW STAFF REPORT

- Multi-story buildings should be sited and designed to reduce the impact on adjacent lower intensity residential development.

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	Major Retail & Service	Public & Institutional	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	HC	HC	HC
LAND USE	Single-family home	Single-family home	Commercial retail	Commercial use
PLACETYPES	Center City neighborhood	City Corridor	City Corridor	Corridor

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

DEVELOPMENT REVIEW STAFF REPORT

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	N. Boonville Avenue	Local	City	25	25	NA	Yes	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 is one bus stop on Kearney Street near the property.

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

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

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

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

N/A

WATER QUALITY REQUIREMENTS

N/A

FLOODPLAIN

N/A

NATURAL CHANNEL & STREAM BUFFERS

N/A

DEVELOPMENT REVIEW STAFF REPORT

SINKHOLES & KARST FEATURES

N/A

ADDITIONAL STORMWATER REQUIREMENTS

N/A

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 0.27 acres generally located at 2409 North Boonville Avenue from HC, Highway Commercial to R-LD, Low-density multi-family residential district and establishing Conditional Overlay District No. 264. The applicant intends build a duplex.
2. The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property within the City Corridor placetype.
3. Multi-family is listed as a supporting use in the City Corridor placetype.
4. Although the placetype is City Corridor, single-family homes are the predominant use on the west-side of Boonville Avenue. This application will allow the continued development of the housing stock in this area.
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. The range of uses in the proposed R-LD district is compatible with the uses permitted on other property in the immediate vicinity.
7. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.
8. There are few changing conditions in the area affected that make the proposed rezoning necessary.
9. The range of uses in the proposed R-LD district is compatible with the uses permitted on other property in the immediate vicinity. Single-family homes are the predominant use on the west-side of Boonville Avenue. This application will allow the continued development of the housing stock in this area.
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.

DEVELOPMENT REVIEW STAFF REPORT

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.

STAFF RECOMMENDATION:

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

PLANNING AND ZONING OPTIONS:

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

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



DEVELOPMENT REVIEW STAFF REPORT

ATTACHMENT 1

CONDITIONAL OVERLAY DISTRICT PROVISIONS NO. 264

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.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

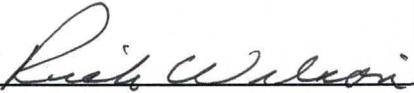
1. Request change to zoning from: HC HWY Commercial to RLD Residential Low Density
(existing zoning) (proposed zoning)
2. Meeting Date & Time: 11/25/24, 4-6:30 PM
3. Meeting Location: The Library Station, 2535 N. Kansas Expressway, Spfd, 65803,
4. Number of invitations that were sent: 103
5. How the mailing list was generated: By City of Springfield Planning Dept.
6. Number of neighbors in attendance (attach a sign-in sheet): 2
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

There were no objections to the proposed change to zoning.
There have been no concerns or complaints received.

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

There are none at this time.

I, RICK WILSON (print name), attest that the neighborhood meeting was held on 12/25/2024 (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

RICK WILSON
Printed name of person completing affidavit



EXPLANATION TO COUNCIL BILL 2025-014 (HORTON)

FILED: 01/08/2025

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 4.5 acres of property generally located at 910 and 920 South West Avenue from O-1, Office District to GI, Government and Institutional Use District; and adopting an updated Official Zoning Map. (By: Greene County; 910 and 920 South West Avenue; Z-33-2024)

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 4.5 acres generally located at 910 and 920 South West Avenue from O-1, Office District to GI, Government and Institutional Use District (Staff and Planning and Zoning Commission recommend approval).

BACKGROUND INFORMATION:
ZONING CASE NUMBER Z-33-2024

The applicant is requesting rezone approximately 4.5 acres generally located at 910 and 920 South West Avenue from O-1, Office District to GI, Government and Institutional Use District. The applicant intends to use the property as a residential treatment facility.

REMARKS: The Planning and Zoning Commission held a public hearing on December 19, 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 Comprehensive Plan's Land Use & Development chapter identifies the subject property as 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. 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.

2. Although the subject property is within the Mixed Residential placetype, this placetype identifies government, healthcare and institutional facilities as supporting land uses within this category. The existing residential treatment facility could be considered an “institutional use.”

3. The subject property is located along Grand Street and West Avenue, classified as a Primary Arterial and Collector roadways, respectively.

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 known changing conditions in the area affected that make the proposed rezoning necessary.

6. The range of uses in the proposed GI district is compatible with the uses permitted on other property in the immediate vicinity.

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

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

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

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

STAFF RECOMMENDATION: Staff recommends approval based on the proposal’s general conformance to the Comprehensive Plan’s 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:

Maurice S. Jones, Deputy City Manager 1/21/2025

Attachments:

1. Z-33-2024 910 and 920 South West Avenue
2. Z-33-2024_exhA
3. Z-33-2024_exh B
4. Z-33-2024_exh C

One-rdg. _____
P. Hrngs. X
Pgs. 18
Filed: 01-21-25

Sponsored by: Horton

First Reading: _____

Second Reading: _____

COUNCIL BILL 2025-014

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 4.5 acres of property generally located at 910 and 920 South West
4 Avenue from O-1, Office District to GI, Government and Institutional
5 Use District; and adopting an updated Official Zoning Map.
6
7

8 WHEREAS, an application has been filed for a zoning change of the
9 approximately 4.5 acres of property generally located at 910 and 920 South West
10 Avenue from O-1, Office District to GI, Government and Institutional Use District; and
11

12 WHEREAS, following proper notice, the Planning and Zoning Commission held a
13 public hearing on December 19, 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 recommendation of approval by a vote of 8 to
16 0; and
17

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

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

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

28 Section 1 – The property generally located at 910 and 920 South West Avenue
29 and described in "Exhibit A," which is attached hereto and incorporated herein by this
30 reference, is hereby rezoned from O-1, Office District to GI, Government and
31 Institutional Use District. Springfield Land Development Code, Section 36-306, 'Official
32 zoning map and rules for interpretation,' is hereby amended, changed, and modified
33 consistent with this Ordinance.

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

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

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

46
47 Passed at meeting: _____

48
49 _____
50 Mayor

51
52 Attest: _____, City Clerk

53
54 Filed as Ordinance: _____

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

57
58 Approved for Council action: Colleen Sykes, Interim City Manager
59
60

EXHIBIT A
LEGAL DESCRIPTION

TRACT 1:

BEGINNING THIRTY (30) FEET NORTH OF THE SOUTHWEST CORNER OF THE EAST HALF ($E\frac{1}{2}$) OF THE SOUTHWEST QUARTER ($SW\frac{1}{4}$) OF SECTION TWENTY-TWO (22), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-TWO (22); THENCE EAST 183.18 FEET; THENCE NORTH 236 FEET; THENCE WEST 183.18 FEET; THENCE SOUTH 236 FEET TO THE POINT OF BEGINNING, IN GREENE COUNTY, MISSOURI.

TRACT 2:

ALL COMMENCING THIRTY (30) FEET NORTH AND 183.18 FEET EAST OF THE SOUTHWEST CORNER OF THE EAST ONE-HALF ($E\frac{1}{2}$) OF THE SOUTHWEST QUARTER ($SW\frac{1}{4}$) OF SECTION TWENTY-TWO (22), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-TWO (22), RUNNING THENCE EAST 650 FEET MORE OR LESS TO THE WEST SIDE OF WARREN AVENUE; THENCE NORTH 581.82 FEET; THENCE WEST 833.18 FEET MORE OR LESS TO THE WEST LINE OF THE SOUTHEAST QUARTER ($SE\frac{1}{4}$) OF THE SOUTHWEST QUARTER ($SW\frac{1}{4}$) OF SECTION TWENTY-TWO (22); THENCE SOUTH 345.82 FEET; THENCE EAST 183.18 FEET; THENCE SOUTH 236 FEET TO THE POINT OF BEGINNING, IN GREENE COUNTY, MISSOURI.

LESS AND EXCEPT THE TRACT OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 30 FEET NORTH AND 199.6 FEET EAST OF THE SOUTHWEST CORNER OF THE EAST ONE HALF OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 29 NORTH, RANGE 22 WEST, SAID POINT BEING ON THE NORTH LINE OF GRAND STREET; THENCE NORTH 235 FEET; THENCE EAST 161.5 FEET; THENCE NORTH 101.5 FEET; THENCE EAST 167.9 FEET; THENCE NORTH 245.32 FEET TO A POINT 529 FEET EAST OF THE WEST LINE OF THE EAST ONE HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 22; THENCE EAST A DISTANCE 306.58 FEET; THENCE SOUTH A DISTANCE OF 581.82 FEET TO A POINT ON THE NORTH LINE OF GRAND STREET, SAID POINT BEING 634.08 FEET EAST OF THE POINT OF BEGINNING; THENCE WEST 634.08 FEET TO THE POINT OF BEGINNING, ALL BEING A PART OF THE EAST ONE HALF OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 29 NORTH, RANGE 22 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

THE ABOVE TRACTS OF LAND ALSO DESCRIBED AS:

BEGINNING AT A POINT 30 FEET NORTH AND 30 FEET EAST OF THE SOUTHWEST CORNER OF THE EAST HALF ($E\frac{1}{2}$) OF THE SOUTHWEST QUARTER ($SW\frac{1}{4}$) OF SECTION 22, TOWNSHIP 29 NORTH, RANGE 22 WEST; THENCE EAST AND ALONG THE NORTH LINE OF GRAND STREET, 169.6 FEET; THENCE NORTH 235 FEET; THENCE EAST 161.5 FEET; THENCE NORTH 101.5 FEET; THENCE EAST 167.9 FEET; THENCE NORTH 245.32 FEET; THENCE WEST 499 FEET; THENCE SOUTH 581.82 FEET TO THE POINT OF BEGINNING, ALL IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, ACCORDING TO THE CERTIFICATE OF APPROVAL OF MINOR SUBDIVISION, RECORDED JULY 13, 1987 IN BOOK 1977 AT PAGE 576.

EXHIBIT B
RECORD OF PROCEEDING
December 19, 2024

Z-33-2024
910 & 920 South West Avenue
Applicant: Greene County

Mr. Sparlin states that this is a request to rezone approximately 4.5 acres from O-1, Office District to GI, Government and Institutional Use District.

Ms. Stephanie Ireland, 1908 E. Sunshine and representing the potential buyer and here to answer any questions.

Mr. Knuckles asked if the facilities would remain the same.

Ms. Ireland noted that the use is going to change, and they are looking into other options.

Ms. Broekhoven closed the meeting.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Z-33-2024; Commissioner Doennig seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Broekhoven, Commissioner Ridge, Commissioner Colony, Commissioner Knuckles, Commissioner Pauly, Commissioner Lebeck, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: Commissioner Gunther. Abstain: None.



Bob Hosmer, AICP
Planning Manager



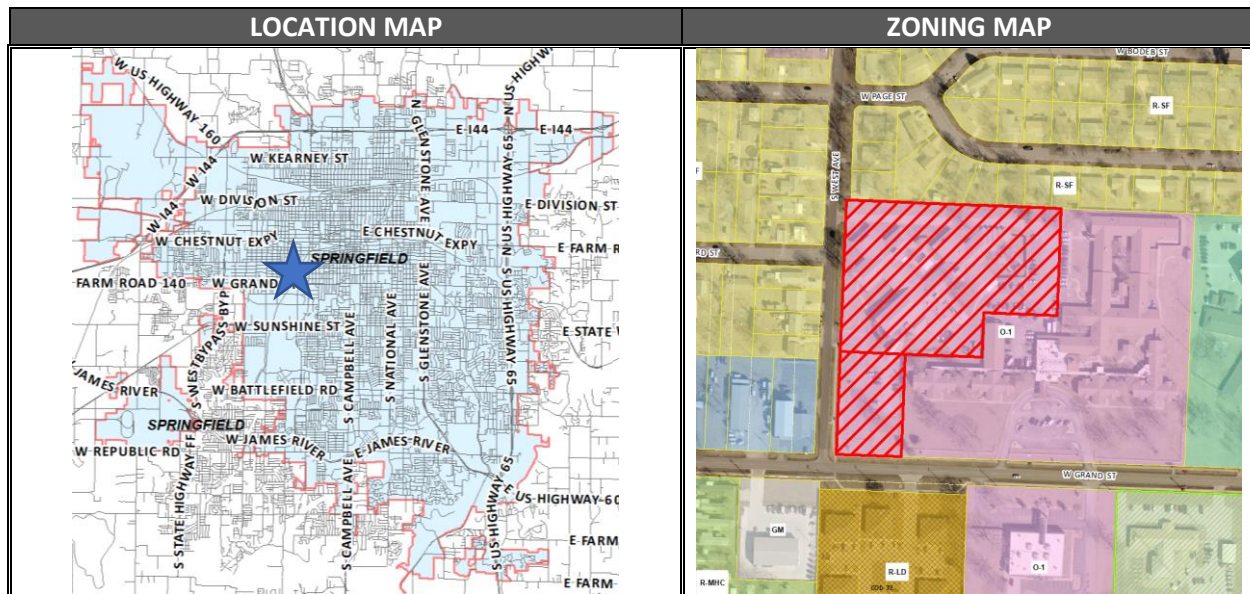
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-33-2024
Location:	910 and 920 South West Avenue
Total Acres:	4.5 acres
Applicant:	Greene County
Existing Land Use:	Vacant nursing home facility
Neighborhood Meeting:	November 25, 2024
Planning and Zoning Commission:	December 19, 2024
City Council:	January 27, 2025
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-33-2024 (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

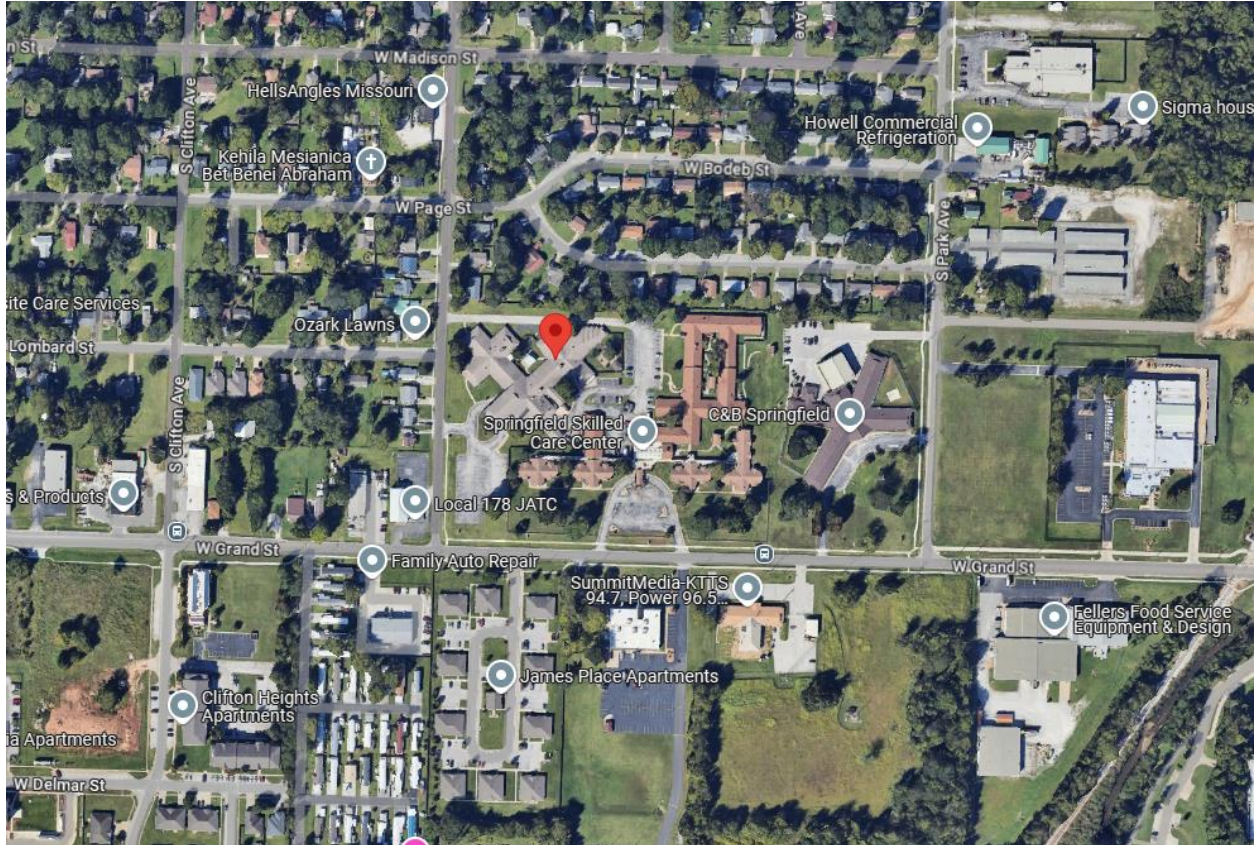
PROJECT SUMMARY:

Request to rezone approximately 4.5 acres generally located at 910 and 920 South West Avenue from O-1, Office District to GI, Government and Institutional Use District.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property was zoned O-1 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 GI
Use Limitations	(a)No landfill activities shall occur within 1,000 feet of a residential district. (b)All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards. (c)No use shall emit an odor than creates a nuisance as determined by 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).
Maximum Height	None, except that all structures shall remain below a 30-degree bulk plane as measured from the boundary of any R-SF or R-TH district.
Minimum Open Space	20 percent
Buffering and Landscaping	A bufferyard type D is required along the north property line. A landscape plan meeting the requirements of sections 36-482, landscaping and bufferyards, and 36-483.

DEVELOPMENT REVIEW STAFF REPORT

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the north portion of 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.

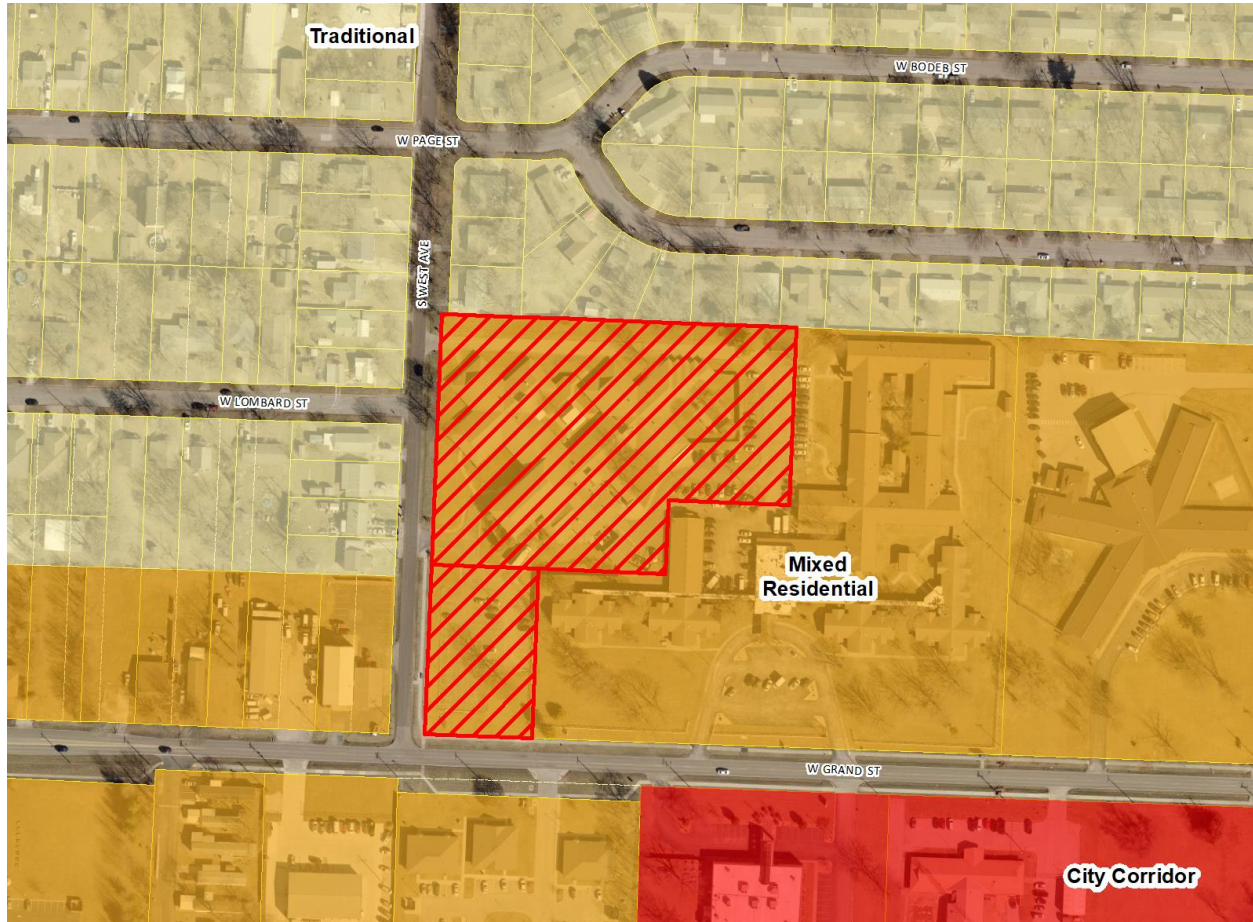
Mixed Residential placetypes near the Downtown and city corridors help generate activity and increase access to local shoppers, while providing high-quality, affordable housing options. Mixed Residential developments are prioritized and supported in locations adjacent to major employment centers, activity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

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

The Mixed Residential placetype identifies, government, healthcare and institutional facilities as supporting land uses within this category.

DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:



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

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

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

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

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF	O-1 & R-LD	O-1	LI & R-SF
LAND USE	Single-family homes	Multi-family apartments & nursing home	Nursing home	Commercial office building & single-family homes
PLACETYPES	City Corridor	City Corridor	City Corridor	City Corridor

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

DEVELOPMENT REVIEW STAFF REPORT

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. West Avenue	Collector	City	30	30	NA	No	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 bus stop on West 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 **Wilsons 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**.

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

DETENTION AND DISCHARGE REQUIREMENTS

1. Any development or redevelopment that increases runoff, through the increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3. The only exception to building detention is a Fee in Lieu of detention application per the City of Springfield Code and the manual dependent on approvable by the Director of Public Works.

DEVELOPMENT REVIEW STAFF REPORT

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

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 rezone approximately 4.5 acres generally located at 910 and 920 South West Avenue from O-1, Office District to GI, Government and Institutional Use District. The applicant intends to use the property as a residential treatment facility.
2. The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as 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. 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

DEVELOPMENT REVIEW STAFF REPORT

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

3. Although the subject property is within the Mixed Residential placetype, this placetype identifies government, healthcare and institutional facilities as supporting land uses within this category. The existing residential treatment facility could be considered an “institutional use.”
4. The subject property is located along Grand Street and West Avenue, classified as a Primary Arterial and Collector roadways, respectively.
5. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities’ extension policy, though new easements may be necessary to accommodate this.
6. There are few known changing conditions in the area affected that make the proposed rezoning necessary.
7. The range of uses in the proposed GI district is compatible with the uses permitted on other property in the immediate vicinity.
8. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
9. The impact of the 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.

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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: O-1 to G/I Government / Institutional
(existing zoning) (proposed zoning)
2. Meeting Date & Time: November 25, 2024
3. Meeting Location: On location - 910 S. West Ave
4. Number of invitations that were sent: 171
5. How the mailing list was generated: By Zoning Department
6. Number of neighbors in attendance (attach a sign-in sheet): 7 neighbors + real estate agent + rep of Greene County
(not counting them as neighbors)
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

No one expressed any concern about the rezoning proposed

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

N/A

I, Stephanie D. Ireland (print name), attest that the neighborhood meeting was held on 11-25-24 (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

Stephanie D. Ireland

Printed name of person completing affidavit



Rezoning of 910 S. West Ave – Neighborhood Meeting

Project #24-109

11/11/25

Name	Address	Phone Number	E-mail Address
Kurt Branning	5584 S. Walnut Hill Ave	417-299-7611	branning131@gmail.com
Chris Coulter	940 Bernville		ccoulter@greencountyma.gov
PADEN WILKINSON	755 S. Munroe	417-818-5166	Pwilkinson@ireland.com
LARA PRITCHARD	850 S. WEST	806-570-2449	LAPLIBILL@gmail.com
Cherie Koeller	856 S. West	816-675-8246	
Tyler Snel	849 S. West	417-315-6594	
Shawn Brooks	523 N Forest Ave	417-576-6983	dcwms@mchsi.com
Adam Day	250 N. Hilton Hilton Ave	417-360-4318	adam adayadam1105@gmail.com
Cora Day	250 N. Hilton Ave	417-351-8604	coramay89@gmail.com



EXPLANATION TO COUNCIL BILL 2025-015 (SIMPSON)

FILED: 01/08/2025

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 29 acres of property generally located at 851 East Primrose Street from Planned Development No. 21, 7th Amendment, to GI, Government and Institutional Use District; establishing Conditional Overlay District No. 266; and adopting an updated Official Zoning Map. (By: Lester E. Cox Medical Center; 851 E. Primrose Street; Z-34-2024 with Conditional Overlay District No. 266)

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 29 acres generally located at 851 East Primrose Street from Planned Development No. 21, 7th Amendment to GI, Government and Institutional Use District with Conditional Overlay District No. 266 (Staff recommends approval of the original COD and Planning and Zoning Commission recommends approval with the COD amendment).

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-34-2024/ CONDITIONAL OVERLAY DISTRICT NO. 266

The applicant is requesting to rezone the subject property generally located at 851 E. Primrose Street from Planned Development No. 21, 7th Amendment to GI, Government and Institutional Use District with Conditional Overlay District No. 266. The applicant is proposing a new pediatrics clinic and future hospital uses.

REMARKS: The Planning and Zoning Commission held a public hearing on December 19, 2024, and recommended to approve, by a vote of 6 to 1 with the following amendment.

1. Before the property adjacent to the existing Kimbrough Avenue right-of-way is developed:
 - a. Kimbrough Avenue shall be constructed from the north edge of the subject property to within 300 feet of Primrose Street to a width of 29 feet, and the remainder of the distance to Primrose Street to a width of 37 feet with a taper between the two street widths approved by the City Traffic Engineer; and
 - b. The developer shall contribute to the construction of Kimbrough Avenue north of the subject property an amount equal to the difference between the 29-foot street width and the 37-foot street width that would have been constructed adjacent to the subject property.

The Planning and Development staff recommended approval of the application with

COD 266 as proposed by the applicant be approved (see the attached Development Review Staff Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. The applicant is requesting to rezone approximately 29 acres generally located at 851 E. Primrose Street from Planned Development No. 21, 7th Amendment to GI, Government and Institutional Use District with Conditional Overlay District No. 266. The applicant is proposing a new pediatrics clinic and future hospital uses.
2. The Comprehensive Plan's Land Use & Development chapter identifies the subject property as the Institutional & Employment Center placetype. This placetype contains a variety of major medical and office parks, and a collection of institutional and employer campuses.
3. The GI District is consistent with the goals and objectives of the Institutional and Employment Center placetype. The GI use district is established to apply to those lands where federal, state or local government activities are conducted, where governments hold title to such lands, and to major public and private educational and medical facilities. This district is also intended to classify land that is vacant but has been designated for the activities listed above in an adopted plan.
4. The applicant is proposing a Conditional Overlay District that carries over some of the differences from the existing PD to the proposed GI District. This includes additional perimeter landscaping and bufferyard requirements, internal pedestrian connections to public sidewalk, and access restrictions.
5. The main differences between the existing PD and GI include:
 - a. The PD prohibits heliports as an accessory to hospitals with ambulance services. The GI District with COD would allow this use by right.
 - b. The PD allows Hotels, motels and inns provided that (a) such use shall not occupy more than forty (40) percent of the gross floor area of the building in which it is located; (b) shall be entirely located within the building or buildings utilized primarily for Hospital/Medical uses; and (c) shall have no signs or advertising devices visible from any public street. The GI District with COD will require a CUP for temporary lodging facilities such as hotels and motels.
 - c. The PD has a maximum Floor Area Ratio (FAR) of 0.30 which doesn't include parking structures. The GI District with COD has no FAR limitations.
 - d. The PD has required improvements based off of a traffic study from 2002. The GI with COD will require a new traffic study based off current conditions and proposed development.
 - e. The PD requires the construction of Kimbrough Avenue to Primrose and contribution to construction of Kimbrough Avenue north of the property when 50% of the site is developed or lot adjacent to Kimbrough Avenue is developed. The GI District with COD will determine the construction of Kimbrough Avenue based off the traffic study. A Traffic Impact Analysis and Safety Study (TIA) shall be performed at the time of

development in accordance with all requirements as determined by the Director of Public Works. Any improvements required by the TIA must be constructed at the time of development.

f. The PD requires additional right-of-way and improvements to Primrose. Those improvements to Primrose have already been made by the City.

g. The PD requires the off-street parking requirements in the Zoning Ordinance to apply. GI doesn't require any off-street parking.

h. Signage is limited in the PD to three (3) free standing signs permitted along Primrose. The signs shall have a maximum effective area of one hundred fifty (150) square feet and a maximum height of twenty (20) feet. The signs shall be separated by a minimum of two hundred fifty (250) feet. Directional signage is permitted throughout the site. The signs are limited to a maximum height of eight (8) feet and a maximum of six (6) feet wide. The rezoning to GI will default signage to the existing Z.O. which appears to allow the same number of signs, but more effective area.

i. A final development plan/detailed site plan (landscaping, photometrics, screening, signage, etc.) in conformance with the PD is required to be approved by Planning and Zoning Commission. The GI district won't require a site plan to be reviewed until building permit.

6. Other important similarities between the PD and GI District include:

a. Both the PD and the GI District require a 30-degree bulk plane and no additional height restrictions from the R-SF District.

b. Both the PD and GI District require 20% open space.

c. The exact PD bufferyard language has been transferred over to the GI with COD.

d. The exact PD perimeter landscaping language has been transferred over to the GI with COD.

e. The exact same internal sidewalk connection to public sidewalk language has been included in the COD.

f. Access restrictions to Dollison and Virginia Avenues has been transferred to the COD.

7. The subject property is located at the intersection of Primrose Street, a secondary arterial roadway, and Kimbrough Avenue, a future collector roadway on the Major Thoroughfare Plan. Kings Avenue is a private street.

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

9. There are not changing conditions in the area affected that make the proposed rezoning necessary. The existing PD could also be amended.

10. The range of uses in the proposed GI district are compatible with the uses permitted on other property in the immediate vicinity. The Cox hospital properties to the east are zoned GI.

11. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned. Utility, stormwater and sewer service can be provided to this area which has been platted.

12. The impact the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity. This application will require a traffic study and improvements to the adjacent and surrounding public infrastructure as prescribed.

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

14. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The existing PD allows for similar uses with certain requirements.

STAFF RECOMMENDATION: Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Institutional & Employment Center 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 1/21/2025

Attachments:

1. Z-34-2024 COD 266 - 851 East Primrose Street
2. Z-34-2024 COD 266_exh A
3. Z-34-2024 COD 266_exh B
4. Z-34-2024 COD 266_exh C
5. Z-34-2024 COD 266_exh D

One-rdg. _____
P. Hrngs. X
Pgs. 32
Filed: 01-21-25

Sponsored by: Simpson

First Reading: _____

Second Reading: _____

COUNCIL BILL 2025-015

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 29 acres of property generally located at 851 East Primrose Street
4 from Planned Development No. 21, 7th Amendment, to GI,
5 Government and Institutional Use District; establishing Conditional
6 Overlay District No. 266; and adopting an updated Official Zoning
7 Map.
8 _____
9

10 WHEREAS, an application has been filed for a zoning change of the 29 acre
11 property generally located at 851 East Primrose Street from Planned Development No.
12 21, 7th Amendment, to GI, Government and Institutional Use District, and establishing
13 Conditional Overlay District No. 266; and
14

15 WHEREAS, Conditional Overlay District No. 266 shall modify the requirements of
16 the Springfield Land Development Code Section 36-401, GI, Government and
17 Institutional Use District, by requiring that the property described in "Exhibit B" comply
18 with the requirements described in "Exhibit A," both attached hereto and incorporated
19 herein by this reference; and
20

21 WHEREAS, following proper notice, the Planning and Zoning Commission held a
22 public hearing on December 19, 2024, a copy of the Record of Proceedings from said
23 public hearing being attached hereto and incorporated herein by this reference as
24 "Exhibit C," and said Commission made its recommendation of conditional approval with
25 a vote of 6 to 1; and
26

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

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

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

36
37 Section 1 – The property described in "Exhibit B" is hereby rezoned from
38 Planned Development No. 21, 7th Amendment, to GI, Government and Institutional Use
39 District, with Conditional Overlay District No. 266. Springfield Land Development Code,
40 Section 36-306, 'Official zoning map and rules for interpretation,' is hereby amended,
41 changed, and modified consistent with this Ordinance.

42
43 Section 2 – City Council hereby establishes Conditional Overlay District No. 266,
44 which shall contain the requirements and standards provided in "Exhibit A." The
45 requirements of Conditional Overlay District No. 266 shall modify the requirements of
46 the Springfield Land Development Code Section 36-401, GI, Government and
47 Institutional Use District, by requiring the property described in "Exhibit B" to comply
48 with the requirements contained in "Exhibit A."

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

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

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

61
62 Passed at meeting: _____

63
64
65 _____
66 Mayor

67 Attest: _____, City Clerk

68
69 Filed as Ordinance: _____

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

72
73 Approved for Council action: Colin Sykes, Interim City Manager
74
75

EXHIBIT A
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-34-2024 COD 266

The requirements of Section 36-401. of the Springfield Zoning Ordinance shall be modified herein for development within this district to include the following:

1. A twenty-five (25) foot perimeter landscaping strip shall be provided along Primrose Street.
2. A bufferyard, at least fifty (50) feet deep, with a six (6) foot tall earthen berm is required along the northern boundary of the district. Required plantings within the bufferyard shall include: 3 canopy trees, 3 understory trees, 3 evergreen trees, and twelve shrubs per one hundred (100) lineal feet. The berm may be reduced in height as necessary to allow for storm water to pass through from the residential areas to the north. This bufferyard shall wrap around the vehicle turnarounds at Dollison and Virginia Avenues and may be reduced to thirty (30) feet at these two locations.
3. Internal sidewalks, or clearly identified pedestrian ways, shall connect to the public sidewalks wherever possible to encourage pedestrian circulation.
4. No more than one full access on the north side of Primrose Street will be allowed between Kings Avenue and Kimbrough Avenue. Additional right-in/right-out access points may be permitted as supported by the Traffic Impact Analysis and Safety Study.
5. No access is permitted to Dollison and Virginia Avenues.
6. A Traffic Impact Analysis and Safety Study (TIA) shall be performed at the time of development in accordance with all requirements as determined by the Director of Public Works. At a minimum, all streets and traffic impacts in the general area bound by Walnut Lawn Street to the North, Primrose Street to the South, National Avenue to the East, and Campbell Avenue to the West shall be considered as part of the TIA. The TIA shall consider the Level of Service, safety, and connectivity of functional street network within the study area by providing analysis of scenarios both with and without the connection of Kimbrough Avenue from Primrose Street to Walnut Lawn Street. The requirements of said study shall be incorporated in the site plan, PIP, or other permits as applicable, and in accordance with City Code Section 36-250 and Section 9 of Public Works Design Standards. All public improvements required for the development must be constructed or escrowed prior to approval of the building permit or plat.
7. Before the property adjacent to the existing Kimbrough Avenue right-of-way is developed:

- a. Kimbrough Avenue shall be constructed from the north edge of the subject property to within 300 feet of Primrose Street to a width of 29 feet, and the remainder of the distance to Primrose Street to a width of 37 feet with a taper between the two street widths approved by the City Traffic Engineer; and
- b. The developer shall contribute to the construction of Kimbrough Avenue north of the subject property an amount equal to the difference between the 29-foot street width and the 37-foot street width that would have been constructed adjacent to the subject property.

EXHIBIT B
LEGAL DESCRIPTION

ALL OF LOT 1 OF THE FINAL PLAT OF COX WEST SUBDIVISION, A SUBDIVISION
IN SPRINGFIELD, GREENE COUNTY, MISSOURI AS DESCRIBED IN THE GREENE
COUNTY RECORDER'S OFFICE IN PLAT BOOK WW, PAGE 180.

EXHIBIT C
RECORD OF PROCEEDINGS
Planning and Zoning Commission – December 19, 2024

Z-34-2024 COD 266

851 East Primrose Street

Applicant: Lester E. Cox Medical Centers

Mr. Neal stated that this is a request to rezone approximately 29 acres from Planned Development No. 21, 7th Amendment to GI, Government and Institutional Use District with Conditional Overlay District No. 266.

Mr. Knuckles asked about extending or completing Kimbrough Avenue based on the traffic impact study and noted that the Planned Development was based on 50% development of the site and asked for some of the history on the requirements.

Mr. Chad Zickefoose, Public Works noted that the original Planned Development was approved by the Planning and Zoning Commission and City Council in 1982, and it had the same requirement for Kimbrough to be built once triggered by the 50% development or development on the lot adjacent to Kimbrough Avenue.

The Planned Development was amended again in 1991, and that same requirement to construct Kimbrough once you hit those triggers remained and was amended again in 2002, and that Kimbrough requirement remained in there.

And then there was also a preliminary plat approved in 2002 that contained that same requirement to construct Kimbrough Avenue.

Commissioners discussed the Major Thoroughfare Plan and if the development has met or exceeded the 50% development threshold.

Mr. Chris Wynn, 5051 S. National Avenue representing Cox Health and stated that Cox is committed to expanding the care in the region by constructing a comprehensive pediatric care facility and went into the history of the Planned Development and stated that the 50% is a blanket statement and needs to be based on a traffic study. Cox is asking to get away from the 50% threshold.

Mr. Knuckles noted that it was designed to alleviate traffic from National and Campbell Avenue and does not believe there needs to be a traffic study on a 42-year-old requirement and that it is time to put it through in honor of that agreement.

Additional comments/questions regarding the history of the PD and Kimbrough Avenue.

Mr. Colony stated that if a pediatric hospital is built that it will have a definite impact on the traffic and believes that the road will even be more important.

Mr. Lebeck asked if this request is approved, would the Planned Development requirement (50%) not carry through.

Mr. Chris Hoeman stated that if the commission wants to carry forward the conditions need to be amended.

Commission discussed the 50% requirement and if Cox can develop under the current zoning, questioned the timeline, and the language for making a motion.

Ms. Broekhoven closed the meeting.

COMMISSION ACTION #1:

Planning and Zoning Commissioner Colony moved to amend Z-34-2024 COD 266 with the following statement;
Kimbrough Avenue shall be constructed from the north edge of the subject property within 300ft of Primrose street to a width of 29ft and the remainder of the distance to Primrose street to a width of 37ft with a taper between the two street widths approved by the city traffic engineer and B, the developer shall contribute to the construction of Kimbrough Avenue

north of the subject property, an amount equal to the difference between the 29 foot street width and the 37 foot street width that would have been constructed adjacent to the subject property. Commissioner Knuckles seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Colony, Commissioner Knuckles, Commissioner Pauly, Commissioner Doennig and Commissioner Scott. Nays: Commissioner Broekhoven. Absent: Commissioner Lebeck and Commissioner Gunther. Abstain: None. (Commissioner Lebeck left before the vote was taken).

COMMISSION ACTION #2:

Planning and Zoning Commissioner Colony moved to approve Z-34-2024 COD 266; Commissioner Knuckles seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Colony, Commissioner Knuckles, Commissioner Pauly, Commissioner Doennig and Commissioner Scott. Nays: Commissioner Broekhoven. Absent: Commissioner Lebeck and Commissioner Gunther. Abstain: None. (Commissioner Lebeck left before the vote was taken).

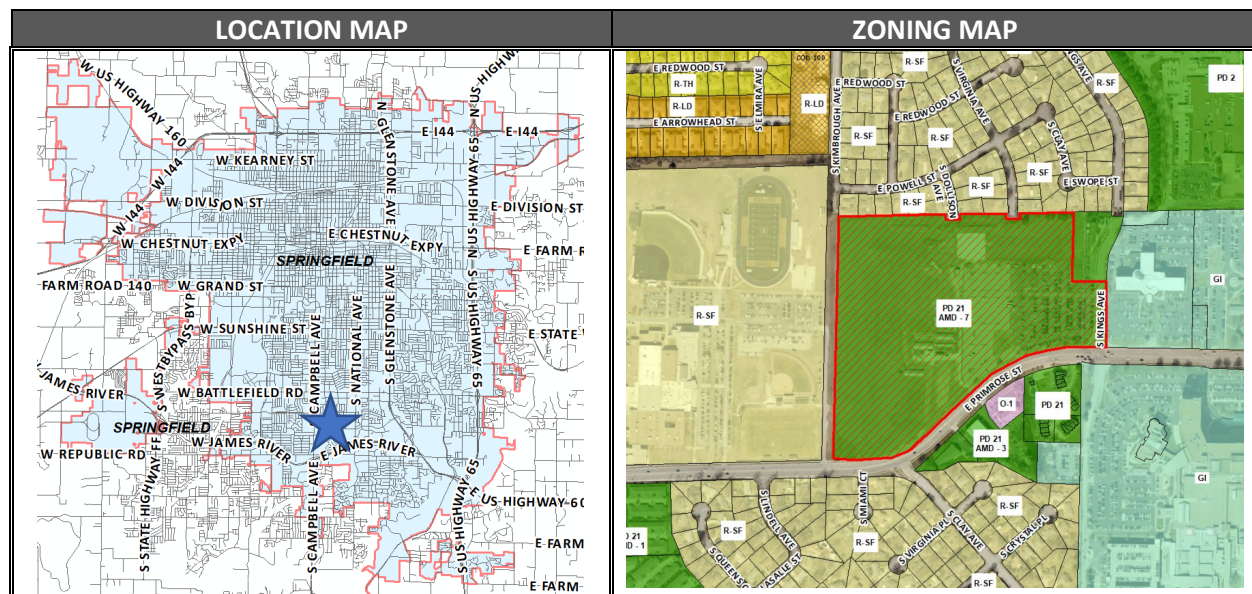
A handwritten signature in black ink, appearing to read 'Bob Hosmer', written over a horizontal line.

Bob Hosmer, AICP
Planning Manager

PROJECT INFORMATION

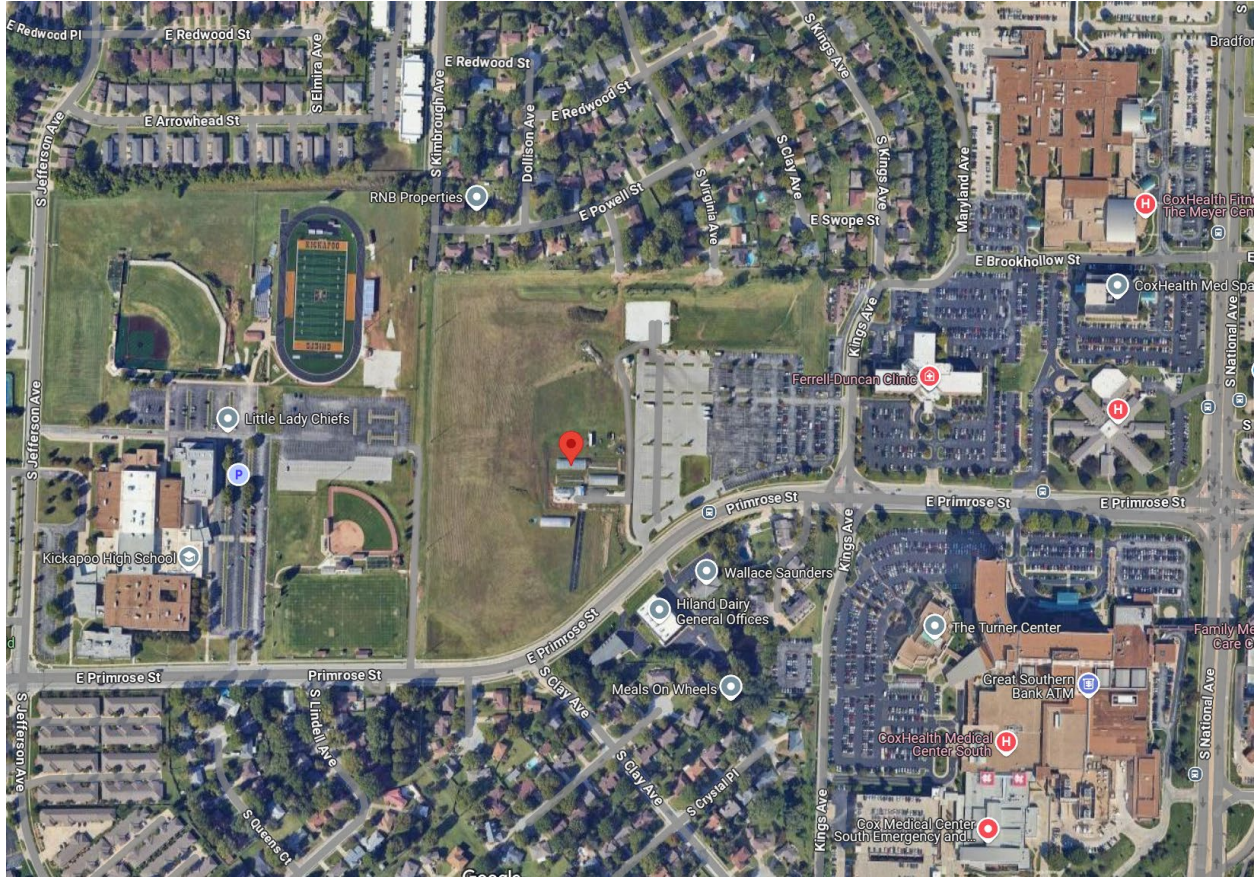
Case Number:	Z-34-2024 with Conditional Overlay District No. 266
Location:	851 E. Primrose Street
Total Acres:	29 acres
Applicant:	Lester E. Cox Medical Center
Existing Land Use:	Nursery/garden center, off-street parking and vacant land
Neighborhood Meeting:	November 29, 2024
Planning and Zoning Commission:	December 19, 2024
City Council:	January 27, 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-34-2024 with Conditional Overlay District No. 266 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).

Request to rezone approximately 29 acres generally located at 851 E. Primrose Street from Planned Development No. 21, 7Th Amendment to GI, Government and Institutional Use District with Conditional Overlay District No. 266.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



DEVELOPMENT REVIEW STAFF REPORT



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property was originally zoned Planned Development No. 21 in 1982 and was later amended to PD 21, 2nd Amendment in 1991. The PD was amended in 2002 to Planned Development No. 21, 7th Amendment.

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 GI
Use Limitations	(a) No landfill activities shall occur within 1,000 feet of a residential district. (b) All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards. (c) No use shall emit an odor 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).
Maximum Structure Height	None, except that all structures shall remain below a 30-degree bulk plane as measured from the boundary of any R-SF or R-TH district.
Minimum Open Space	Not less than 20 percent

DEVELOPMENT REVIEW STAFF REPORT

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property within the Institutional and Employment Center placetype.

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. 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.

Primary Land Uses:

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

Supporting Land 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.

DEVELOPMENT REVIEW STAFF REPORT

- Electric vehicle charging facilities, pedestrian and bicycle infrastructure, and automated vehicle parking and loading spaces are integrated along major corridors, installed at key destinations, and incorporated into private development plans.
- As technology, trends, and funds permit, utilities are buried or consolidated along rear property lines, reducing conflicts with street trees, pedestrian infrastructure, and viewsheds.
- Transit service is expanded along key commercial corridors over the long term with bus stops enhanced with shelters and live timetables.
- 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:

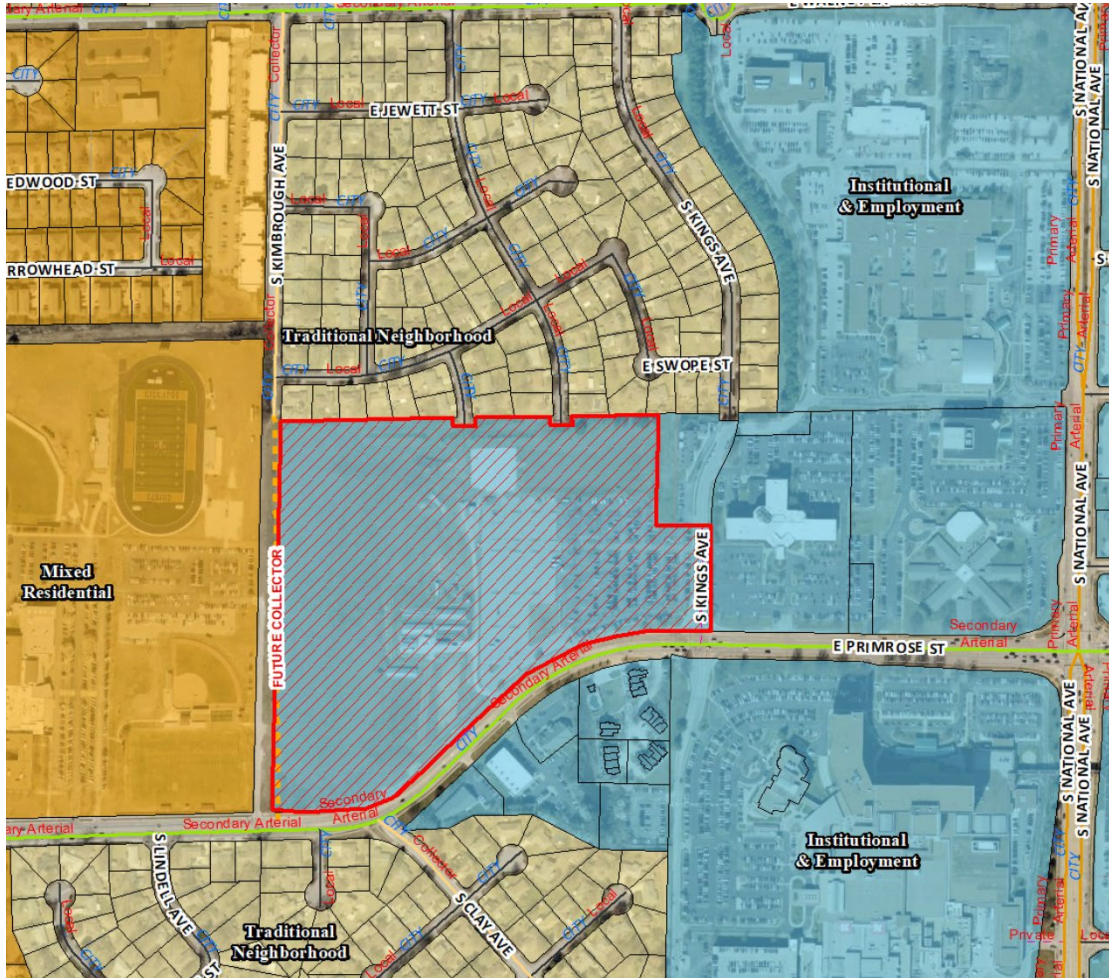
- Parking should be located behind or beside the primary buildings with abundant landscaping and screening to encourage greater interest and interaction between the adjoining street and the building, that contributes to community-wide quality of place.
- Pedestrian pathways within large parking lots 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 avoid the placement of mechanical equipment along major roadways or should be completely screened, along with adequate spacing for storage of waste receptacles.

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.

DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:

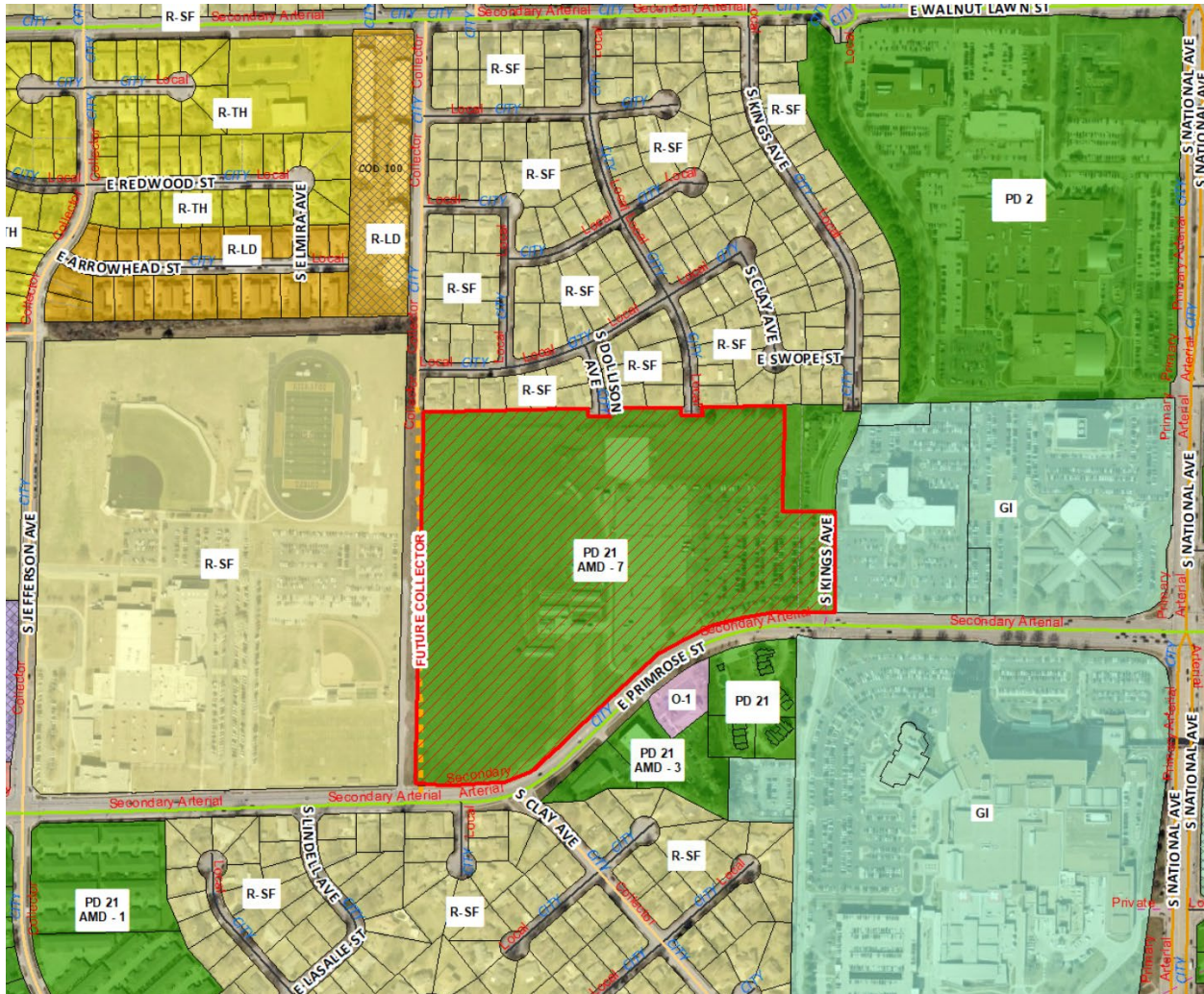


PLACETYPES	LAND USES													
	Single-Family Detached	Single-Family Attached	Multi-Family	Parks & Open Space	Sports Complexes & Recreational Facilities	Urban Agriculture	Office, Hospitality, Retail Sales & Service	Neighborhood Commercial	Major Retail & Wholesale	Public & Private Schools & Places of Worship	Universities, Colleges & Vocational Schools	Government, Healthcare & Institutional Facilities	Personal Services, Outdoor Sales & Service	Light Industry
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	PD 21, O-1 & R-SF	PD 21 & GI	R-SF
LAND USE	Single-family residential	Office and single-family residential	Ronald McDonald House & Cox hospital uses	High school
PLACETYPES	Traditional Neighborhood	Traditional Neighborhood	Institutional & Employment	Mixed Residential

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT COMMENTS:

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues with the proposed rezoning. The property has access to CU 3-phase electric, gas & water.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues with rezoning. Tract has access to public sewer although it is not in a sewer district. If any new connections are made to sanitary sewer, they may require a special connection agreement unless a sewer district is formed.

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. Primrose Street	Secondary Arterial	City	35	35	NA	No	Yes	Yes
Street 2	S. Kimbrough Avenue	Collector	City	30	30	NA	No	Yes	No
Street 3	S. Kings Avenue	Private	Private	30	30	NA	No	Yes	Yes

ACCESS - All new or modified driveway approaches shall comply with the accepted traffic impact study, conditional overlay district, and current City of Springfield standards for the street classification.

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There is one Greenway Trails near the property. There are seven bus stops near the property.

IMPROVEMENTS - No improvements are required for this rezoning. A Traffic Impact Analysis and Safety Study (TIA) is required at the time of development. The requirements of said study shall be incorporated in the site plan, public improvement plans, or other permits as applicable. All public

DEVELOPMENT REVIEW STAFF REPORT

improvements required for the development must be constructed or escrowed prior to approval of any building permit or plat.

- All streets and traffic impacts in the general area bound by Walnut Lawn Street to the North, Primrose Street to the South, National Avenue to the East, and Campbell Avenue to the West shall be considered as part of the TIA. The TIA shall consider the Level of Service, safety, and connectivity of functional street network within the study area by providing analysis of scenarios both with and without the connection of Kimbrough Avenue from Primrose Street to Walnut Lawn Street.

- No more than one (1) full access on the north side of Primrose Street shall be allowed between Kings Avenue and Kimbrough Avenue. Additional right-in/right-out access points may be permitted as supported by the TIA

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

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

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

DETENTION AND DISCHARGE REQUIREMENTS

1. Detention for flood control is triggered at time of development and not rezoning. The property has existing flood control detention basins for the existing impervious areas only.

a. Any new development that increases the impervious area must provide flood control volume based on the Chapter 96-11. No fee in lieu of detention application is permitted.

b. Modifications to existing public infrastructure requires public improvement projects.

2. The site must discharge to the E Primrose St right-of-way. The existing storm sewer is located from west to east; Primrose and Kimbrough intersection, E Primrose St culvert to the Ward Branch Stream, and the Primrose and Kings intersection.

3. The new Kimbrough Ave road should have storm sewer connected to the 2013PW0018 stormwater control measure before discharging to the south.

4. Future Projects require the runoff from S Dollison Ave captured and routed to the downstream storm sewer or natural waterway.

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 REVIEW STAFF REPORT

development or sale that will disturb 1 or more acres over the life of the project. Chapter 10 Sec. 2.0.

a. Any new development on the 851 E Primrose St property will be considered part of a larger common plan. Water quality stormwater control measure is required for any increase in impervious area.

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 29 acres generally located at 851 E. Primrose Street from Planned Development No. 21, 7th Amendment to GI, Government and Institutional Use District with Conditional Overlay District No. 266. The applicant is proposing a new pediatrics clinic and other hospital uses in the future.
2. The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Institutional & Employment Center placetype. This placetype contains a variety of major medical and office parks, and a collection of institutional and employer campuses.
3. The GI District is consistent with the goals and objectives of the Institutional and Employment Center placetype. The GI use district is established to apply to those lands where federal, state or local government activities are conducted, where governments hold title to such lands, and to major public and private educational and medical facilities. This district is also intended to classify land that is vacant but has been designated for the activities listed above in an adopted plan.

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4. The applicant is proposing a Conditional Overlay District that carries over some of the differences from the existing PD to the proposed GI District. This includes additional perimeter landscaping and bufferyard requirements, internal sidewalk connections to public sidewalk, access restrictions, and a traffic study at the time of development.
5. The main differences between the existing PD and GI include:
 - a. The PD prohibits heliports as an accessory to hospitals with ambulance services. The GI District with COD would allow this use by right.
 - b. The PD allows Hotels, motels and inns provided that (a) such use shall not occupy more than forty (40) percent of the gross floor area of the building in which it is located; (b) shall be entirely located within the building or buildings utilized primarily for Hospital/Medical uses; and (c) shall have no signs or advertising devices visible from any public street. The GI District with COD will require a CUP for temporary lodging facilities such as hotels and motels.
 - c. The PD has a maximum Floor Area Ratio (FAR) of 0.30 which doesn't include parking structures. The GI District with COD has no FAR limitations.
 - d. The PD has required improvements based off of a traffic study from 2002. The GI with COD will require a new traffic study based off current conditions and proposed development.
 - e. The PD requires improvements to Kimbrough Avenue when 50% of the site is developed or lot adjacent is developed. The GI District with COD will determine the construction of Kimbrough Avenue based off the traffic study.
 - f. The PD requires additional right-of-way and improvements to Primrose. Those improvements to Primrose have already been made by the City.
 - g. The PD requires the off-street parking requirements in the Zoning Ordinance to apply. GI doesn't require any off-street parking.
 - h. Signage is limited in the PD to three (3) free standing signs permitted along Primrose. The signs shall have a maximum effective area of one hundred fifty (150) square feet and a maximum height of twenty (20) feet. The signs shall be separated by a minimum of two hundred fifty (250) feet. Directional signage is permitted throughout the site. The signs are limited to a maximum height of eight (8) feet and a maximum of six (6) feet wide. The rezoning to GI will default signage to the existing Z.O. which appears to allow the same number of signs, but more effective area.
 - i. A final development plan/detailed site plan (landscaping, photometrics, screening, signage, etc.) in conformance with the PD is required to be approved by Planning and Zoning Commission. The GI district won't require a site plan to be reviewed until building permit.
6. Other important similarities between the PD and GI District include:
 - a. Both the PD and the GI District require a 30-degree bulk plane and no additional height restrictions from the R-SF District.
 - b. Both the PD and GI District require 20% open space.
 - c. The exact PD bufferyard language has been transferred over to the GI with COD.

DEVELOPMENT REVIEW STAFF REPORT

- d. The exact PD perimeter landscaping language has been transferred over to the GI with COD.
 - e. The exact same internal sidewalk connection to public sidewalk language has been included in the COD.
 - f. Access restrictions to Dollison and Virginia Avenues has been transferred to the COD.
7. The subject property is located at the intersection of Primrose Street, a secondary arterial roadway, and Kimbrough Avenue, a future collector roadway on the Major Thoroughfare Plan. Kings Avenue is a private street.
 8. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.
 9. There are not changing conditions in the area affected that make the proposed rezoning necessary. The existing PD could also be amended.
 10. The range of uses in the proposed GI district are compatible with the uses permitted on other property in the immediate vicinity. The Cox hospital properties to the east are zoned GI.
 11. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned. Utility, stormwater and sewer service can be provided to this area which has been platted.
 12. The impact the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity. This application will require a traffic study and improvements to the adjacent and surrounding public infrastructure as prescribed.
 13. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district. There is not an error.
 14. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The existing PD allows for similar uses with certain requirements.
 15. The proposed rezoning was reviewed by City departments and comments are contained in the staff report (above).
 16. The applicant held a neighborhood meeting on November 29, 2024, regarding the rezoning request. A summary of the meeting is attached (Attachment 2).
 17. 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

DEVELOPMENT REVIEW STAFF REPORT

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 Center 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. 266

The requirements of Section 36-401. of the Springfield Zoning Ordinance shall be modified herein for development within this district to include the following:

1. A twenty-five (25) foot perimeter landscaping strip shall be provided along Primrose Street.
2. A bufferyard, at least fifty (50) feet deep, with a six (6) foot tall earthen berm is required along the northern boundary of the district. Required plantings within the bufferyard shall include: 3 canopy trees, 3 understory trees, 3 evergreen trees, and twelve shrubs per one hundred (100) lineal feet. The berm may be reduced in height as necessary to allow for storm water to pass through from the residential areas to the north. This bufferyard shall wrap around the vehicle turnarounds at Dollison and Virginia Avenues and may be reduced to thirty (30) feet at these two locations.
3. Internal sidewalks, or clearly identified pedestrian ways, shall connect to the public sidewalks wherever possible to encourage pedestrian circulation.
4. No more than one full access on the north side of Primrose Street will be allowed between Kings Avenue and Kimbrough Avenue. Additional right-in/right-out access points may be permitted as supported by the Traffic Impact Analysis and Safety Study.
5. No access is permitted to Dollison and Virginia Avenues.
6. A Traffic Impact Analysis and Safety Study (TIA) shall be performed at the time of development in accordance with all requirements as determined by the Director of Public Works. At a minimum, all streets and traffic impacts in the general area bound by Walnut Lawn Street to the North, Primrose Street to the South, National Avenue to the East, and Campbell Avenue to the West shall be considered as part of the TIA. The TIA shall consider the Level of Service, safety, and connectivity of functional street network within the study area by providing analysis of scenarios both with and without the connection of Kimbrough Avenue from Primrose Street to Walnut Lawn Street. The requirements of said study shall be incorporated in the site plan, PIP, or other permits as applicable, and in accordance with City Code Section 36-250 and Section 9 of Public Works Design Standards. All public improvements required for the development must be constructed or escrowed prior to approval of the building permit or plat.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: Planned Development 21 Amendment 7 to Government and Institutional Use
(existing zoning) (proposed zoning)
2. Meeting Date & Time: Friday, 11/29/2024 from 4 - 6:30PM
3. Meeting Location: Ozark Room - CoxHealth Meyer Orthopedic & Rehab Hospital (3535 S. National)
4. Number of invitations that were sent: 181
5. How the mailing list was generated: The Mailing list was provided by the City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 9
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).

Please see attachment below.

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

No written comment cards provided, meeting consisted of solely verbal communications.

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

Signature of person completing affidavit

Printed name of person completing affidavit



Providing Transportation and Engineering Solutions

5051 S. National, Ste. 7A
Springfield, MO 65810
Phone: 417.889.3400
Fax: 417.889.3402
www.GoCJW.com

Young Property Neighborhood Meeting
Lester E Cox Medical Centers
3535 S. National
Springfield, Missouri

November 29, 2024
4:00 to 6:30 pm

Notes:

Below are the notes taken during the verbal communications between the neighboring property owners and the subject property representatives at the time of the Neighborhood Meeting.

Overall positive feedback was received from all of those in attendance, some of the comments discussed during the meeting can be found below.

Comments & Responses:

- The meeting started with introductions and CoxHealth giving a brief overview of the property and their reasons for the request for Rezone.
- Neighbors asked about the removal of the community gardens which currently resides on the subject property.
 - CoxHealth responded, the Community Gardens are to remain in place until such time arises for the need of relocation to which options for possible relocations will be discussed.
- Neighbors had several comments regarding speeding traffic from Kickapoo School.
 - CoxHealth responded, all necessary traffic studies will be performed at the time of development, the study will include the time of day when school lets out.
- Neighbors asked about the building heights for the property.
 - CJW responded, development will follow the provisions set forth in the current PD which is consistent with GI zoning, e.g. the 30° bulk plane requirements.
- Neighbors asked about parking lighting and headlight bleed-over onto neighboring properties.
 - CoxHealth responded, every precaution will be taken to ensure that is not an issue, directional lighting, fencing, dark sky requirements as required by the city will be followed.
- Neighbors asked about the potential addition of greenspace or park with the development of this property.
 - CoxHealth responded, certainly greenspace will be included, many facilities that serve pediatric patients include a park or playground for kids and staff. CoxHealth anticipates something similar for this project but doesn't know to what extent at the point.
- Neighbors asked about hours of operation.
 - CoxHealth responded, the clinic's hours of operation would be Monday through Friday and open during general business hours.
 - Potential future development could include expanded hours.
- Neighbors asked about the time frame for development of the property.
 - CoxHealth responded, at this point design for a clinic will begin in 2025 and built in 2027.

- Neighbors asked about property values.
 - CoxHealth responded, nothing Cox has done has negatively impacted property values.
- Neighbors asked about parking.
 - CoxHealth responded, initially surface parking, future would include a parking garage.
- Neighbors asked about the roadway extensions at Dollison, Virginia and Kimbrough.
 - CJW responded, Dollison and Virginia will not be extended. Kimbrough however will be extended to meet Primrose.

Please Sign-In

Welcome!



26-Nov-24
4:00 - 6:30 PM

CoxHealth Youngs Property Rezoning
Thank you for coming. Please leave your name and contact information.

	NAME	ADDRESS	EMAIL	PHONE
1	Barbara Adams	829 E. Powell St.	mut4us@att.net	417-429-6189
2	Joe & Jeanne Combs	800 E. Primrose St	jcombsemail@gmail.com	417-207-2182
3	Frances Duermeyer	3807 S. Miami Ct	frduermeyer@gmail.com	417-849-2705
4	George Graddy		gg4569@mediacombb.net	417-844-2623
5	Branna Cudworth			417-349-0784
6	Lori Gilmore	3815 S. Miami Ct.	chronicrain-79@yahoo.com	417-425-5525
7	Lorri White	940 E. Scope St	lorri5@hotmail.com	
8	Matt Moraw	2058 S. Celebration Ave.	Matt@springfieldchamber.com	417-343-2025
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				

Neighborhood Meeting Notice

Date of Letter:

11/18/2024

DEAR PROPERTY OWNER,

You have received a notice of a "Neighborhood Meeting" since all development applications involving an advertised public hearing require that a developer hold a neighborhood meeting and invite the property owners within 500 feet of the property and the officers of any neighborhood associations on file with the City of Springfield.

The applicant or representative below has filed an application with the City of Springfield for a change in land use, zoning or street vacation in your neighborhood.

APPLICANT CONTACT INFORMATION

Applicant/Representative Name: Anthony Swanigan CJW Transportation Consultants, LLC

Address: 5051 South National Ave

City, State and Zip: Springfield, Missouri 65810

Phone Number: (417) 889-3400

E-mail: aswanigan@gocjw.com

PROJECT LOCATION:

851 E. Primrose Springfield, Missouri

PROPOSED CHANGES:

Provide details of the existing zoning and proposed zoning (planned development, conditional use permit, conditional overlay district or vacation of roadways).

The rezone of the property located at 851 E. Primrose from a Planned Development to a Government and Institutional Zoning.

PUBLIC NEIGHBORHOOD MEETING

Date of Meeting: 11/29/2024

Location of Meeting: Ozark Room - CoxHealth Meyer Orthopedic & Rehab Hospital
3535 S. National Ave, Springfield, MO 65807

Time of Meeting: ● 4:00pm to 6:30pm

We look forward to seeing you at this meeting! Thank You!

From: [Kristen Lentz](#)
To: Zoning@springfieldmo.gov
Subject: 851 Primrose Project
Date: Saturday, November 23, 2024 9:33:05 PM

To whom this may concern,
My husband & I received the Neighborhood Meeting Notice about 851 E Primrose on Fri 11/22/'24. We will both be working on this day & cannot attend. My main concern for emailing is that it's incredibly late notice about said meeting, as well as the fact that it's on a day after a big national holiday, where most likely very minimal attendance will happen. This is incredibly concerning as it seems like nefarious behaviors or reasoning. Could you please provide more information as to what this project is about?

Thanks in advance,
Kristen Lentz



EXPLANATION TO COUNCIL BILL 2025-016 (HOSMER)

FILED: 01/08/2025

ORIGINATING DEPARTMENT: Public Works

TITLE: A general ordinance amending the Springfield City Code, Chapter 96, 'Storm Water,' Article I, 'Flood Control and Water Quality Protection,' by adding three new sections regulating access to, and the creation of obstructions in, underground stormwater infrastructure.

PURPOSE: To adopt an ordinance restricting access into underground stormwater infrastructure unless authorized by the City of Springfield.

BACKGROUND INFORMATION: In recent years, there have been at least two documented instances of homeless individuals using underground stormwater systems as shelter. In these cases, large amounts of materials, including pallets, shopping carts, clothing, refrigerators, and other debris, have been left behind in the culverts. These items obstruct the flow of stormwater, increasing the risk of flooding to nearby businesses, homes, and public streets.

Additionally, inhabiting underground culverts is highly dangerous, particularly in urban areas prone to pop-up thunderstorms, which can lead to flash floods in a very short period of time. The combination of debris accumulation and human presence in these vulnerable spaces poses significant public safety and environmental risks.

Supports the following City Council Priorities:

- Public Safety
- Quality of Place

REMARKS: Public Works recommends passage of this Council bill.

Submitted By: Brett Foster, Assistant Director of Public Works

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

Maurice S. Jones, Deputy City Manager 1/21/2025

Attachments: 1. Stormwater Enforcement Amend_ord (1)

One-rdg. _____
P. Hrngs. _____
Pgs. 4
Filed: 01-21-25

Sponsored by: Hosmer

First Reading: _____

Second Reading: _____

COUNCIL BILL 2025-016

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield City Code, Chapter 96, 'Storm Water,' Article I, 'Flood
2 Control and Water Quality Protection,' by adding three new sections
3 regulating access to, and the creation of obstructions in, underground
4 stormwater infrastructure.
5 _____
6

7 WHEREAS, the City's underground stormwater infrastructure serves a critical
8 role in preventing flooding and protecting water quality; and
9

10 WHEREAS, underground stormwater infrastructure can be hazardous to enter
11 and sudden rain events can create a substantial risk of serious injury or death for any
12 person inside that infrastructure; and
13

14 WHEREAS, obstructions within underground stormwater infrastructure slow
15 down or prevent the flow of stormwater, which increases the risk of flooding and poses
16 a danger to public health and safety; and
17

18 WHEREAS, the City is required by the Clean Water Act, and its Municipal
19 Separate Storm Sewer System ("MS4") permit, to reduce stormwater pollution runoff to
20 the maximum extent practicable; and
21

22 WHEREAS, dumping or depositing of items in stormwater infrastructure could
23 introduce pollutants into stormwater and could result in the City violating the terms of its
24 MS4 permit; and
25

26 WHEREAS, to ensure the safety and well-being of its citizens, the Springfield
27 City Council desires to amend its City Code provisions to impose limitations on who and
28 what may enter the City's underground stormwater infrastructure.
29

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

Section 1 – Springfield City Code, Chapter 96, ‘Storm Water,’ Article I, ‘Flood Control and Water Quality Protection,’ Division 1, ‘General Provisions,’ is hereby amended by enacting new sections 96-4.1, 96-4.2, and 96-4.3 as follows:

NOTE: Language to be added is underlined, and language to be deleted is ~~stricken~~.

Sec. 96-4.1. – No Unauthorized Persons in Pipes and Culverts.

No person shall enter into or remain within any enclosed storm drain system, culvert, or any other underground infrastructure intended to convey stormwater, without prior authorization from the party responsible for maintaining the same.

This section shall not apply to any person authorized by the party responsible for maintaining said enclosed storm drain system, culvert, or other underground infrastructure intended to convey stormwater. A person prosecuted under this section shall have the burden of injecting the issue of authorization. If evidence supporting authorization is submitted to the trier of fact, the burden shall then be on the City to prove beyond a reasonable doubt that the person did not have authorization from the party responsible for maintaining the enclosed storm drain system, culvert, or other underground infrastructure intended to convey stormwater.

Sec. 96-4.2. – Parent or Guardian’s Responsibility.

No person being the parent, guardian, custodian or other adult person having custody or control of any minor child shall allow or permit such minor child to enter or shall neglect to restrain or prevent such a minor child from entering into or within any storm drain system, culvert, or any other underground infrastructure intended to convey stormwater.

Sec. 96-4.3. – Obstruction of stormwater infrastructure prohibited.

No person shall throw, dump, deposit, place, leave, or cause to be thrown, dumped, deposited, placed, or left any item of personal property within any enclosed storm drain system, culvert, or any other underground infrastructure intended to convey stormwater, without prior authorization from the party responsible for maintaining the same. For the purposes of this article, the phrase “item of personal property” means any tangible object.

Section 2 – Severability Clause. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unenforceable, to the extent the remainder of this Ordinance can be validly and reasonably interpreted and enforced, such decision shall not affect the validity of the remaining portions of this Ordinance.

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

80
81 Passed at meeting: _____

82
83
84 _____
85 Mayor

86
87 Attest: _____, City Clerk

88
89 Filed as Ordinance: _____

90
91
92 Approved as to form: Kyle Tull, Assistant City Attorney

93
94
95 Approved for Council action: Collin Sykes, Interim City Manager



EXPLANATION TO COUNCIL BILL 2025-017 (SIMPSON)

FILED: 01/08/2025

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A special ordinance approving and authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of Chimney Rock Subdivision, generally located at 3040 South Arcadia Avenue, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance.

PURPOSE: Authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of Chimney Rock Subdivision, generally located at 3040 South Arcadia Avenue upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance. (Staff recommends that City Council approve the preliminary plat and accept the public streets and easements.)

BACKGROUND INFORMATION:

A n original Preliminary Plat of Chimney Rock Subdivision dated August 6th, 2024, is on file in the Department of Planning and Development. A reduced version of which is included for general reference in Exhibit B, Attachment 4.

B. The Planning and Zoning Commission held a public hearing on December 19th, 2024, and denied the Preliminary Plat by a vote of 1 to 6. The applicant appealed this denial to City Council pursuant to Section 36-226(3)(g).

C. If City Council approves, staff recommends the plat be subject to the following conditions:

1. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department and the maintenance and operation of such improvements shall be the responsibility of the developers unless approved by the Director of Public Works. All required sanitary sewer, street, sidewalk, and drainage plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works.

2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.

3. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.

4. It is determined that the public interest requires assurance concerning adequate maintenance of common space areas and improvements. The restrictive covenants, rules and bylaws creating the common ownership must therefore provide that if the owners of the Property Owners Association shall fail to maintain the common areas or improvements in reasonable order and condition in accordance with the approved plans, the City may, after notice and hearing, maintain the same and assess the costs against the units or lots, per the Common Open Space and Common Improvement Regulations section of the Zoning Ordinance.

5. The developer shall be responsible for the relocation costs of any existing utility services and shall be responsible for clearing all utility easements of trees, brush, and overhanging tree limbs.

6. All other requirements which are necessary for this subdivision to be in compliance with the Subdivision Regulations.

All required improvements shall be the sole responsibility of the sub-divider. As prescribed by Section 36-233 of the Subdivision Regulations, the improvements shall be made or guaranteed by means of bond, escrow agreement, letter of credit or other appropriate security agreement. Release of the final plat for recording shall be withheld until the sub-divider has complied with this section.

Section 36-226 of the Subdivision Regulations requires that a final plat be submitted within two years of City Council's acceptance of the public streets and easements.

Attached for Council information is a sketch showing the location of the plat area, an exhibit showing the proposed plat, and a copy of the Planning and Development Department staff report to the Planning and Zoning Commission.

The Comprehensive Plan's Land Use & Development chapter groups this area into the Traditional Neighborhood Placetype. This placetype is 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. 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. (p. 36, Chapter 5: Land Use & Development)

The proposed subdivision is located within the Galloway Village Neighborhood and provides connections to the adjacent Arcadia Avenue and Mimosa Street. The arrangement of the proposed streets is consistent with the curvilinear pattern of the road network in this area. The single-family lots will provide continuity of the surrounding residential land. The comprehensive plan identifies the low-density residential use as most appropriate use because this piece of land is not located on a major thoroughfare or within an activity center. REMARKS: Staff recommends approval.

Submitted By: Andrew Menke, Senior Planner

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

Maurice S. Jones, Deputy City Manager 1/21/2025

Attachments:

1. Preliminary Plat of Chimney Rock Subdivision - 3040 South Arcadia Avenue
2. PPlat Chimney Rock Sub_exhA
3. PPlat Chimney Rock Sub_exhB

One-rdg. _____
P. Hrngs. _____
Pgs. 65
Filed: 01-21-25

Sponsored by: Simpson

First Reading: _____

Second Reading: _____

COUNCIL BILL 2025-017

SPECIAL ORDINANCE _____

AN ORDINANCE

1 APPROVING &
2 AUTHORIZING the Director of Planning and Development to accept the dedication of
3 public streets and easements to the City of Springfield, Missouri, as
4 shown on the Preliminary Plat of Chimney Rock Subdivision,
5 generally located at 3040 South Arcadia Avenue, upon the applicant
6 filing and recording a final plat that substantially conforms to the
7 preliminary plat; and authorizing the City Clerk to sign the final plat
8 upon compliance with all the terms of this Ordinance.
9 _____

10
11 WHEREAS, an original Preliminary Plat of Chimney Rock Subdivision, dated
12 August 6, 2024, is on file with the City's Department of Planning and Development; and
13

14 WHEREAS, the Planning and Zoning Commission of the City of Springfield,
15 Missouri, held a public hearing on December 19, 2024, and denied the Preliminary Plat
16 of Chimney Rock Subdivision by a vote of 1 to 6, a copy of the Record of Proceedings
17 from said public hearing being attached hereto and incorporated herein by this
18 reference as "Exhibit A"; and
19

20 WHEREAS, the applicant has appealed the denial of the Planning and Zoning
21 Commission pursuant to Section 36-226(3)(g) of the City Code.
22

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

26 Section 1 – City Council hereby approves the Preliminary Plat of Chimney Rock
27 Subdivision, generally located at 3040 South Arcadia Avenue, as submitted in "Exhibit
28 B, Attachment 4"; all of "Exhibit B" is attached hereto and incorporated herein by this
29 reference.
30

31 Section 2 – City Council hereby authorizes the Director of Planning and
32 Development, on behalf of the City of Springfield, to accept the land, easements, and
33 improvements dedicated to the City, as shown on the Preliminary Plat of Chimney Rock

34 Subdivision. The original Preliminary Plat of Chimney Rock Subdivision is on file in the
35 Department of Planning and Development ("Approved Preliminary Plat"), with a reduced
36 version included at "Exhibit B, Attachment 4."
37

38 Section 3 – The Director of Planning and Development shall be authorized to
39 accept the land, easements, and improvements dedicated to the City, as shown on said
40 plat, upon the applicant filing and recording a final plat in accordance with this
41 Ordinance and the Subdivision Regulations of the City, which final plat shall
42 substantially conform to the Approved Preliminary Plat, including those conditions
43 described in "Exhibit B – Attachment 2," and upon the Director of Public Works certifying
44 to the Director of Planning and Development and the City Clerk that the public
45 improvements have been made in accordance with City standards and specifications.
46 Said public improvements shall not be accepted until the occurrence of all conditions
47 referenced herein and in "Exhibit B – Attachment 2."
48

49 Section 4 – The final plat shall not be recorded until: (1) the public improvements
50 relating to the Approved Preliminary Plat have been constructed according to the
51 specifications of the City of Springfield, Missouri, and are approved by the Director of
52 Public Works, and all engineering fees, permit fees, licenses, and other fees occasioned
53 by or in connection with the construction of said improvements have been paid to the
54 City; or (2) in lieu of the construction of the improvements, that the Applicant has filed
55 with the City Manager, according to the terms of the Subdivision Regulations of the City,
56 the prescribed financial assurances in a form acceptable to the City to ensure the
57 construction of the improvements and the payment to the City of all engineering fees,
58 permit fees, licenses, and other fees occasioned by, or which will be occasioned by, the
59 construction of the improvements.
60

61 Section 5 – Upon compliance with all the requirements of this Ordinance,
62 including the conditions described in "Exhibit B – Attachment 2," the City Clerk is hereby
63 authorized to endorse City Council's approval upon the final plat pursuant to Section
64 445.030, RSMo., and such endorsement shall constitute the acceptance of the Public
65 Improvements contained therein.
66

67 Section 6 – This Ordinance shall be in full force and effect from and after its
68 passage.
69

70 Passed at meeting: _____
71

72 _____
73 Mayor
74

75 Attest: _____, City Clerk
76

77 Filed as Ordinance: _____
78
79

80 Approved as to form: Laura Vales, Assistant City Attorney
81
82
83 Approved for Council action: Colin Sykes, Interim City Manager

EXHIBIT A
RECORD OF PROCEEDINGS
Planning and Zoning Commission – December 19, 2024

Preliminary Plat of Chimney Rock Subdivision
3040 South Arcadia Avenue

Applicant: JCRS Development, LLC

COMMISSION ACTION: (reduce speaking time)

Planning and Zoning Commissioner Scott moved to approve the speaking time to 3 minutes for the Preliminary Plat of Chimney Rock Subdivision; Commissioner Colony seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Broekhoven; Commissioner Ridge, Commissioner Colony, Commissioner Knuckles, Commissioner Pauly, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: Commissioner Lebeck and Commissioner Gunther. Abstain: None.

Mr. Menke stated that this is a request to approve a preliminary plat for a 40-lot residential subdivision.

Mr. Scott asked about any discussion regarding an additional cul-de-sac on the north end and not connecting to the existing cul-de-sac.

Mr. Menke stated that he was not involved in those discussions but did speak with the fire department and there is a requirement to have a second access into a subdivision that has more than 30 lots when the houses are not served by a fire sprinkler system.

Discussion on if this project currently meets the current zoning ordinance and for a denial it would need a subdivision regulation the proposed plat violates.

Mr. James Hanson, 3213 S West Bypass, submitting the plat on behalf of the owner and stated that there were a lot of neighborhood concerns and believes that there were four main issues: impact on property values, traffic and safety, lot size and density, and storm water concerns.

Mr. Colony asked about storm water detention spacing.

Mr. Hanson noted that the way it is laid out it will meet all the requirements, will have a study on the stormwater and will adjust accordingly.

Mr. Ryan Perkins, 3146 S. Arcadia, voiced his opposition to the development stating that it did not comply with the existing comprehensive plan, not cohesive with the current neighborhood, negatively affect stormwater runoff and the walkability of the area. He would like to see the preservation of the residential housing patterns prioritized and questioned the proposed average lot size.

Mr. Ben Shantz, 1523 E. Delmar, attorney here on behalf of the applicant noting that it does comply with each of the elements required by city code. He also noted that they want to prioritize the undeveloped land within the city and to find new and unique ways to solve the severe housing issues.

Mr. Colony asked why they are developing 40 lots and not 30.

Mr. Shantz noted that construction costs have skyrocketed and the way to achieve attainable housing is decrease the lot size and create higher density. The houses are not intended to be affordable housing and they will be market rate housing.

Mr. Christopher Trussell, 3141 S. Ventura, stated his issue is the traffic and gave examples about potential problems (width of Mimosa).

Ms. Sonja Shaw, 2771 E. Ridgewood, voiced her concerns of the proposed plat and noted the two established neighborhoods adjoining the development and the lots will be substantially smaller and wants to preserve the character of the neighborhood as well as the amazing trees that would have to be removed. She also gave out pictures to the commission members.

Ms. Tammy Fulk, 3134 S. Arcadia, stated her concerns that they will have almost 2½ lots backing up to their home and believes it does not comply with the Comprehensive Plan as they are a traditional neighborhood and does not align with Chimney Hills or Chimney Hills Place. She also stated that Mimosa is a very narrow street and would be one of the main roads to and from the development which would have safety issues.

Mr. Scott asked if there were any plans for adding an extension to the southern lane of Mimosa to the east.

Mr. Zickefoose, Public Works, noted that there are no current plans.

Mr. Stephen Berkwitz, 2468 E. Raynell, stated that he believes the plat does not preserve the residential and housing patterns that are currently in the surrounding neighborhoods and that the traffic would add great stress on Mimosa and Chambery and as well as more difficult for the buses and cars to bring their children to school and would like to request a traffic study done before approval.

Ms. Pat Scott, 3252 S. Ridgewood Ct., noted her concern for the potential of traffic, lot density, and home values as well as the preservation of residential housing and housing patterns and believes all the extra traffic will go to Mimosa.

Ms. Sabrina West, 2816 E. Ridgeview, was the listing agent for one of the five-acre houses. She went over the history of its purchase and voiced her concerns/issues of the people proposing the new development.

Mr. David Cantrell, 3216 S. Saratoga, stated that the development will be directly behind his home and that there may be as many as 6 homes along his back yard, as well as traffic issues, believes that this is a cluster development, and will affect his property values. He would like a traffic and water study.

Ms. Leah Bodenbach, 3151 S. Ventura, voiced her concerns for her children with the proposed traffic increase along Mimosa.

Mr. Kyle Thompson, 2660 E. Ridgewood, stated his main concern are the density issues and traffic along Mimosa.

Ms. Lori Bruce, 3317 S. Arcadia, stated her concerns are traffic, water detention and discharge and there is currently flooding in the area. She stated that when they were developing Galloway there were promises to build regional detention ponds and other surface water management devices which have not been completed or even approved. She noted that planning in traditional neighborhoods should strive to increase quality of place and complete neighborhood characteristics.

Ms. Lee Beasley, 3146 S. Glenhaven, stated that the safety of the children and families will be impacted by the increase of traffic as well as the noise level. She also noted the proposed site would result in the destruction of trees in an area that is critical habitat for deer, turkey owls, squirrels, and the occasional fox.

Mr. Frank Blohm, 2765 E. Ridgewood, stated that his concerns are the timing of everything, noting that signs announcing the meeting were not very well placed and thus only allowing a short time to gather the community to talk about the proposed development. He would like for the opportunity to provide a professional presentation with pictures so Commission could grasp what is going on and would like a postponement.

Ms. Melanie Bach, 3734 S. Elmview, currently the president of Galloway Village Neighborhood Association and believes it does not conform to the Comprehensive Plan stating that it meets all the requirements of a cluster development and will have substantial or undue adverse effect on adjacent property. She also noted that the development does not provide adequate step down and place undue traffic burden on existing residents.

Ms. Broekhoven closed the meeting.

Mr. Colony stated that they do listen to the neighborhoods and one of the most guiding principles is a quality of place and new developments need to ensure that they complement the existing development, and believes this development is too dense and will have traffic issues (would like a traffic study) and will not be supporting the development.

Mr. Doennig stated that one of the comments tonight was that there will be 3 or 4 story dwellings in the neighborhood and does not see how that is possible with the lot sizes and bulk plane requirements and asked if they can be requirements/conditions added to the project noting past plats that were approved with conditions.

Mr. Pauly stated that all the boxes were checked by the developer, but suggests everyone should get back together (developers, stakeholders, and neighborhood) and talk about what it could look like and go forward with it.

Mr. Scott stated that he would prefer to see a cul-de-sac on the north end, but the choice of reality is that the development does not fit, and he will not be supporting it.

Ms. Ridge noted that awkwardness of the connection of Mimosa currently and more awkward with an increase of cars, noting that people seem to enjoy taking evening strolls, kids riding bikes and where people have made the major investment of their lives and believes there needs to be a solution. She also noted the loss of habitat for the animals and believe a better solution can be done.

Mr. Knuckles noted that Mimosa is narrow and would like a traffic study completed but believes the project complies with Forward SGF and believes the developer meets the minimum requirements (different lots sizes for subdivisions).

Ms. Broekhoven noted that the neighborhood has identified stormwater issues that are existing and has a neighborhood plan in place because of a lot of the issues that this neighborhood has experienced and also voiced at the meeting tonight. She went over the Galloway Plan and how it was implemented because of blight, storm and water issues and that the neighbors in the Galloway Neighborhood Association come forward stating that they simply can't absorb the level of development and redevelopment that is happening so rapidly because it is eroding the quality of place. There is also an issue with natural resources in the area and because of that, she did not think it has been studied well enough whether this will be a negative impact on the region.

COMMISSION ACTION:

Planning and Zoning Commissioner Colony moved to approve Preliminary Plat of Chimney Rock Subdivision; Commissioner Pauly seconded the motion. It **Failed** with the following vote: Ayes: Commissioner Knuckles. Nays: Commissioner Broekhoven; Commissioner Ridge, Commissioner Colony, Commissioner Pauly, Commissioner Doennig and Commissioner Scott. Absent: Commissioner Lebeck and Commissioner Gunther. Abstain: None.



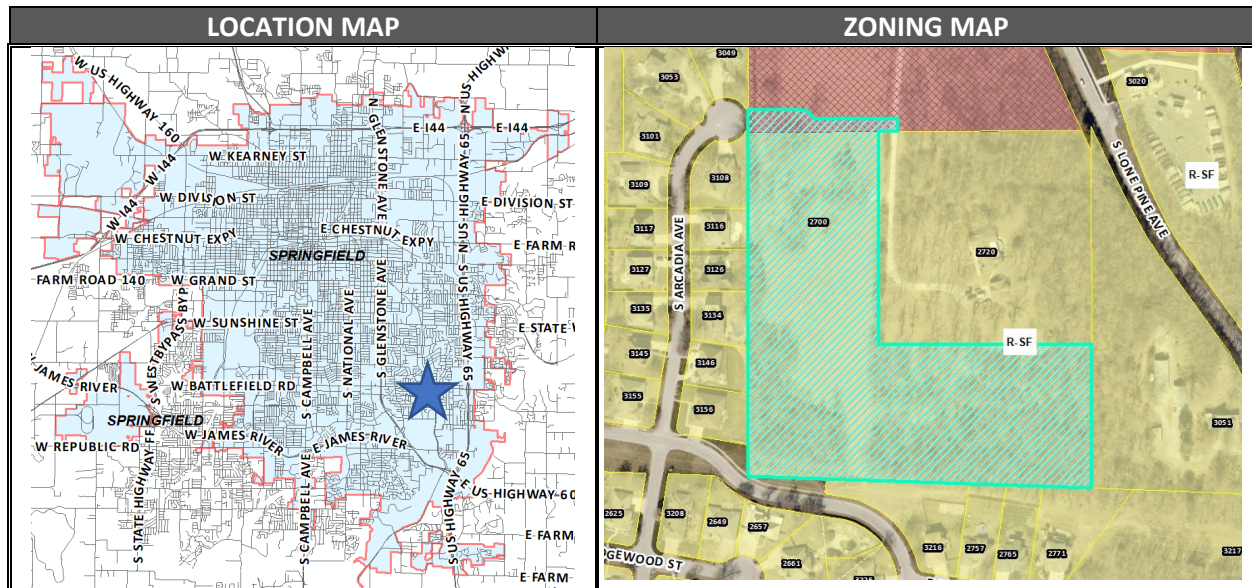
Bob Hosmer, AICP
Planning Manager

DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION	
Case Number:	Preliminary Plat of Chimney Rock Subdivision
Location:	3040 South Arcadia Avenue
Total Acres:	8.69 acres
Applicant:	JCRS Development, LLC
Existing Land Use:	Undeveloped
Neighborhood Meeting:	N/A
Planning and Zoning Commission:	December 19, 2024
City Council:	January 27, 2025
Public Notification:	Posted property
Staff:	Andrew Menke, Senior Planner, (417) 864-1613
Staff recommendation:	Staff recommends approval
Proposed motion:	Move to approve the preliminary plat of Chimney Rock Subdivision subject to the conditions listed in Attachment 2 of the staff report. (All commission motions are made in the affirmative.)
Required Vote:	A majority of those present (5 members are a quorum).

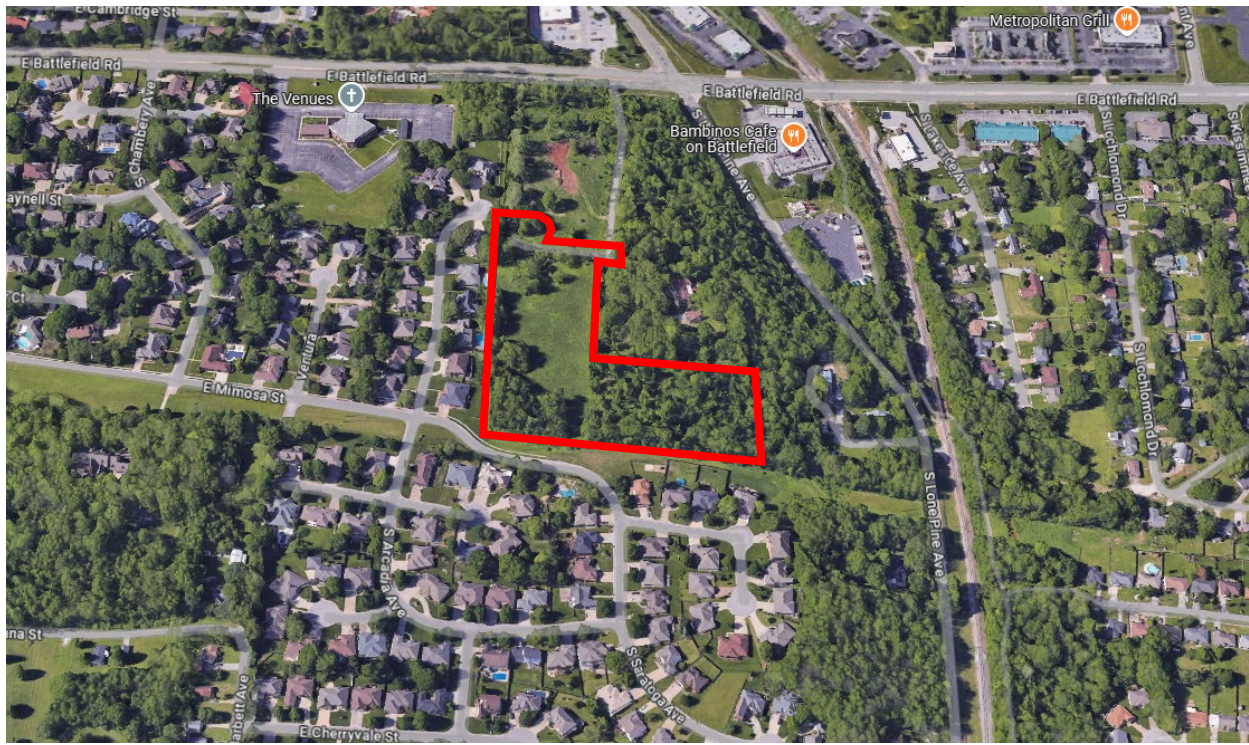
PROJECT SUMMARY:

Request to subdivide approximately 8.69 acres of property generally located at 3040 South Arcadia Avenue into forty (40) residential lots to facilitate the development of the site.



DEVELOPMENT REVIEW STAFF REPORT

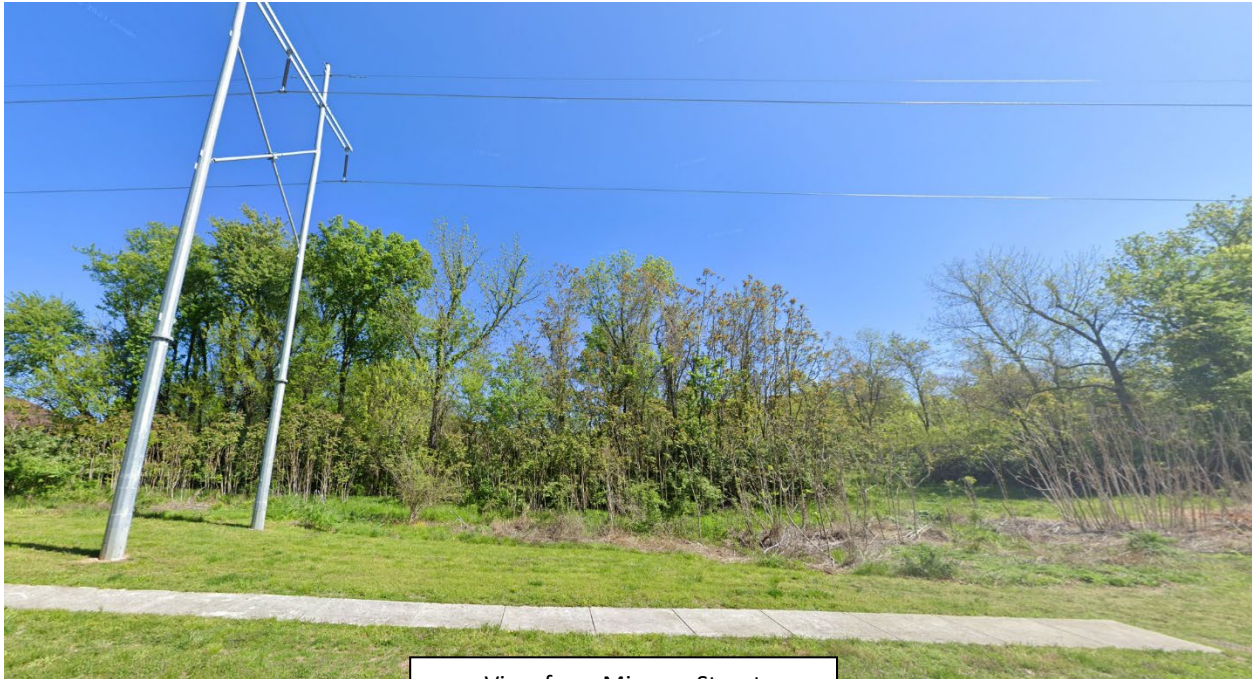
GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



DEVELOPMENT REVIEW STAFF REPORT



View from Mimosa Street

PROPERTY HISTORY:

The subject property was annexed into the city in 1964. At the time of the 1995 citywide remapping, the property was rezoned to R-SF, Single-Family Residential. The property was platted as part of Briarcliff Subdivision in 2015. The property was further subdivided via a replat earlier this year.

PLANNING AND ZONING COMMISSION AUTHORITY:

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

(3) Preliminary plat.

- (a) After participating in the pre-subdivision review with city staff, the subdivider may prepare a preliminary plat, together with supplementary material as prescribed in section 36-263.
- (b) Copies of the preliminary plat and supplementary materials specified, together with a fee for administrative handling and processing in the amount prescribed by ordinance, shall be submitted to the director of planning and development with written application for approval. Upon determination that the application is complete, the director shall place the application on the agenda of the commission at a regular meeting not later than the second such meeting following the date of the filing of the application.
- (c) The commission shall hold a public hearing on the preliminary plat. Notice of the public hearing shall be made in accordance with city ordinance and the rules of the commission.

DEVELOPMENT REVIEW STAFF REPORT

- (d) The commission shall review the preliminary plat and supporting material, recommendations from agencies or officials, and testimony and exhibits submitted at the public hearing. The commission shall approve, conditionally approve or disapprove the preliminary plat and if approved, the commission shall express its approval and state the conditions of such approval, if any, or if disapproved, shall express its disapproval and its reasons, therefore. In any case, a notation of the action taken, and the reasons, therefore, shall be entered in the records of the commission.
- (e) If approved by the commission or approved with conditions acceptable to the applicant, then the director of planning and development shall forward the preliminary plat to the city council for its approval. Council shall determine if the land or easement proposed to be dedicated by the applicant for public use or if the public improvements shall be accepted by the city. If the city council determines that the location of the land to be dedicated for public use or the location of public improvements is appropriate and complies with applicable ordinances then the city council shall authorize the acceptance of the dedication of the land or easements upon the applicant filing and recording a final plat which substantially conforms to the preliminary plat and shall authorize the acceptance of the public improvements upon the director of public works certifying to the director of planning and development and the city clerk that the public improvements have been made in accordance with city standards and specifications.
- (f) If approved with modifications which are not acceptable to the applicant or if disapproved, the director of planning and development shall attach to the plat a statement of reasons for such action and return it to the subdivider.
- (g) Actions by the commission regarding the preliminary plat are final unless such action is appealed by the subdivider to the city council within 90 days of the action by the commission.
- (h) Effective period of preliminary approval.
 - 1. The approval of a preliminary plat shall be effective for a period of two years. The application for final plat approval must be submitted to the department of planning and development within the two-year period. Any plat not submitted within the two-year limit shall be null and void except as provided in subparagraph 2. below.
 - 2. The planning and zoning commission may at its discretion and upon application by the subdivider extend the effective period of preliminary approval by two years, one time. All other submittals shall be considered a new preliminary plat and subject to applicable reviews.

DEVELOPMENT REVIEW STAFF REPORT

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR SINGLE-FAMILY RESIDENTIAL
Minimum lot dimension requirements	Lot Area: 6,000 square feet Lot Width: 50 feet Lot Depth: 80 feet
Maximum structure height	- When side yards are less than 15 feet in width: 35 feet or two and one-half stories above the finished grade. - When side yards are 15 feet in width or greater: 45 feet or three stories above the finished grade.
Front yard setback	15 feet along local streets 25 feet along Collector streets or higher
Side yard setback	Five feet or as required by section 36-453, supplemental open space and yard regulations.
Rear yard setback	Ten percent of the lot depth but may not be less than ten feet nor shall more than 20 feet be required.
Street Classification	S Arcadia Avenue – Local E Mimosa Street – Local S Carson Avenue – Local E Watson Street – Local
Sidewalks	Sidewalks are required along S Arcadia Avenue, E Mimosa Street, S Carson Avenue, and E Watson Street. Of the existing streets, sidewalk is present along the frontage of E Mimosa Street, but sidewalk does not exist along the frontage of S Arcadia Avenue.
Open Space Requirements	The minimum open space ratio on each buildable lot shall be at least 30 percent.

CODE ITEM	REQUIREMENTS FOR GENERAL RETAIL
Minimum lot dimension requirements	36 feet of frontage along a public street
Maximum structure height	None, except that all structures shall remain below a 30-degree bulk plane as measured from the boundary of any R-SF or R-TH district.
Front yard setback	15 feet along local streets 25 feet along Collector streets or higher
Side and rear yard setback	None, except as required by section 36-453, supplemental open space and yard regulations, and the bufferyard requirements in subsection 36-421(8)
Street Classification	S Arcadia Avenue – Local E Mimosa Street – Local S Carson Avenue – Local E Watson Street – Local
Sidewalks	Sidewalks are required along S Arcadia Avenue, E Mimosa Street, S Carson Avenue, and E Watson Street. Of the existing streets, sidewalk is present along the frontage of E Mimosa Street, but sidewalk does not exist along the frontage of S Arcadia Avenue.
Open Space Requirements	The minimum open space ratio on each buildable lot shall be at least 20 percent.

DEVELOPMENT REVIEW STAFF REPORT

COMPATIBILITY WITH COMPREHENSIVE PLAN:

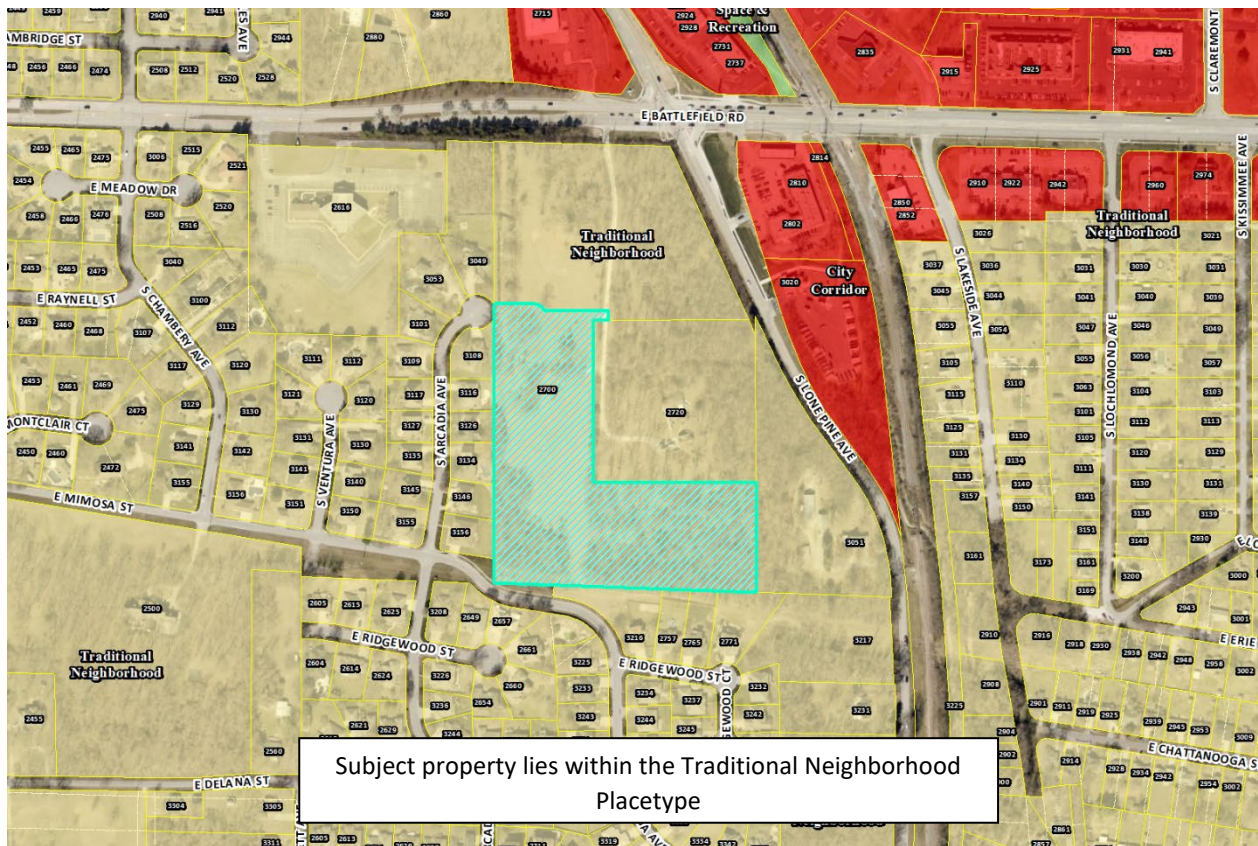
PLACETYPE: TRADITIONAL NEIGHBORHOOD

The *Comprehensive Plan's Land Use & Development* chapter groups this area into the Traditional Neighborhood Placetype. This placetype is 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. 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. (p. 36, *Chapter 5: Land Use & Development*)

The proposed subdivision is located within the Galloway Village Neighborhood and provides connections to the adjacent Arcadia Avenue and Mimosa Street. The arrangement of the proposed streets is consistent with the curvilinear pattern of the road network in this area. The single-family lots will provide continuity of the surrounding residential land. The comprehensive plan identifies the low-density residential use as most appropriate use because this piece of land is not located on a major thoroughfare or within an activity center.

DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:



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

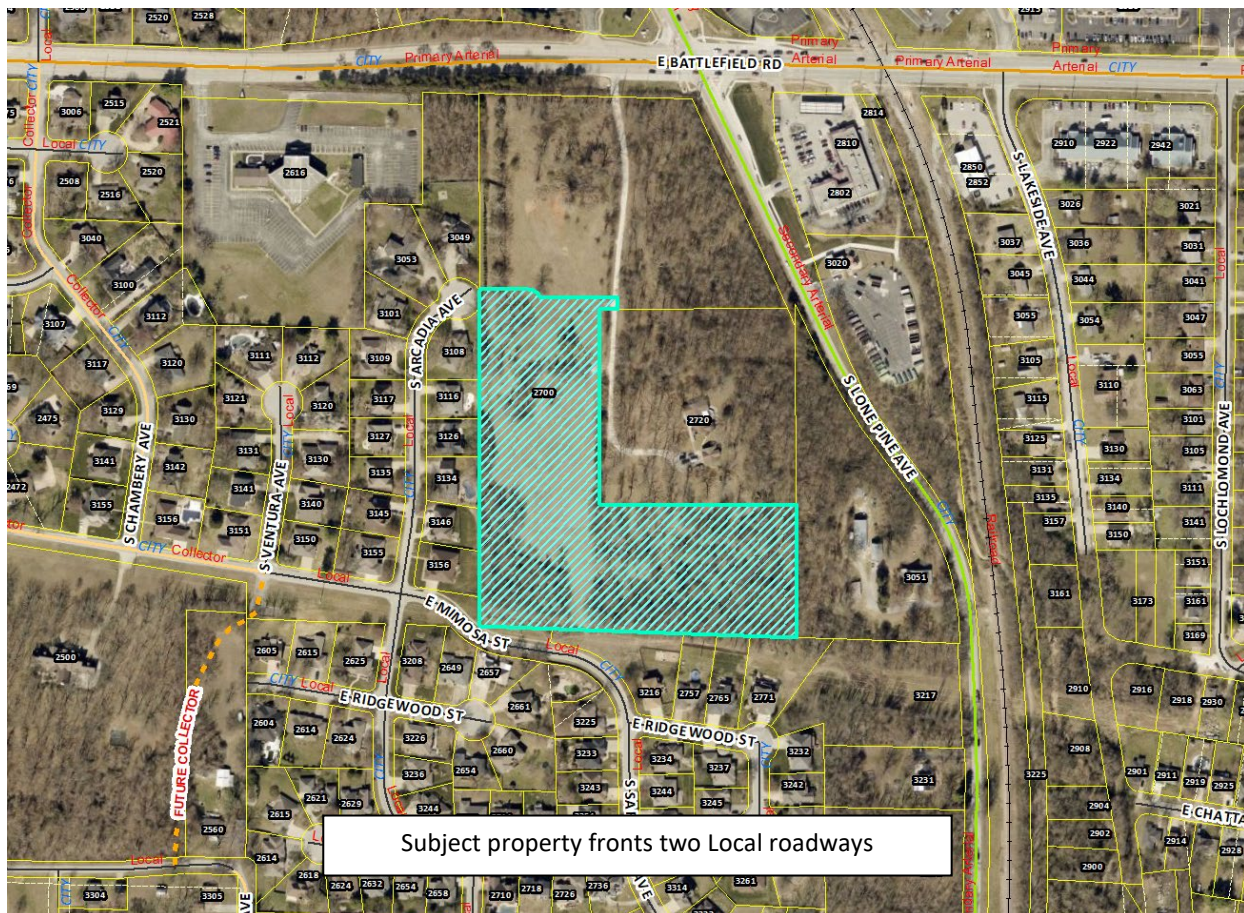
● Primary Land Use: More prominent and play a pivotal role in characterizing that placetype

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

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

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	GR w/ COD 151 & R-SF	R-SF	GR w/ COD 151 & R-SF	R-SF
LAND USE	Undeveloped & Residential	Residential	Residential	Residential
PLACETYPES	Traditional Neighborhood	Traditional Neighborhood	Traditional Neighborhood	Traditional Neighborhood

DEVELOPMENT REVIEW STAFF REPORT

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is proposing to subdivide approximately 8.69 acres into a forty (40) lot subdivision named "Chimney Rock Subdivision".
2. The property is zoned General Retail with Conditional Overlay District #151 and Single-Family Residential District. A portion of the area zoned General Retail with Conditional Overlay District #151 is to be dedicated as right-of-way and the remaining portion used as an access easement to an existing, adjacent residential property.
3. All lots meet the minimum dimension requirements of the City's subdivision regulations, the Single-Family Residential District, and the General Retail District.
4. If Planning and Zoning Commission approves the preliminary plat, then the plat will be forwarded to City Council for acceptance of public streets and easements. An approved preliminary plat is active for two (2) years.
5. The proposed preliminary plat was reviewed by City departments and comments are contained in **Attachment 1**. Conditions of Approval are provided in **Attachment 2**. The Preliminary Plat drawing can be found in **Attachment 4**.

STAFF RECOMMENDATION:

1. The proposed subdivision is consistent with the *Land Use and Development Element of the Comprehensive Plan* and all proposed lots meet the subdivision regulations, the Single-Family Residential District, and the General Retail District.
2. Staff recommends approval as submitted in the staff report.

PLANNING AND ZONING COMMISSION OPTIONS:

The commission shall review the preliminary plat and supporting material, recommendations from agencies or officials, and testimony and exhibits submitted at the public hearing.

1. The commission shall approve the preliminary plat.
2. The commission shall conditionally approve the preliminary plat.
3. The commission shall disapprove the preliminary plat.

PUBLIC NOTIFICATION AND COMMENTS:

The property was posted by the applicant at least 10 days prior to the public hearing. The Affidavit of Sign Posting is included as **Attachment 3**.

Comments have been received by citizens for this case and have been included as **Attachment 5**.

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT COMMENTS:

ATTACHMENT 1

1. AT&T:

Did not respond in allotted review time.

2. CITY UTILITIES:

The property has access CU to electric/gas/water. Extensions will be required to provide services to each lot per CU's extension policy. The easements shown along the streets appear adequate for this purpose. CU can begin the utility design when we receive the construction plans/cad file.

3. DEPARTMENT OF PUBLIC WORKS CONSTRUCTION INSPECTION DIVISION:

Approved.

4. DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

Plat is acceptable. Subdivision will be contingent upon offsite sewer improvements being approved, filed and either constructed or escrowed.

5. FIRE DEPARTMENT:

Installation of fire hydrants & fire access lanes shall comply with 2018 IFC.

6. PARKS & GREENWAYS:

Did not respond in allotted time.

7. DEPARTMENT OF PUBLIC WORKS TRANSPORTATION ENGINEERING RIGHT-OF-WAY DIVISION:

Approved.

8. DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

Site Description and Drainage Pattern

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

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

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

1. Any development or redevelopment that increases runoff, through the increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3. The site drains to the adjacent properties (3051 S Lone Pine Ave and 3217 S Ridgewood Ct). The subdivision is required to provide flood control to prevent downstream flooding.
2. The site drains to S Lone Pine Ave and residential areas. There are confirmed reports of heavy drainage along the S Lone Pine Ave ROW. The property is upstream of S Lone Pine ROW and needs to prevent further downstream flowrate increase.

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 Channels and Stream Buffers

N/A

Sinkholes and 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.
9. DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

Access

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

DEVELOPMENT REVIEW STAFF REPORT

Trails, Bus Stops, And Additional Information

There is one (1) Greenway Trail near the property. There are two (2) bus stops on Battlefield Road near the property.

Improvements

No improvements are required for this preliminary plat. A traffic study may be required at the time of development.

	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. Arcadia Avenue	Local	City	25	25	NA	Yes	Yes	No
Street 2	E. Mimosa Street	Local	City	25	25	NA	Yes	Yes	Yes
Street 3	S. Carson Avenue	Local	City	25	0	NA	Yes	Yes	No
Street 4	E. Watson Street	Local	City	25	0	NA	Yes	Yes	No

DEVELOPMENT REVIEW STAFF REPORT

CONDITIONS FOR APPROVAL:

ATTACHMENT 2

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

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

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

ATTACHMENT 3

AFFIDAVIT OF SIGN POSTING

Attach photo here

See next page.

(sign lettering must be legible in photo)

I, Rachel Frazier (print name of owner, agent, attorney), attest that the above sign was posted 10 days before the public hearing on 12/6/24 (month/day/year) and in accordance with the given posting requirements.

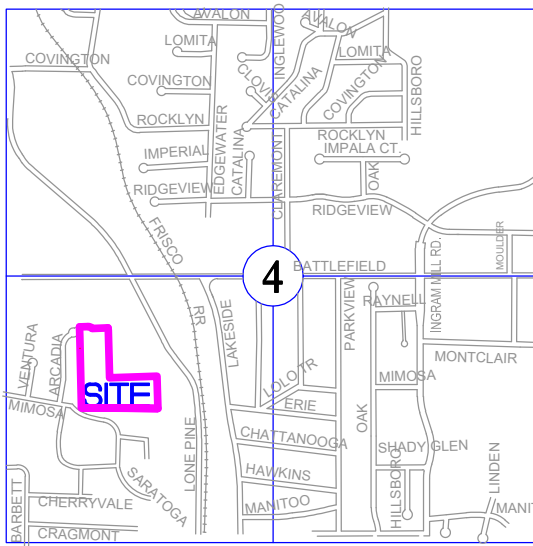
Rachel Frazier

Signature of person completing sign posting

Rachel Frazier

Printed name of person completing sign posting





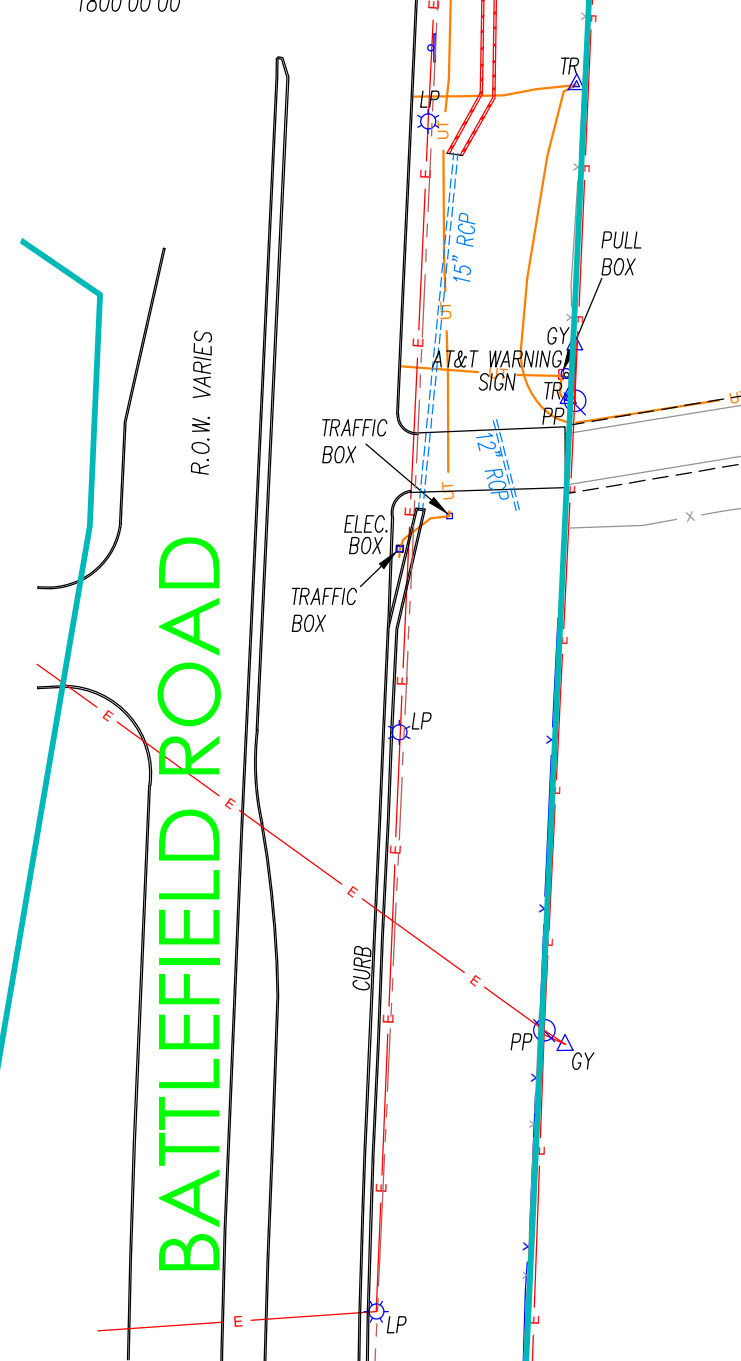
LOCATION SKETCH

SEC. 4, T-28-N, R-21-W
SCALE: 1"=200'

STATE PLANE COORDINATE TIE MISSOURI COORDINATE SYSTEM 1983	
CONTROL STATION:	
GR-11	NORTHING - 147,252.086 (M) EASTING - 435,435.653 (M) GRID FACTOR - 0.99998467
COORDINATES EXPRESSED IN METERS.	

INTERIOR ANGLES

1	90°7'44"
2	156°06'49"
3	270°00'00"
4	90°00'00"
5	87°43'43"
6	150°13'54"
7	180°08'04"
8	203°53'11"
9	90°00'00"
10	90°00'00"
11	270°00'00"
12	121°46'35"
SUM OF INTERIOR ANGLES 1800°00'00"	



CURVE TABLE				
CURVE #	LENGTH	RADIUS	CHORD DIRECTION	CHORD LENGTH
C1	23.56'	150.0'	N44°05'48"W	21.21'
C2	47.91'	65.00'	N20°12'38"W	46.83'
C3	13.07'	150.00'	N03°24'00"E	13.07'
C4	28.28'	150.00'	N11°17'54"E	28.24'
C5	56.11'	200.00'	S08°39'49"W	55.92'
C6	44.30'	150.00'	S08°14'19"W	44.14'
C7	55.14'	200.00'	N08°48'06"E	54.97'
C8	23.56'	150.00'	S45°54'12"W	21.21'
C9	23.56'	150.00'	S44°05'48"E	21.21'
C10	19.47'	20.00'	N61°12'40"W	18.71'
C11	19.47'	20.00'	N63°01'04"E	18.71'
C12	13.33'	60.00'	S41°29'49"W	13.30'
C13	73.13'	60.00'	S82°46'49"W	66.69'
C14	29.05'	60.00'	N48°25'45"W	28.77'
C15	31.05'	60.00'	N19°43'55"W	30.70'
C16	33.67'	60.00'	N11°10'06"E	33.23'
C17	15.16'	60.00'	N34°28'57"E	15.12'
C18	39.99'	60.00'	N60°48'52"E	39.25'
C19	69.92'	60.00'	S66°42'33"E	66.03'

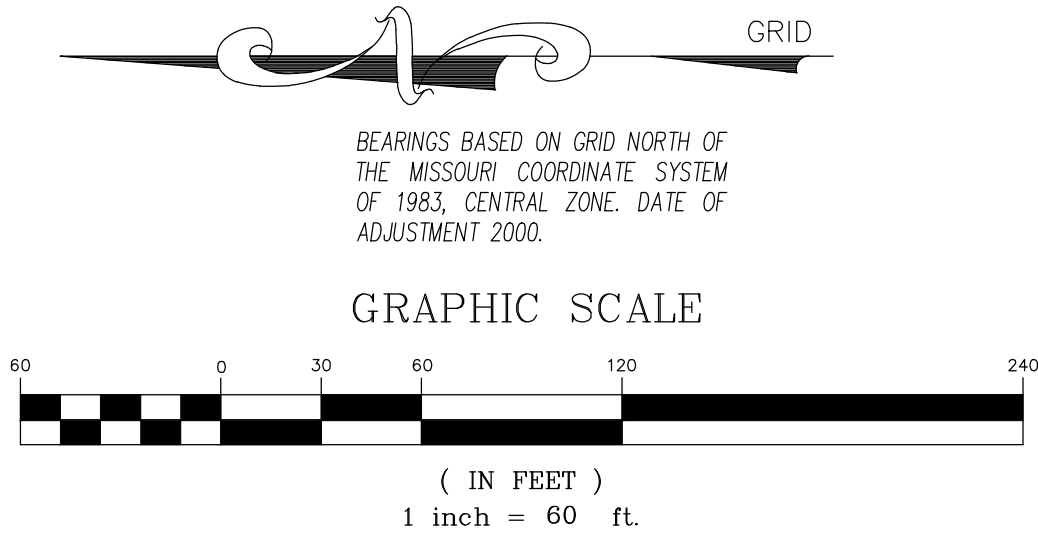
LEGEND OF SYMBOLS AND ABBREVIATIONS

④	INTERVAL ANGLE # (SEE TABLE)	SET PIN	PERMANENT MONUMENT
SS	PROPERTY LINE	FOUND IRON PIN	
SW	SANITARY SEWER	SET IRON PIN	
ST	STORM SEWER	RIGHT-OF-WAY MARKER	
T	TELEPHONE LINE	POWER POLE W/ GUY	
UT	UNDERGROUND TELEPHONE	MANHOLE	
G	GAS LINE	SEWER CLEANOUT	
w	WATER LINE	GAS METER	
E	OVERHEAD ELECTRIC LINE	LIGHT POLE	
UE	UNDERGROUND ELECTRIC	SIGN	
x	FENCE LINE	WATER METER	
TL	TREE LINE	WATER VALVE	
RL	RETAINING WALL	GAS VALVE	
GL	GROUND LIGHT	FIRE HYDRANT	
P.O.C.	POINT OF COMMENCEMENT	TELEPHONE RISER	
P.O.B.	POINT OF BEGINNING	BUMPER POST	
MEASURED	100' M	GRATE INLET	
DEED	100' D	ELECTRIC METER	
LINE LABELS			



CHIMNEY ROCK

ALL OF LOT 2 OF THE ADMINISTRATIVE REPLAT OF LOT 2 OF THE BRIARCLIFF TERRACE ALSO LYING
IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, T-28-N, R-21-W
CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI



RECORDER'S SPACE

CERTIFICATE OF APPROVAL BY THE PLANNING AND ZONING COMMISSION
APPROVED THIS _____ DAY OF _____, 20____, BY THE PLANNING AND
ZONING COMMISSION OF THE CITY OF SPRINGFIELD, MISSOURI.

CERTIFICATE OF APPROVAL BY THE CITY COUNCIL
APPROVED THIS _____ DAY OF _____, 20____, BY THE CITY COUNCIL OF THE
CITY OF SPRINGFIELD, MISSOURI BY SPECIAL ORDINANCE.

ANITA J. COTTER, MMC/MPCC
CITY CLERK

DEDICATION
SAID LAND HAS BEEN SUBDIVIDED AS SHOWN HEREON, ALL STREETS, EASEMENTS, AND ACCESS LIMITATIONS AS
RELINQUISHED AND DEDICATED TO THE PUBLIC.

IN WITNESS WHEREOF, _____ AND _____
(CORPORATE OFFICER, ETC.) SOLE OWNERS OF THE PROPERTY DESCRIBED HEREON, HAS CAUSED THIS PLAT TO BE
SIGNED THIS _____ DAY OF _____

SIGNATURE _____ SIGNATURE _____
PRINT NAME _____ PRINT NAME _____

CERTIFICATE OF OWNERSHIP
I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED HEREON, WHICH PROPERTY IS WITHIN
THE SUBDIVISION REGULATION JURISDICTION OF THE CITY OF SPRINGFIELD, AND THAT I FREELY ADOPT THIS PLAN
OF SUBDIVISION.

MANAGING MEMBER _____ DATE _____

ACKNOWLEDGEMENT
STATE OF MISSOURI (SS)
COUNTY OF GREENE _____ DAY OF _____, IN THE YEAR 20____, BEFORE ME,

A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED _____
TO ME PERSONALLY KNOWN, WHO, BEING BY ME DULY SWORN DID SAY THAT HE/SHE IS THE
_____ OF _____

A LIMITED LIABILITY COMPANY OF THE STATE OF _____ AND THAT SAID
DOCUMENT WAS SIGNED IN BEHALF OF SAID LIMITED LIABILITY COMPANY BY AUTHORITY OF ITS
_____ AND SAID _____ ACKNOWLEDGED SAID DOCUMENT TO BE THE
FREE ACT AND DEED OF SAID LIMITED LIABILITY COMPANY AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED
THE SAME FOR THE PURPOSES THEREIN STATED.

NOTARY PUBLIC: _____

PRINT NAME: _____

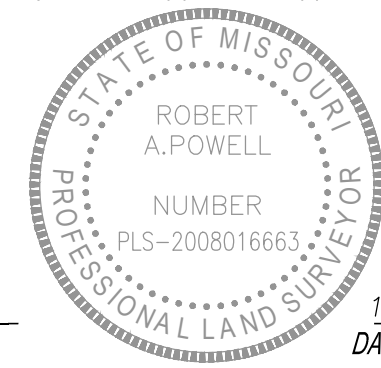
PERIMETER DESCRIPTION

A TRACT OF LAND LYING IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 28 NORTH,
RANGE 21 WEST AS DESCRIBED IN THE GREENE COUNTY, MISSOURI, RECORDS' OFFICE IN BOOK 2015 AT PAGE 023555-15
AND SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4,
TOWNSHIP 28 NORTH, RANGE 21 WEST, SAID POINT ALSO LYING ON THE NORTH LINE OF THE FINAL PLAT OF CHIMNEY HILLS
PLACE FIRST ADDITION, PLAT BOOK 00, PAGE 87, THENCE ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE
SOUTHWEST QUARTER OF SECTION 4, NORTH 86°49'31" WEST, 749.66 FEET TO A POINT LYING ON THE NORTHERLY
RIGHT-OF-WAY OF MINOSA STREET, THENCE LEAVING SAID SOUTH LINE AND ALONG SAID NORTHERLY RIGHT-OF-WAY 11.07
FEET ALONG A 159.41 FOOT RADIUS CURVE TO THE RIGHT WHICH CHORD BEARS SOUTH 57°03'26" WEST FOR A DISTANCE
OF 11.07 FEET TO A POINT LYING ON THE EAST LINE OF CHIMNEY HILLS SECOND ADDITION AS DESCRIBED IN PLAT BOOK II,
PAGE 39, THENCE LEAVING SAID SOUTH LINE AND ALONG SAID EAST LINE THE FOLLOWING COURSES, NORTH 01°09'59" EAST,
688.57 FEET; THENCE NORTH 01°01'56" EAST, 107.16 FEET; THENCE LEAVING SAID EAST LINE, SOUTH 89°05'48" EAST, 102.45
FEET; THENCE 54.20 FEET ALONG A 65.00 FOOT RADIUS CURVE TO THE RIGHT WHICH CHORD BEARS SOUTH 65°12'38" EAST
FOR A DISTANCE OF 54.20 FEET; THENCE SOUTH 89°05'48" EAST, 182.63 FEET; THENCE SOUTH 00°54'12" WEST, 30.00 FEET TO
A POINT LYING ON THE NORTH LINE OF LOT 1 OF THE FINAL PLAT OF BRIARCLIFF SUBDIVISION, PLAT BOOK AAA AT PAGE
351; THENCE ALONG SAID NORTH LINE, NORTH 89°05'48" WEST, 48.20 FEET TO A POINT LYING ON THE WEST LINE OF SAID
LOT 1; THENCE LEAVING SAID NORTH LINE AND ALONG SAID WEST LINE, SOUTH 00°54'12" WEST, 470.00 FEET TO A POINT
LYING ON THE SOUTH LINE OF LOT 1; THENCE LEAVING SAID WEST LINE AND ALONG SAID SOUTH LINE, SOUTH
89°05'48" EAST, 470.00 FEET TO A POINT LYING ON THE EAST LINE OF THE FOREMENTIONED NORTHWEST QUARTER OF THE
SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 28 NORTH, RANGE 21 WEST, THENCE LEAVING SAID SOUTH LINE AND
ALONG SAID EAST LINE, SOUTH 00°54'12" WEST, 320.00 FEET TO THE POINT OF BEGINNING, ALL LYING IN THE NORTHWEST
QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 28 NORTH, RANGE 21 WEST, IN THE CITY OF
SPRINGFIELD, GREENE COUNTY, MISSOURI, CONTAINING 378.484 SQUARE FEET OR 8.69 ACRES, MORE OR LESS. BEARINGS
BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.

SURVEYOR'S CERTIFICATE
KNOWN ALL MEN BY THESE PRESENTS:

THAT I, ROBERT A. POWELL, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY
SUPERVISION FROM AN ACTUAL SURVEY OF THE LAND HEREIN DESCRIBED, PREPARED BY
OWN, INC. DATED AUGUST 2024 AND SIGNED BY ROBERT A. POWELL, PLS NO. 2008016663 AND
THAT THE MONUMENTS AND LOT CORNER PINS SHOWN HEREIN WERE PLACED UNDER THE
SUPERVISION OF ROBERT A. POWELL, PLS NO. 2008016663 IN ACCORDANCE WITH THE
MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS, DRAWING LAST
REVISED ON DECEMBER 05, 2024.
OWN, INC. BY:



ROBERT A. POWELL, PLS NO. 2008016663
12-05-2024
DATE PREPARED

PREPARED BY
ROBERT A. POWELL, PLS
OWN, INC.
3213 S. WEST BYPASS
SPRINGFIELD, MO. 65807

OWNER AND DEVELOPER
BRIARCLIFF INVESTMENTS LLC
PO BOX 667
SPRINGFIELD, MO. 65801

UTILITY NOTE:
THIS SURVEY REFLECTS ABOVE GROUND INDICATIONS OF UTILITIES AND
INFORMATION AVAILABLE FROM UTILITY COMPANIES. THE SURVEYOR MAKES NO
GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH
UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR
FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN
THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE
LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE
SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

FLOOD NOTE:
BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE _____ OF THE FLOOD
INSURANCE RATE MAP, COMMUNITY PLAN NO. 29077C0333E, WHICH BEARS AN
EFFECTIVE DATE OF DECEMBER 12, 2010 AND IS NOT IN A SPECIAL FLOOD
HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS.

ZONING DATA

SUBJECT PROPERTY IS ZONED R-SF (SINGLE-FAMILY RESIDENTIAL DISTRICT), EXCEPT THE AREA NORTH OF
LOT 14, WHICH IS ZONED GR (GENERAL RETAIL DISTRICT) WITH A CONDITIONAL OVERLAY DISTRICT # 151

SETBACKS ARE DETERMINED BY THE ZONING AT THE TIME OF CLOSING.

HOWEVER, IN NO EVENT MAY A STRUCTURE BE ERRECTED CLOSER TO THE CENTERLINE OF AN EXISTING OR
PLANNED STREET THAN AS PRESCRIBED BELOW.

STREET CLASSIFICATION REQUIRED SETBACK FROM RIGHT-OF-WAY CENTER LINE
RESIDENTIAL LOCAL (MINOSA ST. & ARCADIA AVE.) 25 FEET PLUS THE REQUIRED YARD SETBACK

ATTACHMENT 5

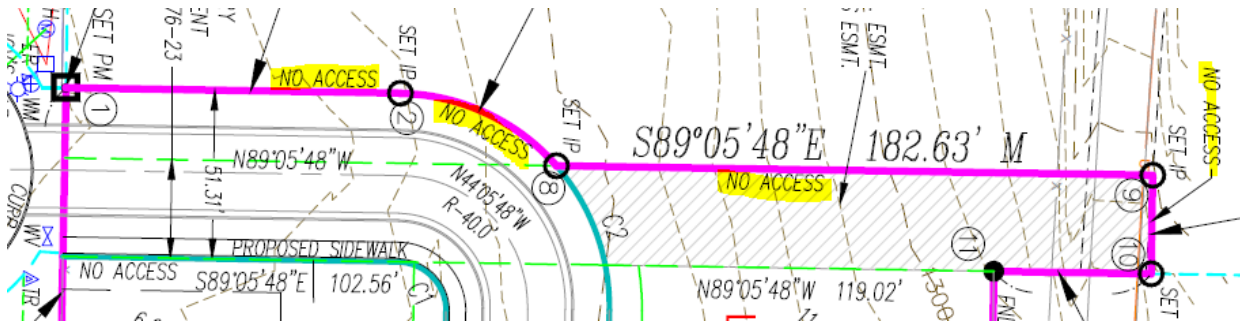
From: [Menke, Andrew](#)
To: [lorie.moore](#); Zoning@springfieldmo.gov
Subject: RE: Chimney Rock subdivision proposal
Date: Monday, December 16, 2024 8:49:00 AM
Attachments: [COD151.pdf](#)
[image001.png](#)

Lorie,

Thank you for submitting these comments. I will add them to the staff report for this case.

Please note that the commercial property is zoned General Retail with Conditional Overlay District #151. The conditional overlay district prohibits the commercially zoned property from having access onto Arcadia Street, Mimosa Street, or any residentially zoned property. To comply with this zoning, the lot lines adjacent to the commercial district have been labeled as "no access" on the survey.

In order for the commercial property to be granted access to the street system within the neighborhood, a rezoning, followed up by additional subdivision activity that removed the access restrictions, would be required.



Best,

Andrew Menke
Senior Planner
City of Springfield
Department of Planning & Development
Phone: (417) 864-1613

-----Original Message-----

From: lorie.moore <lorieann13174@msn.com>
Sent: Saturday, December 14, 2024 11:44 AM
To: Zoning@springfieldmo.gov
Subject: Fwd: Chimney Rock subdivision proposal

- >
- >
- > To whom it may concern,
- >
- > We are a family that currently lives on South Arcadia Ave. We live on the part of the Avenue that currently ends in a cul-de-sac.
- > This proposal is asking that the cul-de-sac become a through street to a proposed 40 lot residential area located against a commercial retail area. We have several concerns about a through street and the plan proposed.
- >
- > -water drainage is a huge issue in this area and has been for years.
- > -increased traffic on a residential street that will be eventually connected to commercial property and Battlefield if

plan is approved.

- > -value of existing residential property given the size of the proposed properties and destruction of a cul-de-sac.

- > -destruction of wildlife habitat

- > -safety of residents who invested in area that is a cul-de-sac proposed as a through street.

- >

- > The proposal has two streets to the development one on South Arcadia Ave and one on Mimosa Street. There is no need to connect South Arcadia Ave.

- >

- > We are requesting the opportunity to have our concerns addressed before consideration of approval for this proposed plan.

- >

- > Sincerely,

- > Mrs. Lorie Bruce

From: [lorie moore](#)
To: [Menke, Andrew](#)
Subject: Re: Chimney Rock subdivision proposal
Date: Monday, December 16, 2024 9:38:38 AM

Mr Menke

Thank you for your response.

We still remain with concerns for a through street to be made from the cul-de-sac. We purchased a home specifically on a cul-de-sac street for multiple reasons to include but not limited to -safety and low flow of traffic.

Opening this cul-de-sac to a 40 lot development will decrease the value of our home and increase the flow of traffic on our street.

With a through street proposed off of Mimosa St. the opening of the cul-de-sac does not need to be done. It appears to be done as a convenience to a new development. While decreasing the value of the established neighborhood and safety of the already established street.

Sincerely

Lorie Bruce

From: [Karen Cantrell](#)
To: Zoning@springfieldmo.gov
Subject: Concerns over Preliminary Plat of Chimney Rock Subdivision 12.14.24
Date: Saturday, December 14, 2024 5:44:07 PM

Concerns over Preliminary Plat of Chimney Rock Subdivision:

We would like to voice our concerns in writing regarding traffic flow for the proposed subdivision with the addition of 40 homes on an already busy neighborhood street. We feel the home density and the smaller lot size are a drastic departure from the surrounding homes and have concerns about home values for the surrounding neighborhoods.

In the documentations I asked for and received from the Department of Planning & Development, it stated "no one had voiced concern". However, no one that I have spoken with actually knew about this in order to be able to voice concern. Most of the neighbors we have spoken to had not even seen the Public Notice sign.

We also feel notification and timing (during a busy holiday season) was not in the best interest of the existing neighbors/neighborhoods, as many of our neighbors have already left to visit their families for the holidays and will not be able to attend this meeting.

Thank you for your consideration.

Sincerely,
David & Karen Cantrell
3216 S Saratoga Ave

From: [Karen Garrison](#)
To: Zoning@springfieldmo.gov
Subject: Preliminary play of Chimney rock subdivision
Date: Sunday, December 15, 2024 1:53:58 PM

Development review office

Please know that our neighbors and including me did not know about this public hearing. This is really awful scheduling something like this right in the middle of holidays!!! Three of my neighbors are in Florida right now, I myself will not be able to attend because of a family Christmas.

This subdivision of 40 homes x 2 cars 80 coming out in front of my house. Which now is a quiet Culdsack is unbelievable. It will give so much traffic right on this quiet street. It will hurt my property value. I'm so stressed. Think of the infrastructure that will take place this is ruining our nice neighborhood. I do not want a new road coming out in front of my home.

Karen Garrison
3101 S Arcadia
417-848-3179

Sent from my iPhone

From: [Steve Berkwitz](#)
To: Zoning@springfieldmo.gov
Cc: [Sonja Shaw](#); [Galloway Village](#); brochacan@att.net
Subject: Preliminary Plat of Chimney Rock Subdivision
Date: Sunday, December 15, 2024 8:05:43 PM

This is the first time you received an email from this sender (sberkwitz@gmail.com). Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

Secured by Check Point

Dear Springfield Planning and Zoning Commission,

I am writing as a concerned resident in the Chimney Hills subdivision about the preliminary plat of the so-called Chimney Rock Subdivision. This plat that outlines the construction of 40 single-family homes in between Chimney Hills and Chimney Hills Place represents an intensive development that would negatively impact the surrounding neighborhoods. I call on you to require modifications to this plat in order to protect the character of the area and to refrain from harming the quality of life of the longstanding homes and residents nearby.

While the plat may conform to general city codes for residential developments, it proposes packing 40 homes in smaller lots than what is commonly found in the surrounding neighborhoods. As such it does not fully meet the nearby standards of residential housing that it should. This development would add a significant number of people and vehicles in an older residential area.

There are three serious problems with the preliminary plat that your Commission should take steps to address:

- 1) There is no clear indication that the developer will take flood control measures in an area that already has flooding problems. It is acknowledged that the site drains over to existing, adjacent properties and to S. Lone Pine Avenue, directly affecting the larger Galloway Village area.
- 2) There is only a brief mention of a possible traffic study to be done at the time of development. It makes little sense to approve a plat prior to doing a traffic study, particularly when 40 families will be added to an area that must be accessed through local, neighborhood roads.
- 3) There is zero mention of efforts to preserve the tree canopy in the area or to plant new trees to maintain the beauty of the neighborhood and to provide habitats for birds and animals.

Taken together, although given the name "Chimney Rock," this preliminary plat would effectively become a sizable addition to Chimney Hills and Chimney Hills Place, as it is couched in between them and accessed through their streets. A more appropriate development would construct significantly fewer houses than what is planned. Any approval of the Planning and Zoning Commission should at most be conditional and await further information and actions by the developer to mitigate these serious problems.

Thank you for your consideration.

Sincerely,
Stephen Berkwitz
2468 E. Raynell Street
Chimney Hills Subdivision

From: [Sonja Shaw](#)
To: Zoning@springfieldmo.gov
Subject: Chimney Rock subdivision comments
Date: Sunday, December 15, 2024 9:26:24 PM

This is the first time you received an email from this sender (sonjashaw@gmail.com). Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

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My name is Sonja Shaw and my family and I have lived at 2771 E Ridgewood St for 18 years. We love our Chimney Hills Place neighborhood because it is an established, well maintained neighborhood with character and charm.

I believe that this proposed project would have a detrimental impact on our neighborhood and surrounding neighborhoods.

The proposed development is simply too large for our area. The increase in population density would put a strain on our streets (Arcadia, Saratoga, Mimosa and Chambery) leading to increased traffic congestion, noise pollution, and would change the atmosphere of our established neighborhoods. Additionally, the construction of this project would result in significant environmental damage, destroying natural habitats and putting wildlife at risk.

Furthermore, the type of housing being proposed is simply not in keeping with the character of Chimney Hills or Chimney Hills Place neighborhoods. The lot sizes in the proposed plat are very small in comparison to the surrounding neighborhoods. We would be happy to supply data for this if needed.

Homeowners in our neighborhoods had no idea of this subdivision until they were advised by neighbors; the signage was not in places that was visible and the sign on Arcadia was at the end of the street (only those at the end could possibly see it) and was on the ground for days.

Please reconsider all aspects of how this would negatively impact the surrounding neighborhoods.

Thank you,

Sonja Shaw

From: [Jennifer Downer](#)
To: Zoning@springfieldmo.gov
Subject: Chimney Rock Subdivision concerns
Date: Monday, December 16, 2024 12:30:26 PM

Jennifer Downer
3342 S Saratoga Ave
Springfield, MO 65804
jendowner@me.com
417-766-7302

12/16/2024

Springfield Planning and Zoning Commission
840 N Boonville Ave
Springfield, MO 65802

Subject: Concerns Regarding Preliminary Plat for Chimney Rock Subdivision

Dear Members of the Planning and Zoning Commission,

I am writing to express my concerns regarding the proposed preliminary plat for the Chimney Rock Subdivision at 3040 South Arcadia Avenue. While I understand the need for development in Springfield, I believe aspects of this plan conflict with the character and safety of the surrounding area and warrant reconsideration.

Lot Size Concerns

The proposed subdivision includes lots with a minimum size of 6,000 square feet (approximately 0.1377 acres), which is substantially smaller than the lot sizes in adjacent subdivisions, where the minimum is 0.25 acres. Allowing such small lots would significantly alter the neighborhood's established character, which predominantly features larger lot sizes consistent with Springfield's average of approximately 10,890 square feet (0.25 acres), as reported by [SBJ.net](#). I respectfully request that the Commission require all lots in this development to have a minimum size of 0.25 acres to better align with the surrounding subdivisions and preserve the traditional neighborhood aesthetic described in Springfield's Comprehensive Plan.

Population Concerns

Increasing the lot sizes would also help to reduce the number of houses proposed in the neighborhood. With the proposed 40 homes, there will be a significant increase in traffic on neighborhood streets, which were not designed for that amount of traffic. Furthermore, Field Elementary School, which serves the neighborhood, is already overcrowded. Adding more families to the area without adequate infrastructure or school capacity planning will place undue strain on resources, ultimately impacting the quality of education and community well-being. Even with the new construction at Field Elementary, the school will not be able to adequately accommodate the students displaced from Pershing Elementary and this increase in homes. I urge the Commission to take these considerations into account when evaluating the

feasibility of this development.

Safety Concerns Related to the Mimosa Street Entrance

Additionally, the proposed entrance on Mimosa Street raises serious safety concerns due to its placement between two curves. This configuration poses a risk for traffic accidents, particularly given the residential nature of the area. The safety of drivers, pedestrians, and residents should take precedence in planning decisions. To address this, I recommend the elimination of the entrance on Mimosa Street and suggest exploring alternative points of access that would pose less risk to public safety.

I urge the Commission to consider these modifications to ensure that the development is compatible with the existing neighborhood and maintains the safety and quality of life for current and future residents. Thank you for your time and for considering these concerns.

Sincerely,
Jennifer Downer

From: [Ho Choe](#)
To: Zoning@springfieldmo.gov
Cc: [Chimney Hills](#)
Subject: Concerns re Preliminary Plat of Chimney Rock Subdivision
Date: Monday, December 16, 2024 1:41:49 PM

This is the first time you received an email from this sender (hochoe66@gmail.com). Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

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Hi,

I'm a homeowner at Chimney Hills.

I want to register a concern regarding the development of Chimney Rock Subdivision. Per the current proposal, I'm concerned that the new development will potentially negatively impact the values of homes in Chimney Hills and increase traffic around our neighborhood.

At a minimum, I seek the City Zoning Council to mitigate traffic issues and minimize value erosion by requiring higher-value homes with bigger lots (fewer homes) from the developer of the new Chimney Rock Subdivision.

Thank you.

Concerned Homeowner
Tong Ho Choe
2646 E. Cherryvale St.

From: [Joanna Murphy](#)
To: Zoning@springfieldmo.gov
Subject: Chimney Rock Subdision
Date: Monday, December 16, 2024 8:45:51 PM

Caution: The sender name (Joanna Murphy) is different from their email address (jojopapa1994@gmail.com), which may indicate an impersonation attempt. Verify the email's authenticity by calling a trusted contact at the organization before replying or taking further action. If you require any assistance, please contact the Helpdesk.

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Dear Members of the Planning & Zoning Commission,

I am writing to express my concerns of the proposed Chimney Rock Sub. Planned next to my current subdivision. I understand the developers wants to build 40 homes on just over 8 acres. That's 6000 or less square feet lot size. Chimney Hills & Chimney Hills Place lots are substantially larger & it's a concern for our property value as well as the integrity & reputation of our neighborhoods.

My home is on Chambery which would increase the traffic by at least 80 vehicles daily . It's difficult at times to exit onto Battlefield so add another 80 or so vehicles it's going to be even worse.

Thank you for your time,I appreciate to taking the time to read & take into consideration our concerns.

Jerry & Joanna Murphy
3141 S Chambery Ave, Springfield, MO 65804

December 16, 2024

Springfield Planning and Zoning Commission/
Springfield City Council Members

To Commissioners and Council Memebers:

I am writing this letter to address concerns regarding the preliminary plat submitted for Chimney Rock Subdivision. Unfortunately, I will not be in town on December 19th for the commission meeting.

I live at 3108 S. Arcadia. I have lived there since 1987. I always assumed that the land behind my house would be developed. I am not against an intelligent development. However, the plat submitted I believe will cause huge problems for the current streets and infrastructure that is currently in place at Chimney Hills and Chimney Hills Place. Here are my problems with the plat and my safety concerns.

1. No required access from Battlefield to offset traffic concerns on Mimosa and Arcadia.
2. 40 lots on .15 acres each 52 feet wide, submitted instead of 20 to 25 lots which would be normal development for 8 plus acres.
3. Mimosa and Arcadia will be expected to service 80 to 100 additional cars.
4. The width of the streets and lack of sidewalks on Arcadia and in Chimney Hills and Chimney Hills Place will make walking and driving extremely difficult and dangerous. I estimate that there are probably 100 people that walk around the neighborhood streets daily to walk their dogs or exercise.
5. Several families that live on the corner of lots boarding Mimosa put out signs warning cars of children playing and to reduce speed. This is already a problem. What will happen with another 100 cars in the morning and evening.
6. The preliminary plat does not address setbacks and side yards. 52 foot wide lots that are 118 feet deep basically require minimal side yards and setbacks. This type of high density construction is in an area that previously required larger lots and lower density . To me, this does not make sense for this type of area and could not be reasonably assumed by the current homeowners that this type of development would be allowed.

Thank you for considering these issues and hopefully the development can be modified to a plan that would be more conforming to the area.

Sincerely,

Daniel R. Clark
3108 S. Arcadia
Springfield, MO 65804
417-839-0044

From: [Logan Green](#)
To: Zoning@springfieldmo.gov
Subject: Fwd: development in Chimney Rock
Date: Tuesday, December 17, 2024 9:47:36 AM

This is the first time you received an email from this sender (loganpg1992@gmail.com). Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

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Thank you,

Logan Green

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

From: Logan Green <loganpg1992@gmail.com>
Date: Tue, Dec 17, 2024 at 9:45 AM
Subject:
To: <zoning@springfieldmo.gov>

Good morning,

I'm writing to express concern over a proposed development on Lot 2 of the briarcliff terrace in chimney rock. This development would add roughly 40 houses to a piece of land at the corner of Mimosa and Acadia. The streets in this neighborhood cannot accommodate the 80-120 or more vehicles that would come with this development. Mimosa narrows to a two lane road near this development, and mimosa has become unsafe already with the current level of traffic. To approve this development would be yet another example of the Springfield government prioritizing tax revenue and developers over the citizens that elected them. I urge you to deny this proposal, or risk the safety and property value of the neighborhoods current residents.

Thank you,

Logan Green

From: drryanperkins@gmail.com
To: Zoning@springfieldmo.gov
Subject: Chimney Rock Development
Date: Tuesday, December 17, 2024 11:34:34 AM
Attachments: [image001.png](#)

Hello Mr. Hosmer,

I am writing to you as a resident of Chimney Hills in southeast Springfield. The proposed development of land, which will be called "Chimney Rock", directly abuts my home on Arcadia Ave.

The SGF Comprehensive Plan 2022 on your website states that new developments that adjoin existing neighborhoods will "have uniform widths, depths, and setback that align with home sizes and densities." Also, "attention should be given to building height, orientation, architectural style and setback to ensure the existing neighborhood character is retained."

There will be 40 new lots on 5.6 acres averaging .14 acres each. This is dramatically smaller than current lot sizes which, according to the Greene County Assessor's website, are in the range of .34-.72 acres. There is only 52 feet of frontage to each lot while the existing Chimney Hills and Chimney Hills Place have frontage of 92-110 feet. The depth of the proposed property will be 107 feet as opposed to 140 feet in the current development.

My question to you is, how is this new development keeping in line with Springfield's comprehensive plan? Have these items been considered when approving this development?

I am absolutely not opposed to the land being developed into housing but I don't feel like this is the best use of the land. This proposed cluster development, whether technically termed "cluster" or not, is absolutely not in keeping with current design and development of the existing neighborhood.

My hope is that your team will fully consider these thoughts before the final approval of this land use.

Thank you for your consideration!

Dr. Perkins

Ryan B Perkins DC LLC
1200 E Woodhurst Dr, L200
Springfield, MO 65804
drryanperkins@gmail.com
417.885.1200 Phone
417.885.1202 Fax



From: [Ron Slone](#)
To: Zoning@springfieldmo.gov
Subject: Zoning Case for Chimney Rock Subdivision re: Objection to Rezoning
Date: Tuesday, December 17, 2024 1:24:00 PM

MY NAME IS RON SLONE
MY ADDRESS IS 3112 S. CHAMBERY AVE.
SPRINGFIELD MO 65804

SINCE I CANNOT ATTEND THE HEARING ON SEPTEMBER 19, 2024, I AM
SENDING THIS EMAIL TO SERVE AS MY OBJECTION TO THE REZONING REQUEST
FOR THIS SUBDIVISION.
I DO NOT OBJECT TO A RESIDENTIAL DEVELOPMENT FOR SINGLE FAMILY
RESIDENCES, BUT THIS REQUEST IS FOR A HIGHER DENSITY SUBDIVISION THAN
THE TWO ADJACENT NEIGHBORHOODS, CHIMNEY HILLS AND CHIMNEY HILLS
PLACE.

RESPECTFULLY,
RON SLONE

From: [Keith Sorbo](#)
To: Zoning@springfieldmo.gov
Subject: Concern About Zoning For Chimney Rock Subdivision
Date: Tuesday, December 17, 2024 2:42:08 PM

This is the first time you received an email from this sender (keith@thesorbos.com). Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

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We have read the documents and plan regarding the proposed Chimney Rock subdivision adjacent to our back yard.

After reviewing the proposed plot map, we are concerned that the proposed building density (lots less than .2 acre) are not in keeping with the surrounding area.

We are also concerned that the provided road access does **not provide direct access to Battlefield Rd**, but all traffic from the 40 proposed lots must filter through our neighborhood.

We would **strongly recommend that the number of lots available on the 8.5 acre property be reduced from 40 to no more than 20 or 25.**

Thank you for your attention to this matter,

Keith & Joy Sorbo
2757 E. Ridgewood St.
Springfield, MO

From: [Dave Scott](#)
To: Zoning@springfieldmo.gov
Subject: Fwd: doc from P & Z
Date: Wednesday, December 18, 2024 9:28:20 AM

This is the first time you received an email from this sender (drwoodworks@gmail.com). Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

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To whom it may concern, I am Dave Scott at 3051 S. Lone Pine Ave. I have spoken with this developer back in the spring and he showed me a rendition or a rough draft of only seven houses to be built On that 8 acres. I have also discussed with Riley, Shauntz , that I am rescinding permission for them to use my property to hook onto the sewer due to the 40 houses proposed. I feel I was misled by this Builder.

Dave Scott.

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

From: Dave Scott <drwoodworks@gmail.com>
Date: Wed, Dec 18, 2024 at 9:20 AM
Subject: Re: doc from P & Z
To: Sonja Shaw <sonjashaw@gmail.com>

Will do.

On Wed, Dec 18, 2024 at 9:17 AM Sonja Shaw <sonjashaw@gmail.com> wrote:
Interesting.

If you can't make meeting, it's important to email your comment to zoning@springfieldmo.gov
Our comments are being added to the city's staff report.
I think it's critical they have our comments on record.

Thanks.
Sonja

On Dec 18, 2024, at 8:56 AM, Dave Scott <drwoodworks@gmail.com> wrote:

I'm not sure if I'll be able to make the meeting or not but back in the spring, I was shown a rendition of seven houses being built on that 8 acres. I have called them out on that and they told me yes there was a rough rendition of that, but it has always been plotted as 40 plots. I just told him that wasn't going to fly.
On Sat, Dec 14, 2024 at 1:51 PM Dave Scott <drwoodworks@gmail.com> wrote:

Got it.

On Sat, Dec 14, 2024 at 1:50 PM Sonja Shaw <sonjashaw@gmail.com>
wrote:

Page 14 shows the plat drawing.

Thanks,
Sonja

From: [Angie Gibson](#)
To: Zoning@springfieldmo.gov
Subject: Upcoming zoning meeting
Date: Wednesday, December 18, 2024 10:44:13 AM

This is to express our opinion about the proposed development at Lone pine and battlefield.

We own property on S Ridgewood. A development of this density and type is not consistent with the neighborhood and will have a negative impact on property values. Additionally opening the street to the south will have a negative impact on traffic and safety for residents by increasing g traffic and changing traffic patterns.

This is to express our extreme opposition to this type of development in this area.

Kurt & Angie Gibson
417-880-0491

Sent from my iPhone

From: [Frank Blohm](#)
To: Zoning@springfieldmo.gov
Subject: Preliminary Plat of Chimney Rock Subdivision
Date: Wednesday, December 18, 2024 11:27:48 AM

This is the first time you received an email from this sender (Frank@FrankBlohm.com). Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

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Planning and Zoning Commission,

This is a sad day for Springfield residents. We should expect more from our public officials. The above preliminary plat is going to effect hundreds of Springfield homeowners and yet the planning commission has posted only 2 signs, in inadequate locations, to notify homeowners. The first sign, was located at the end of the cul de sac on S Acadia Ave. Almost no homeowner on that street was aware of the sign as there is no need for them to drive to the end of the deadend street. Yet this sign was to notify them their street was going to be opened up to this new development... really??

The second sign was located on the far western edge of Mimosa street, set back 30' from the road and facing southwest, in a location that has a Springfield City sign stating no parking. If you were driving west on Mimosa street at that location you would not see the sign until you past it... meaning you would have to look backwards while driving your automobile. Furthermore if you did happen to see the sign you would need to park your car, illegally, and get out to actually read the sign contents...

Finally the zoning meeting is set for Thursday December 19th ; six days before the Christmas holiday... makes you wonder whether the real purpose of this Preliminary Plat has to do with personal financial issues rather than public concern... if it walks like a duck.. and sounds like a duck...

Frank M Blohm mba, ms
2765 E Ridgewood St
Springfield, MO 65804
954-296-5462 cell

From: [Frank Blohm](#)
To: Zoning@springfieldmo.gov
Subject: Correction prior email on Plat of Chimney Rock Subdivision
Date: Wednesday, December 18, 2024 11:54:33 AM

The 2nd sign is located on the far EASTERN edge of Mimosa and if driving east.. and the sign faces southeast...

Frank M Blohm mba, ms
2765 E Ridgewood St
Springfield, MO 65804
954-296-5462 cell

From: [Ardyce Blohm](#)
To: Zoning@springfieldmo.gov
Subject: Chimney Rock Subdivision
Date: Wednesday, December 18, 2024 5:49:42 PM

From: Ardyce Blohm
2765 E Ridgewood Dr.
Springfield, MO 65804

I am writing to express my concern regarding the plans for Chimney Rock Subdivision. There are several severely negative impacts that this development plan will have on the surrounding community.

Putting 40 residences on only 8.69 acres will affect a residential area that stretches from Saratoga Ave, west all along Mimosa between Mimosa and Battlefield all the way to and including Luster Ave, especially the side streets with access onto Battlefield.

Opening Arcadia up as a thru street into the new development will materially change the lives of the people who live there. Would you like to see 80 new vehicles traveling on your street? Do you think it might change the nature of your home and neighborhood? Is it morally right to do this to someone else? There are plenty of other places where this kind of development might be appropriate; this is not one of them.

Traffic increase is another issue. Have you considered what it will be like to have traffic backed up into the driving lane when too many cars are sitting in the turning lanes that enter into the neighborhood from Battlefield? I have seen this problem before. I had to drive every day to work where the left turn lane was too short to handle the number of cars which then backed up into the main left lane. On a street where the speed limit was 45 mph, this caused many accidents and, eventually, the street had to be widened to accommodate two left turning lanes. Also, the light at Luster and Battlefield will back up in all directions.

Has an environmental study been done to determine the impact on the surrounding land, the water issues that exist, the loss of trees that prevent erosion and provide clean air and habitat for deer, turkeys, rabbits, foxes, raccoons, Barred Owls and many other species of animals and birds? In this day and age, with the knowledge and understanding we have, it is most disturbing that anyone would propose a development that does not take these things very seriously and plan accordingly. Are the planners ignorant of this or simply uncaring?

I know many others are expressing their concerns and other issues are pressing besides traffic and environmental issues such as increase to the population in the school district and property values for example.

I hate to think that the timing and posting of the signs, which made it difficult for anyone to know what was going on, and waiting until a most inconvenient time to plan a meeting was done deliberately, but that's how it feels.

It is disturbing and disheartening that anyone would have so little regard for the standards, character and attributes of any neighborhood in our beautiful city, or for their fellow residents, and show such a lack of comprehension and consideration that they would perpetrate this plan.

I hope that you will seriously consider all the adverse changes and how they would negatively affect this community and other communities if this sort of harm is to be allowed to become acceptable practice.

Thank you,
Ardyce Blohm

From: [John T. Gentry](#)
To: Zoning@springfieldmo.gov
Subject: Preliminary plat of Chimney Rock subdivision, JCRS development
Date: Wednesday, December 18, 2024 6:10:23 PM
Attachments: [image002.png](#)
[image003.png](#)

Dear Commissioners,

My family and I live at 3049 S Arcadia Ave, the northern-most house on that street. It's part of Chimney Hills second addition subdivision.

The image below shows my property in relation to the proposed Chimney Rock subdivision, currently listed as 3040 S Arcadia Ave. Please note the retail zoned property mentioned in the staff report borders my property to the east and is also identified in the image. The second image below shows the public hearing sign attached to a street light pole. That pole is within a few feet of my southeast property line. The fence in the photo is on my property line. I am only sharing this information to let you know my close proximity to the proposed development.

1. There are currently 15 homes serviced by Arcadia Ave, one of which is mine. There is no through traffic, so the street is a favorite area for walkers. Based on the current makeup of the households, most likely only 50 or so vehicles enter or depart the street daily. When fully built up, the Chimney Rock subdivision will have 40 homes, which would conservatively increase the traffic by an additional 120 vehicles daily, and that's just the traffic from the families who live there. Since these vehicles will use Arcadia Ave as one of the access points to their subdivision, their speed would predictably be higher than the current average, since they won't be needing to slow down to enter a driveway on Arcadia Ave. I understand the staff report states sidewalks will need to be added on Arcadia Ave, but safety will still be a concern as Arcadia Ave will merely be a pass through street for those travelling to the new higher population subdivision. The increased traffic will be a safety concern to parallel parked cars on Arcadia Ave, children at play, walkers, and Arcadia Ave homeowners who drive slowly since this is their home street and destination.
2. My house sits on a lot that is more than an acre in size. The lot stretches all the way to the Battlefield Rd right of way. I believe the lots on Arcadia Ave are generally between 0.4 and 0.6 acres in size, most of the houses have 3 car garages and 3 or more bedrooms. We enjoy greenspace and not sitting on top of our neighbors. I believe the same applies to homes in Chimney Hills Place, just to the south of Mimosa St. The developer of Chimney Rock is proposing a higher density of homes than the surrounding homes in the two adjacent subdivisions. The preliminary plat of the subdivision shows a majority of the lots are 0.14 acres in size, easily 1/3rd to 1/4th the average size of the surrounding lots. The established homes sitting on 1990s sized lots create a character of the neighborhood unique to 30 year old homes. The addition of Chimney Rock with lots noticeably smaller will change the character of the neighborhood that it will become

part of.

I understand the property is zoned residential and the logical ingress/egress points are Mimosa St and Arcadia Ave. So development of the property will occur and should occur, contributing to the growth of Springfield. But the proposed preliminary plat “as is” should not be considered for approval by the Planning and Zoning Commission. Neighborhood traffic and pedestrian safety and the new development not matching the population density will change the character of the neighborhood, the neighborhood Chimney Rock will be part of.

I ask the Commission to reject the proposal and ask the developer to amend the plan, focusing on safety and maintaining the character of the homes in the neighborhood.

Sincerely,
John Gentry





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From: [Molly Palmietto](#)
To: Zoning@springfieldmo.gov
Subject: Housing Development Concerns: Mimosa & Luster
Date: Thursday, December 19, 2024 11:12:02 AM

This is the first time you received an email from this sender (mollypalmietto@gmail.com). Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

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Hello,

I am sending this message to share my concerns about the proposed housing development at the corner of Mimosa and Luster. I grew up living in that neighborhood, and my elderly mother still lives there, now alone. She likes to take daily walks when she can, and this area is on her favorite walking route. She enjoys it because it is calm, quiet, and there is not a lot of traffic, so she feels safe walking there. The proposed housing development would cause an increase in noise and traffic in the area, which would make it less enjoyable to walk in the area and, more importantly, make it less safe for the many people who enjoy walking the neighborhood. I ask that you reconsider the current proposal, at least to include fewer homes to mitigate the traffic flow increase. I appreciate your time.

Thank you,
Molly Palmietto

From: [Roberta Weeden](#)
To: Zoning@springfieldmo.gov
Subject: Development
Date: Thursday, December 19, 2024 12:28:07 PM

Dear Commissioners,

I live on East Raynell and disappointed at the proposal to add so many new households to our streets and neighborhoods while leaving the mansion on the hill with private drive and access to main road. Shows little respect for developed neighborhoods.

I hope you rethink this proposal.

Warm Regards,

Mrs. Roberta Weeden

Sent from my iPad

From: [Tammy Fulk](#)
To: Zoning@springfieldmo.gov
Subject: Preliminary Plat of Chimney Rock
Date: Thursday, December 19, 2024 1:00:28 PM

My name is Tammy Fulk and I live at 3134 S Arcadia Ave., more specifically Lot 23B Chimney Hills. I have lived there 25+ years.

I oppose Chimney Rock preliminary plat as it does not ALIGN with SGF Comprehensive Plan regarding a “Traditional Neighborhood”, specifically characteristics for design as outlined on page 37 of the plan. It states lots have UNIFORM WIDTH, DEPTH and SETBACKS that ALIGN with HOME SIZES and DENSITIES . Arcadia Ave has 6 lots on the east side which backs up to the new proposed plat of 14 lots, to be more clear, on average 2 plus houses behind each of our 6 existing homes.

Another concern is traffic on Mimosa. Transmission lines run parallel to Mimosa. Mimosa is narrower than most city streets from Patterson to Ventura due to the lines. Mimosa measures 20.5 feet from curb to curb; However, Arcadia measures 25.5 feet. Most people drive in the center of these 4 blocks on Mimosa until you meet someone and when you do, it is a close fit, especially when meeting a school bus, trash truck or in the case of my photo of lawn services, trucks pulling a trailer. It is already dangerous street and adding an additional 80 to 100 cars would make it even more dangerous.

Please deny this project that does not ALIGN with Chimney Hill nor Chimney Hills Place along with additional traffic safety concerns.

Thank you,

Tammy Fulk

View of Mimosa, this truck is heading west on Mimosa at Ventura, where is narrows to 20.5 feet.





From: [Jeff McEntire](#)
To: Zoning@springfieldmo.gov
Subject: Regarding The Chimney Rock Development
Date: Thursday, December 19, 2024 2:42:13 PM

This is the first time you received an email from this sender (jeff@mcentiremedia.com). Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

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To Whom It May Concern:

My name is Jeff McEntire, I am a home owner in the Chimney Hills Place subdivision.
My address is 2707 E. Cherryvale St.
Springfield, MO 65804

(417) 496-5396

I have reviewed the published layout of the new subdivision - Chimney Rock.

I am opposed to access roads being added / feeding to and from Mimosa making Chimney Hills and Chimney Hills Place a through way for the Chimney Rock subdivision.

Though I understand the desire for new housing in the Southeast Springfield area, I am concerned about the traffic in and out of Chimney Rock. It appears to me that Chimney Rock could be accessed via what is currently a gravel road off of Battlefield and an additional access road off of Lone Pine could be added. With the addition of the apartments on Lone Pine over the past 10 or so years we have seen an increase in traffic on Cherryvale and Arcadia through the Chimney Hills Place and the Chimney Hills Subdivisions. When we purchased our home in 2006, this was a fairly quiet neighborhood, over the past 18 years we have seen an increase in non-Chimney Hills Place traffic.

Additionally, in consideration of the Chimney Hills and Chimney Hills Place neighbors along Mimosa, I would request that there be trees either left or added to filter the noise of the additional housing that will be added with the Chimney Rock homes.

I respectfully request that access to and from Chimney Rock be from Battlefield and

Lone Pine as well as consideration of trees and Greenway as a sound barrier.

Sincerely,

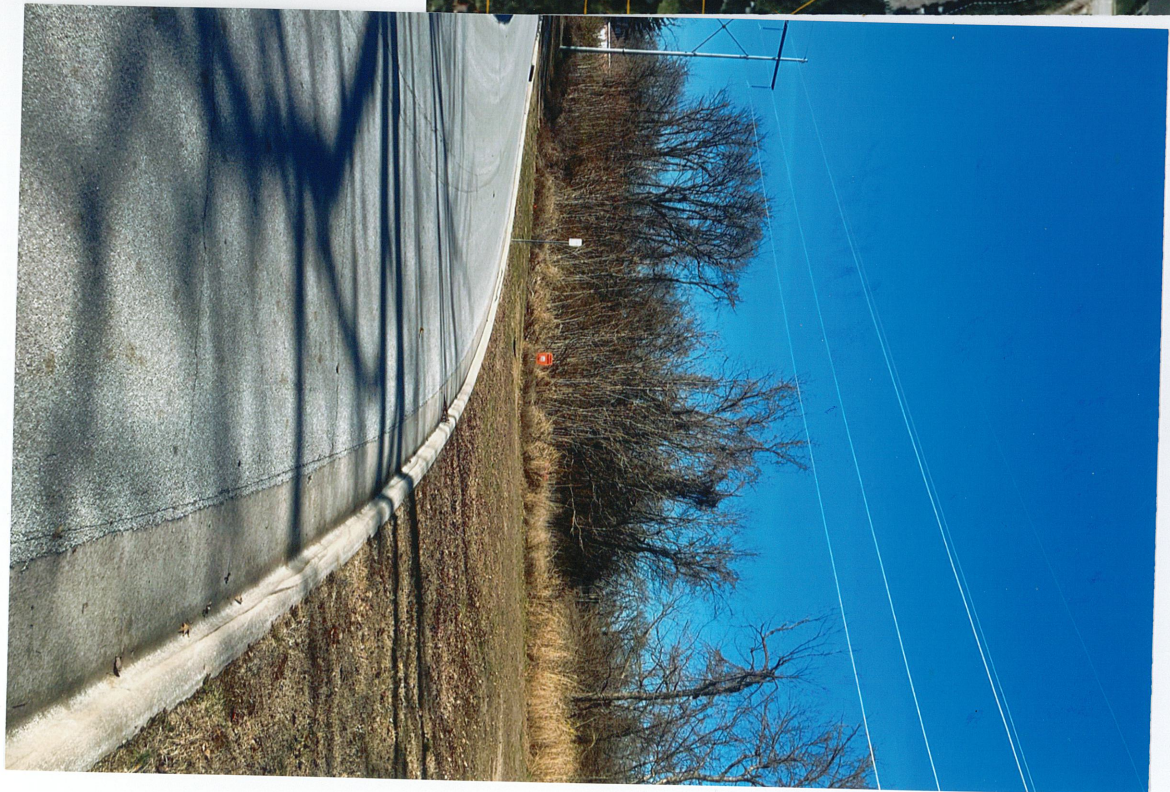
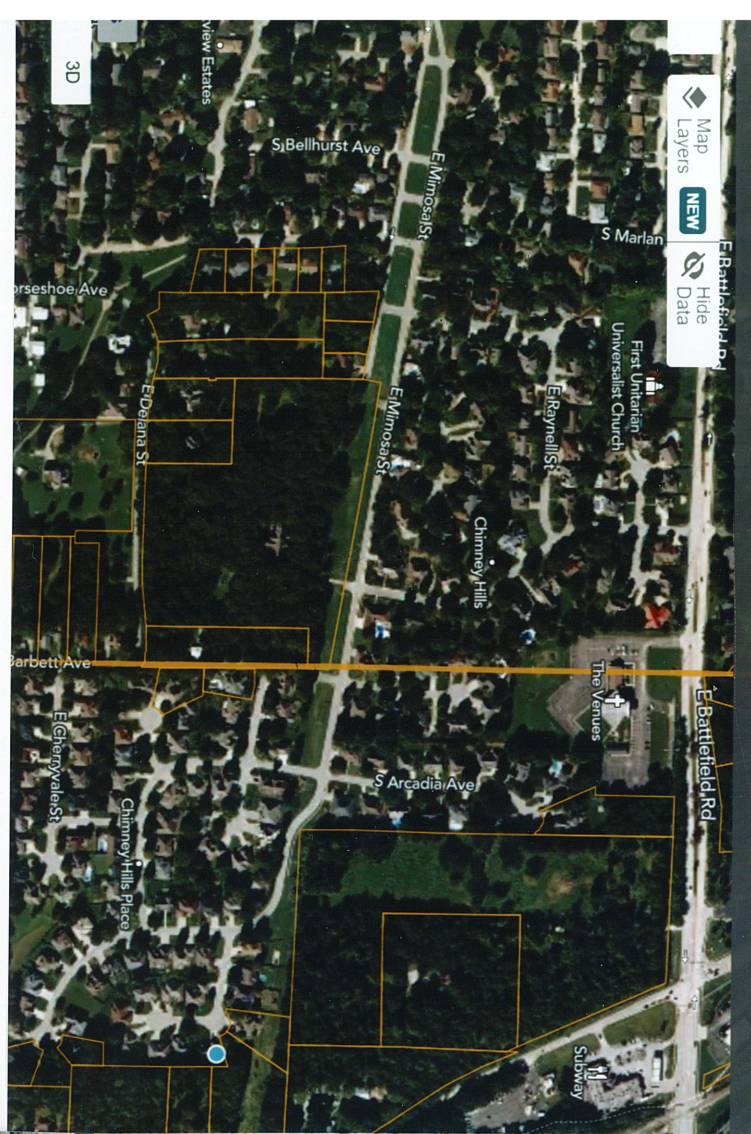
Jeffrey L. McEntire

From: [Kim Carrington](#)
To: Zoning@springfieldmo.gov
Subject: Chimney Hills Rock
Date: Thursday, December 19, 2024 8:11:38 PM

I live in Chimney Hills Place and simply want to express my concerns on the new development proposed for the area. We have already started having more traffic in the area and I have been very concerned about the children riding bikes, scooters etc. in the area. With more street traffic and especially with the amount that a subdivision of this size would create it's only a matter of time before we have some sort of an accident involving a child. While I understand the need for housing please be considerate of the established neighborhood and consider the consequences of this kind of density in that amount of space. I think everyone is aware that it will be developed, just asking for some reasonable considerations. Thank you.

Kimberly Carrington
Sent from my iPad Sent from my iPad













EXPLANATION TO COUNCIL BILL 2025-018 (SIMPSON)

FILED: 01/06/2025

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A special ordinance authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of Spirit Filled Estates, generally located at 3114 East Sunset Street and 2658 South Hillsboro Avenue, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance.

PURPOSE: Authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of Spirit Filled Estates, generally located at 3114 East Sunset Street and 2658 South Hillsboro Avenue upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance. (Staff recommends that City Council accept the public streets and easements.)

BACKGROUND INFORMATION:

A. An original Preliminary Plat of Spirit Filled Estates dated October 4th, 2024, is on file in the Department of Planning and Development. A reduced version of which is included for general reference in Exhibit B, Attachment 3.

B. The Planning and Zoning Commission held a public hearing on December 19th, 2024, and approved the Preliminary Plat by a vote of 7 to 0, subject to the following conditions:

1. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department and the maintenance and operation of such improvements shall be the responsibility of the developers unless approved by the Director of Public Works. All required sanitary sewer, street, sidewalk, and drainage plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works.
2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
3. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.
4. It is determined that the public interest requires assurance concerning adequate maintenance of common space areas and improvements. The restrictive covenants, rules and bylaws creating the common ownership must therefore provide that if the owners of the Property Owners Association shall fail to maintain the common areas or

improvements in reasonable order and condition in accordance with the approved plans, the City may, after notice and hearing, maintain the same and assess the costs against the units or lots, per the Common Open Space and Common Improvement Regulations section of the Zoning Ordinance.

5. The developer shall be responsible for the relocation costs of any existing utility services and shall be responsible for clearing all utility easements of trees, brush, and overhanging tree limbs.

6. All other requirements which are necessary for this subdivision to be in compliance with the Subdivision Regulations.

All required improvements shall be the sole responsibility of the sub-divider. As prescribed by Section 36-233 of the Subdivision Regulations, the improvements shall be made or guaranteed by means of bond, escrow agreement, letter of credit or other appropriate security agreement. Release of the final plat for recording shall be withheld until the sub-divider has complied with this section.

Section 36-226 of the Subdivision Regulations requires that a final plat be submitted within two years of City Council's acceptance of the public streets and easements.

Attached for Council information is a sketch showing the location of the plat area, an exhibit showing the proposed plat, and a copy of the Planning and Development Department staff report to the Planning and Zoning Commission.

The Comprehensive Plan's Land Use & Development chapter groups this area into the Traditional Neighborhood Placetype. This placetype is 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. (p. 36, Chapter 5: Land Use & Development)

The proposed subdivision is located at the southeast corner of Hillsboro Avenue and Sunset Street. The subject area includes the Traditional Neighborhood's primary use of a single-family detached dwelling in addition to a place of worship, which is a supporting use. The purpose of the subdivision is to allow for the church to sell the house independent of the church facilities. The adjacent halves of right-of-way for both streets appear to have been dedicated via deed, but they are included in this plat to make identifying the dedication clearer. This dedication via plat retains the existing curvilinear road pattern, which is common in this part of town.



REMARKS: Staff recommends approval.

Submitted By: Andrew Menke, Senior Planner

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

Maurice S. Jones, Deputy City Manager 1/21/2025

Attachments:

1. Preliminary Plat of Spirit Filled Estates - 3114 East Sunset Street and 2658 South Hillsboro Avenue
2. PPlat Spirit Filled Estates_exhA
3. PPlat Spirit Filled Estates_exhB

One-rdg. _____
P. Hrngs. _____
Pgs. 21
Filed: 01-21-25

Sponsored by: Simpson

First Reading: _____

Second Reading: _____

COUNCIL BILL 2025-018

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AUTHORIZING the Director of Planning and Development to accept the dedication of
2 public streets and easements to the City of Springfield, Missouri, as
3 shown on the Preliminary Plat of Spirit Filled Estates, generally
4 located at 3114 East Sunset Street and 2658 South Hillsboro Avenue,
5 upon the applicant filing and recording a final plat that substantially
6 conforms to the preliminary plat; and authorizing the City Clerk to sign
7 the final plat upon compliance with all the terms of this Ordinance.
8
9

10 WHEREAS, an original Preliminary Plat of Spirit Filled Estates, dated October 4,
11 2024, is on file with the City's Department of Planning and Development; and
12

13 WHEREAS, the Planning and Zoning Commission of the City of Springfield,
14 Missouri, held a public hearing and conditionally approved the Preliminary Plat of Spirit
15 Filled Estates on December 19, 2024, by a vote of 7-0, a copy of the Record of
16 Proceedings from said public hearing being attached hereto and incorporated herein by
17 this reference as "Exhibit A."
18

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

22 Section 1 – City Council hereby authorizes the Director of Planning and
23 Development, on behalf of the City of Springfield, to accept the land, easements, and
24 improvements dedicated to the City, as shown on the Preliminary Plat of Spirit Filled
25 Estates, which is generally located at 3114 East Sunset Street and 2658 South
26 Hillsboro Avenue, as approved by the Planning and Zoning Commission. The original
27 Preliminary Plat of Spirit Filled Estates is on file in the Department of Planning and
28 Development ("Approved Preliminary Plat"), a reduced version of which is attached
29 hereto for general reference as "Exhibit B – Attachment 3." All of "Exhibit B," including
30 attachments, is incorporated herein by this reference.
31

32 Section 2 – The Director of Planning and Development shall be authorized to
33 accept the land, easements, and improvements dedicated to the City, as shown on said

plat, upon the applicant filing and recording a final plat in accordance with this Ordinance and the Subdivision Regulations of the City, which final plat shall substantially conform to the Approved Preliminary Plat, including those conditions described in "Exhibit B – Attachment 2," and upon the Director of Public Works certifying to the Director of Planning and Development and the City Clerk that the public improvements have been made in accordance with City standards and specifications. Said public improvements shall not be accepted until the occurrence of all conditions referenced herein and in "Exhibit B – Attachment 2."

Section 3 – The final plat shall not be recorded until: (1) the public improvements relating to the Approved Preliminary Plat have been constructed according to the specifications of the City of Springfield, Missouri, and are approved by the Director of Public Works, and all engineering fees, permit fees, licenses, and other fees occasioned by or in connection with the construction of said improvements have been paid to the City; or (2) in lieu of the construction of the improvements, that the Applicant has filed with the City Manager, according to the terms of the Subdivision Regulations of the City, the prescribed financial assurances in a form acceptable to the City to ensure the construction of the improvements and the payment to the City of all engineering fees, permit fees, licenses, and other fees occasioned by, or which will be occasioned by, the construction of the improvements.

Section 4 – Upon compliance with all the requirements of this Ordinance, including the conditions described in "Exhibit B – Attachment 2," the City Clerk is hereby authorized to endorse City Council's approval upon the final plat pursuant to Section 445.030, RSMo., and such endorsement shall constitute the acceptance of the Public Improvements contained therein.

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

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Laura Vales, Assistant City Attorney

Approved for Council action: Colin Sykes, Interim City Manager

EXHIBIT A
RECORD OF PROCEEDINGS
Planning and Zoning Commission – December 19, 2024

Preliminary Plat of Spirit Filled Estates
3114 East Sunshine Street and 2658 South Hillsboro Avenue
Applicant: First United Pentecostal Church of Springfield, Inc.

Mr. Menke stated that this is a request to approve a preliminary plat for a 2-lot subdivision.

Mr. Brian McCoy, 3114 E. Sunset Street, pastor of the First United Pentecostal Church and here to answer any questions.

Ms. Broekhoven closed the meeting.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Preliminary Plat of Spirit Filled Estates; Commissioner Doennig seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Broekhoven; Commissioner Ridge, Commissioner Colony, Commissioner Knuckles, Commissioner Pauly, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: Commissioner Lebeck and Commissioner Gunther. Abstain: None.



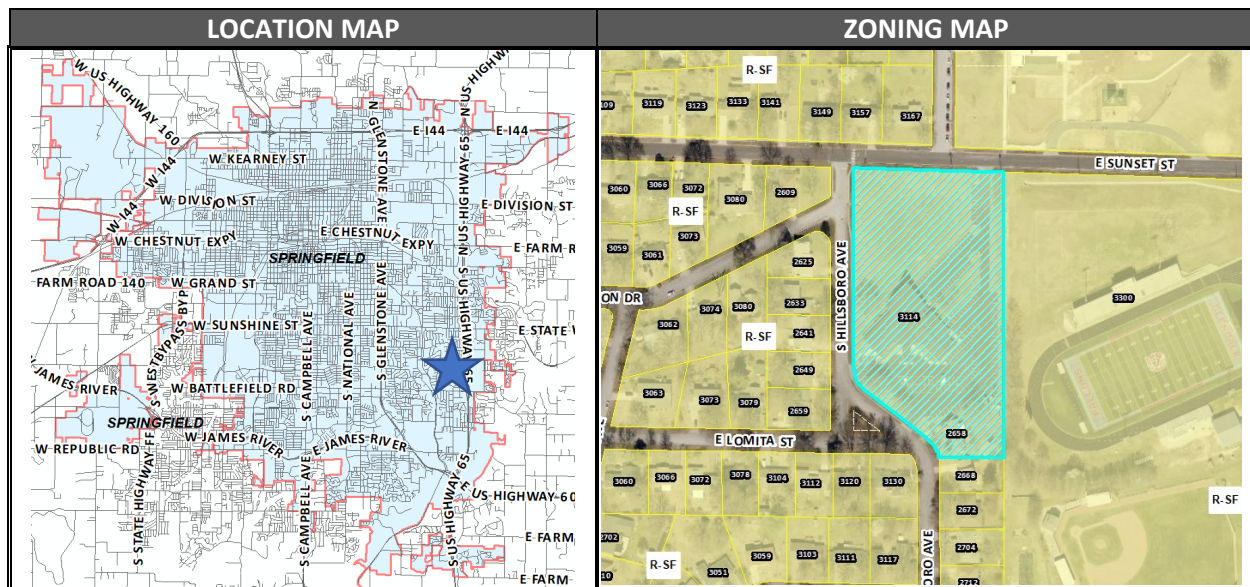
Bob Hosmer, AICP
Planning Manager

DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION	
Case Number:	Preliminary Plat of Spirit Filled Estates
Location:	3114 East Sunset Street & 2658 South Hillsboro Avenue
Total Acres:	4.94 acres
Applicant:	First United Pentecostal Church of Springfield
Existing Land Use:	Church & Single-Family Residence
Neighborhood Meeting:	N/A
Planning and Zoning Commission:	December 19, 2024
City Council:	January 27, 2025
Public Notification:	Posted property
Staff:	Andrew Menke, Senior Planner, (417) 864-1613
Staff recommendation:	Staff recommends approval
Proposed motion:	Move to approve the preliminary plat of Spirit Filled Estates subject to the conditions listed in Attachment 2 of the staff report. (All commission motions are made in the affirmative.)
Required Vote:	A majority of those present (5 members are a quorum).

PROJECT SUMMARY:

Request to subdivide approximately 4.94 acres of property generally located at 3114 East Sunset Street & 2658 South Hillsboro Avenue into two (2) lots to allow for the church to sell the house independent of the church facilities.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



DEVELOPMENT REVIEW STAFF REPORT



View from Hillsboro Avenue

PROPERTY HISTORY:

The subject property was annexed into the city in 1966. This parcel was certified as a tract of record in 1991. At the time of the 1995 citywide remapping, the property was rezoned to R-SF, Single-Family Residential.

PLANNING AND ZONING COMMISSION AUTHORITY:

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

(3) Preliminary plat.

- (a) After participating in the pre-subdivision review with city staff, the subdivider may prepare a preliminary plat, together with supplementary material as prescribed in section 36-263.
- (b) Copies of the preliminary plat and supplementary materials specified, together with a fee for administrative handling and processing in the amount prescribed by ordinance, shall be submitted to the director of planning and development with written application for approval. Upon determination that the application is complete, the director shall place the application on the agenda of the commission at a regular meeting not later than the second such meeting following the date of the filing of the application.
- (c) The commission shall hold a public hearing on the preliminary plat. Notice of the public hearing shall be made in accordance with city ordinance and the rules of the commission.

DEVELOPMENT REVIEW STAFF REPORT

- (d) The commission shall review the preliminary plat and supporting material, recommendations from agencies or officials, and testimony and exhibits submitted at the public hearing. The commission shall approve, conditionally approve or disapprove the preliminary plat and if approved, the commission shall express its approval and state the conditions of such approval, if any, or if disapproved, shall express its disapproval and its reasons, therefore. In any case, a notation of the action taken, and the reasons, therefore, shall be entered in the records of the commission.
- (e) If approved by the commission or approved with conditions acceptable to the applicant, then the director of planning and development shall forward the preliminary plat to the city council for its approval. Council shall determine if the land or easement proposed to be dedicated by the applicant for public use or if the public improvements shall be accepted by the city. If the city council determines that the location of the land to be dedicated for public use or the location of public improvements is appropriate and complies with applicable ordinances then the city council shall authorize the acceptance of the dedication of the land or easements upon the applicant filing and recording a final plat which substantially conforms to the preliminary plat and shall authorize the acceptance of the public improvements upon the director of public works certifying to the director of planning and development and the city clerk that the public improvements have been made in accordance with city standards and specifications.
- (f) If approved with modifications which are not acceptable to the applicant or if disapproved, the director of planning and development shall attach to the plat a statement of reasons for such action and return it to the subdivider.
- (g) Actions by the commission regarding the preliminary plat are final unless such action is appealed by the subdivider to the city council within 90 days of the action by the commission.
- (h) Effective period of preliminary approval.
 - 1. The approval of a preliminary plat shall be effective for a period of two years. The application for final plat approval must be submitted to the department of planning and development within the two-year period. Any plat not submitted within the two-year limit shall be null and void except as provided in subparagraph 2. below.
 - 2. The planning and zoning commission may at its discretion and upon application by the subdivider extend the effective period of preliminary approval by two years, one time. All other submittals shall be considered a new preliminary plat and subject to applicable reviews.

DEVELOPMENT REVIEW STAFF REPORT

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR SINGLE-FAMILY RESIDENTIAL
Minimum lot dimension requirements	Lot Area: 6,000 square feet Lot Width: 50 feet Lot Depth: 80 feet
Maximum structure height	- When side yards are less than 15 feet in width: 35 feet or two and one-half stories above the finished grade. - When side yards are 15 feet in width or greater: 45 feet or three stories above the finished grade.
Front yard setback	15 feet along local streets 25 feet along Collector streets or higher
Side yard setback	Five feet or as required by section 36-453, supplemental open space and yard regulations.
Rear yard setback	Ten percent of the lot depth, but may not be less than ten feet nor shall more than 20 feet be required.
Street Classification	E Sunset Street – Collector S Hillsboro Avenue – Local
Sidewalks	Sidewalks are required along S Hillsboro Avenue and E Sunset Street. Sidewalk exists along the frontage of S Hillsboro Avenue, but sidewalk does not exist along the frontage of E Sunset Street.
Open Space Requirements	The minimum open space ratio on each buildable lot shall be at least 30 percent.

DEVELOPMENT REVIEW STAFF REPORT

COMPATIBILITY WITH COMPREHENSIVE PLAN:

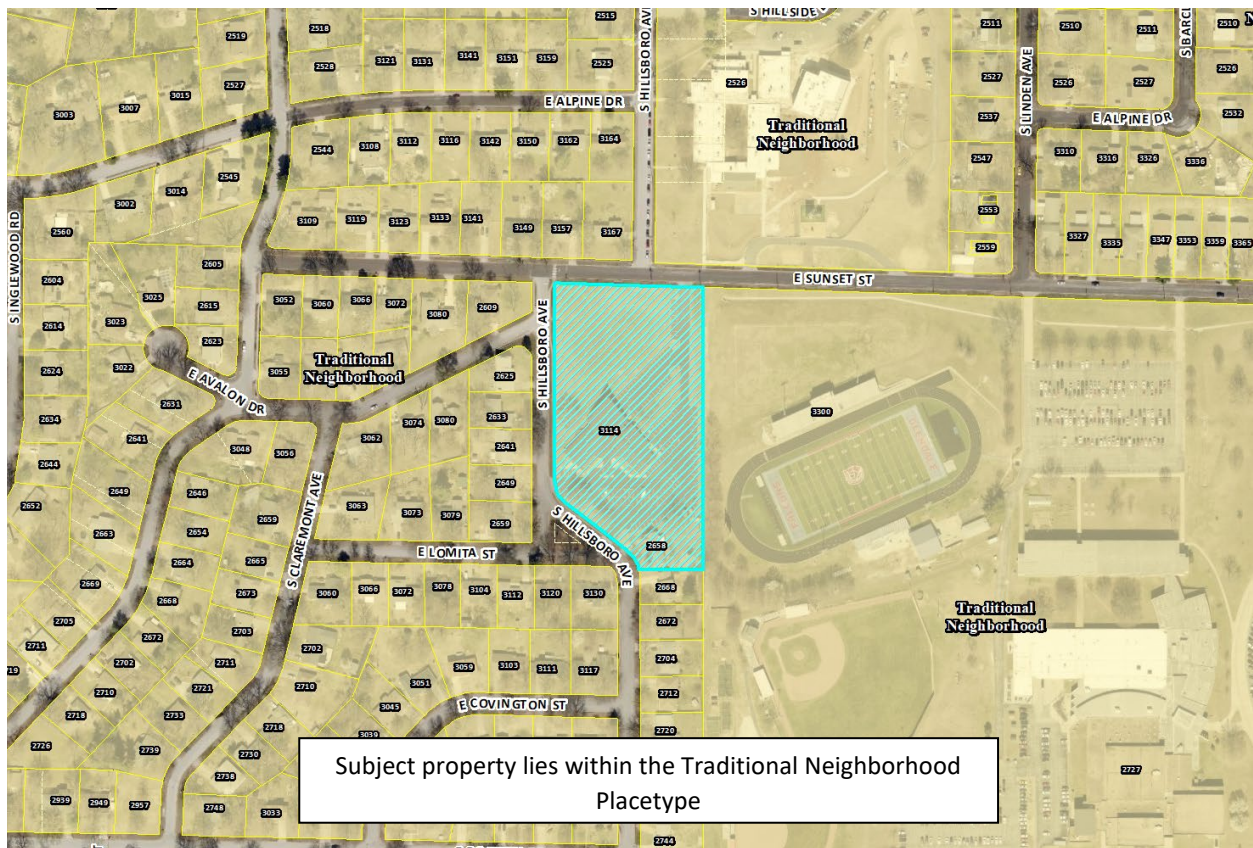
PLACETYPE: TRADITIONAL NEIGHBORHOOD

The *Comprehensive Plan's Land Use & Development* chapter groups this area into the Traditional Neighborhood Placetype. This placetype is 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. (p. 36, *Chapter 5: Land Use & Development*)

The proposed subdivision is located at the southeast corner of Hillsboro Avenue and Sunset Street. The subject area includes the Traditional Neighborhood's primary use of a single-family detached dwelling in addition to a place of worship, which is a supporting use. The purpose of the subdivision is to allow for the church to sell the house independent of the church facilities. The adjacent halves of right-of-way for both streets appear to have been dedicated via deed, but they are included in this plat to make identifying the dedication more clear. This dedication via plat retains the existing curvilinear road pattern, which is common in this part of town.

DEVELOPMENT REVIEW STAFF REPORT

FUTURE PLACETYPE MAP:



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

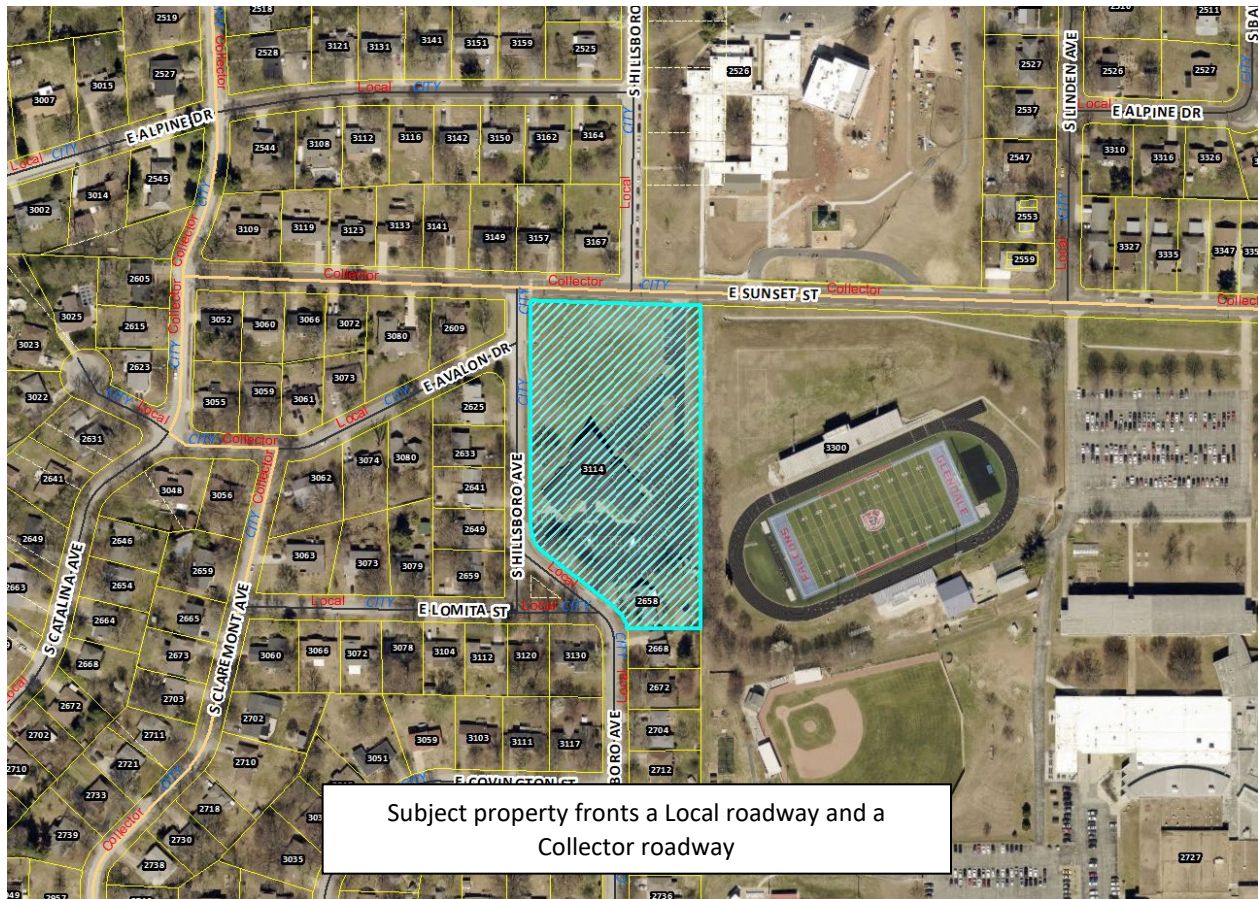
● **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype

○ **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	Residential & School	Residential	School	Residential
PLACETYPES	Traditional Neighborhood	Traditional Neighborhood	Traditional Neighborhood	Traditional Neighborhood

DEVELOPMENT REVIEW STAFF REPORT

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is proposing to subdivide approximately 4.94 acres into a two (2) lot subdivision named "Spirit Filled Estates".
2. The purpose of the subdivision is to allow for the church to sell the house independent of the church facilities.
3. The adjacent halves of right-of-way for Hillsboro Avenue and Sunset Street appear to have been dedicated via deed, but they are included in this plat to make identifying the dedication more clear.
4. All lots meet the minimum dimension requirements of the City's subdivision regulations and the Single-Family Residential District.
5. If Planning and Zoning Commission approves the preliminary plat, then the plat will be forwarded to City Council for acceptance of public streets and easements. An approved preliminary plat is active for two (2) years.
6. The proposed preliminary plat was reviewed by City departments and comments are contained in **Attachment 1**. Conditions of Approval are provided in **Attachment 2**. The Preliminary Plat drawing can be found in **Attachment 3**.

STAFF RECOMMENDATION:

1. The proposed subdivision is consistent with the *Land Use and Development Element of the Comprehensive Plan* and all proposed lots meet the subdivision regulations and the Single-Family Residential District.
2. Staff recommends approval as submitted in the staff report.

PLANNING AND ZONING COMMISSION OPTIONS:

The commission shall review the preliminary plat and supporting material, recommendations from agencies or officials, and testimony and exhibits submitted at the public hearing.

1. The commission shall approve the preliminary plat.
2. The commission shall conditionally approve the preliminary plat.
3. The commission shall disapprove the preliminary plat.

PUBLIC NOTIFICATION AND COMMENTS:

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

No comments were received by citizens for this case at the time of publication.

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT COMMENTS:

ATTACHMENT 1

1. AT&T:

Approved.

2. CITY UTILITIES:

Approved.

3. DEPARTMENT OF PUBLIC WORKS CONSTRUCTION INSPECTION DIVISION:

Approved.

4. DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

The manhole in front of 2658 is further north than it is shown on GIS and the service lateral for that address actually enters that manhole so it has access to that sewer manhole without crossing another property. No issues with the lot split.

5. FIRE DEPARTMENT:

No comments.

6. PARKS & GREENWAYS:

Approved.

7. DEPARTMENT OF PUBLIC WORKS TRANSPORTATION ENGINEERING RIGHT-OF-WAY DIVISION:

Approved.

8. DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

Site Description and Drainage Pattern

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

A fee in lieu of on-site stormwater detention **is not applicable because the site is built out**.

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. 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. Existing basin is providing Flood Control volume only for Lot 1 and Lot 2 of the proposed subdivision.

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 Channels and Stream Buffers

N/A

Sinkholes and 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.

9. DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

Access

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

Trails, Bus Stops, And Additional Information

There are no Greenway Trails near the property. There are no bus stops near the property.

Improvements

No improvements are required for this preliminary plat. A traffic study may be required at the time of development.

DEVELOPMENT REVIEW STAFF 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. Sunset Street	Collector	City	30	30	NA	No	Yes	No
Street 2	S. Hillsboro Avenue	Local	City	25	25	NA	Yes	Yes	Yes

DEVELOPMENT REVIEW STAFF REPORT

CONDITIONS FOR APPROVAL:

ATTACHMENT 2

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

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

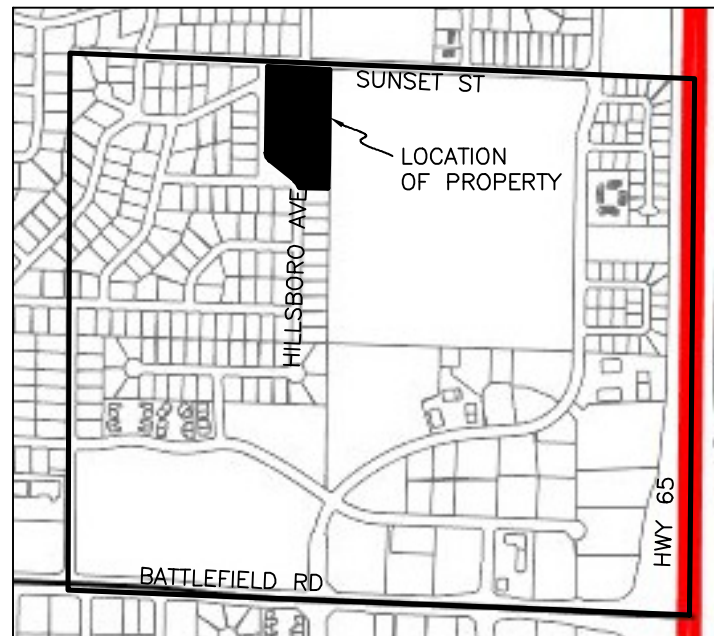
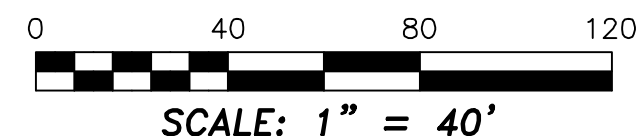
If the request is recommended for denial by the Commission and the applicant requests City Council consideration, all the above conditions, plus any amendments made by the Planning and Zoning Commission, shall be included in the Council Bill.

OWNER/DEVELOPER:
THE EXPERIENCE CHURCH
FIRST UNITED PENTECOSTAL CHURCH OF SPRINGFIELD
3114 E SUNSET ST
SPRINGFIELD MO 65804

SURVEY OF GLENDALE HIGH SCHOOL BY
PLS#2488 OF SCOTT CONSULTING
ENGINEERS DATED JUNE 09, 2000.

PLAT OF GLENDALE ESTATES FILED ON
APRIL 26, 1963 IN PLAT BOOK 'T', PAGE
68

LOCATION SKETCH
NE¼ SEC 4, T28N, R21W
1"=1000'



- 1) PLAT SUBMITTAL: OCTOBER 04, 2024
- 2) TOTAL NUMBER OF LOTS: TWO (2)
- 3) TOTAL ACREAGE: 4.94 ACRES± (215279 SQ.FT.)
- 4) LARGEST TRACT: LOT 1 (70934 SQ.FT.)
- 5) SMALLEST TRACT: LOT 2 (16098 SQ.FT.)
- 6) CURRENT ZONING: R-SF
- 7) PROPOSED LAND USE: RESIDENTIAL
- 8) CLASS OF PROPERTY: URBAN
- 9) RECORD SOURCE OF TITLE: BK 2004, PG. 060714-04
- 10) THE AREA SHOWN HEREON IS NOT LOCATED IN A STORM SEWER DISTRICT AS OF THE DATE OF RECORDING AND MAY BE SUBJECT TO FUTURE ASSESSMENT COST IF INCLUDED IN FUTURE STORM WATER BENEFIT DISTRICT DEEMED NECESSARY RESULTING FROM PROBLEMS CREATED BY SURFACE WATER RUNOFF; THIS IS DUE TO THE FACT THAT THE SURFACE WATER RUNOFF IS PRESENTLY ACCOMMODATED BY AN OPEN DRAINAGE FACILITIES.
- 11) THE PROPERTY SHOWN HEREON DOES NOT LIE WITHIN A DESIGNATED FLOOD HAZARD AREA. INFORMATION PROVIDED BY F.E.M.A. COMMUNITY PANEL MAP NO. 290773631E, EFFECTIVE DATE: DEC. 17, 2010.
- 12) ALL LOT CORNERS (SEMI-PERMANENT) ARE SET WITH A 1/2" REBAR, 18" IN LENGTH WITH A PLASTIC CAP STAMPED "20070117968" AND WILL BE SET WITHIN 90 DAYS AFTER THE DATE OF RECORDING.
- 13) SEWER DISTRICT 234 SECTION 12 (BASED ON THE SPRINGFIELD INTERACTIVE MAPS WEBSITE).
- 14) MAINTENANCE OF AREAS (IF ANY) REFERRED TO AS DRAINAGE EASEMENT OR COMMON AREA WILL BE THE RESPONSIBILITY OF THE PROPERTY OWNER.
- 15) DETENTION FOR FLOOD CONTROL IS PROVIDED BY THE BASIN ON THE NW CORNER ON LOT 1. THE BASIN WAS BUILT WITH BL081-0230.
- 16) NO FENCES, PLANTINGS, OR OBSTRUCTIONS OTHER THAN MAILBOXES ARE PERMITTED WITHIN THE LIMITS OF ANY DRAINAGE EASEMENT UNLESS THE DRAINAGE IS ENCLOSED IN A BELOW GRADE CONDUIT; AT NO TIME SHALL PERMANENT STRUCTURES BE ALLOWED IN THE EASEMENT.

I, _____ AS OWNER / DEVELOPER OF SAID REAL ESTATE DESCRIBED AND SHOWN HEREON, DO HEREBY CERTIFY THAT I HAVE CAUSED SAID REAL ESTATE TO BE PLATTED AS SHOWN HEREON AND THAT ALL STREETS AND EASEMENTS AS SHOWN HEREON ARE DEDICATED TO THE PUBLIC. TO WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY SEAL THIS ____ DAY OF _____ 20__

OWNER: _____ (NO SEAL)

STATE OF _____ } SS
COUNTY OF _____ }

ON THIS ____ DAY OF _____, 20____, BEFORE ME PERSONALLY

APPEARED _____ TO ME KNOWN, WHO BEING DULY
SWORN, DID SAY THAT HE EXECUTED THE FOREGOING INSTRUMENT AS HIS FREE ACT
AND DEED, IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY

OFFICIAL SEAL, AT MY OFFICE IN _____ COUNTY, _____
THE DAY AND YEAR FIRST WRITTEN ABOVE.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC: _____

APPROVED THIS ____ DAY OF _____, 20__ BY THE PLANNING
AND ZONING COMMISSION OF THE CITY OF SPRINGFIELD, MISSOURI.

STEPHEN CHILDERS,
DIRECTOR OF PLANNING & DEVELOPMENT

APPROVED THIS ____ DAY OF _____, 20__ BY THE CITY
COUNCIL OF THE CITY OF SPRINGFIELD, MISSOURI BY SPECIAL
ORDINANCE _____.

ANITA J. COTTER, MMC/MPCC
CITY CLERK

LINE	BEARING	DISTANCE
L1	S38°58'43"W	25.76'
L2	N51°12'42"W	13.04'
L3	S00°55'21"W	10.00'
L4	N87°08'14"W	10.00'
L5	S46°53'33"W	13.90'
L6	S00°55'21"W	18.32'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	50.00'	45.38'	43.84'	S25°08'41"E
C2	75.00'	68.10'	65.78'	S25°08'41"E
C3	100.00'	53.25'	52.63'	S35°45'16"E
C4	75.00'	29.78'	29.59'	S39°36'09"E

BEGINNING AT THE NORTHEAST CORNER OF THE WEST HALF (W½) OF LOT TWO (2) OF THE NORTHEAST QUARTER (NE¼) OF SECTION FOUR (4), TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-ONE (21); THENCE WEST 350.2 FEET ALONG THE TOWNSHIP LINE TO THE CENTER LINE OF HILLSBORO AVE. IN GLENDALE ESTATES; THENCE SOUTH ALONG THE CENTER LINE OF HILLSBORO AVE. TO THE INTERSECTION OF HILLSBORO AVE. AND GREENE COUNTY RD. A DISTANCE OF 75 FEET; THENCE ALONG SAID CURVE IN A SOUTHEASTERLY DIRECTION 68.1 FEET TO THE END OF SAID CURVE; THENCE SOUTHEASTERLY ALONG THE CENTERLINE OF HILLSBORO AVE. 161.6 FEET TO THE BEGINNING OF A CURVE HAVING A CENTRAL ANGLE OF 52° RIGHT AND A RADIUS OF 75 FEET; THENCE ALONG SAID CURVE IN A SOUTHERLY DIRECTION 29.8 FEET; THENCE SOUTH 74.5 FEET TO THE DRAINAGE POND; THENCE SOUTH OF THE BEGINNING POINT; THENCE NORTH 648 FEET TO AN ANGLE OF 90° TO THE DRAINAGE COURSE; THENCE ALONG SAID COURSE TO THE BEGINNING, EXCEPT ANY FET TAKEN, DEDDED OR USED FOR ROAD PURPOSES, IN GREENE COUNTY, MISSOURI.

PART 2 OF THE WEST 1/4 (W1/4) LOT 20 (2) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 4, TOWNSHIP 28 NORTH, RANGE 21 WEST OF THE 5TH PM. IN GREENE COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 20 (2) OF SAID NE1/4 OF SAID SECTION 4, BEARING S89°03'08"E, A DISTANCE OF 10.00 FEET TO THE EAST LINE OF SAID SECTION 4, 349.78 FEET TO THE INTERSECTION OF SAID LINE WITH THE CENTERLINE OF HILLSBORO AVENUE; THENCE ALONG SAID CENTERLINE OF HILLSBORO AVENUE THE FOLLOWING FOUR COURSES: THENCE S00°52'11"W, 40.28 FEET; THENCE ALONG A CURVE TO THE LEFT AN ARC LENGTH OF 68.11 FEET, WITH A RADIUS OF 75.00 FEET, AND A CHORD BEARING AND DISTANCE OF S29°56'37"E, 147.83 FEET; THENCE ALONG A CHORD BEARING AND DISTANCE OF S33°06'09"E, 29.59 FEET; THENCE S89°03'08", 174.83 FEET TO THE EAST LINE OF SAID W1/4 OF LOT 2 OF THE NE1/4; THENCE N00°57'06"E, ALONG SAID EAST LINE, A DISTANCE OF 10.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 20 (2) OF SAID NE1/4 OF SAID SECTION 4; BEARINGS AND DISTANCES ARE BASED ON THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.

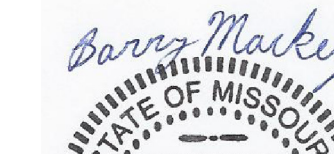
I HEREBY DECLARE TO THE EXPERIENCE CHURCH,
THAT THE INFORMATION CONTAINED HEREON IS BASED UPON AN ACTUAL
SURVEY OF THE LAND DESCRIBED HEREIN, WHICH WAS PERFORMED TO THE
BEST OF MY KNOWLEDGE AND BELIEF, IN ACCORDANCE WITH THE JOINT
STANDARDS FOR PROPERTY SURVEYS AS PUBLISHED BY THE MISSOURI
DEPARTMENT OF AGRICULTURE AND THE MISSOURI BOARD FOR ARCHITECTS
PROFESSIONAL ENGINEERS AND LAND SURVEYORS DATED JUNE 30,
2017 AND BASED ON INFORMATION PROVIDED BY RAYMOND EDDINGS.

PHYSICAL EVIDENCE OF IMPROVEMENTS IS SHOWN FROM INFORMATION TAKEN BY VISUAL INSPECTION OF THE PREMISES. EASEMENTS SHOWN ARE THOSE WRITTEN, PROVIDED, OR DISCOVERED AND MAY NOT BE ALL INCLUSIVE.

APPARENT OWNERSHIPS AS SHOWN ARE BASED UPON INFORMATION
PROVIDED BY OTHERS AND DO NOT REPRESENT AN OPINION AS TO TITLE.

THIS PLAT OF SURVEY IS AN INSTRUMENT OF SERVICE AND IS NOT TO BE
USED BY ANYONE OTHER THAN THOSE TO WHOM IT HAS BEEN CERTIFIED
UNLESS IT HAS BEEN UPDATED AND RE-CERTIFIED BY THE UNDERSIGNED.

TYPE OF SURVEY: URBAN

 O & M SURVEYING LLC (417) 835-1405 (417) 835-1171	LAND SURVEYORS, PLANNERS & CONSTRUCTION STAKING	PROFESSIONAL LAND SURVEYOR REG. NUMBER: PLS-200717965 CORPORATION# 2022004477
	472 TROUT ROAD OZARK, MISSOURI 65721	<i>Barry Mackey</i> 
CLIENT: THE EXPERIENCE CHURCH	JOB No.: 240637	
DESCRIPTION: SUBDIVISION SURVEY	DATE: 10-04-2024	
LOCATION: N½, SEC. 4, T28N, R21W GREENE COUNTY, MO	SCALE: 1" = 40'	
ORDERED BY: RAYMOND EDDINGS	DRAWN BY: JES CHECKED BY: BDM DWG. No.: 240637-1	



EXPLANATION TO COUNCIL BILL 2025-019 (MCGULL)

FILED: 01/08/2025

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A special ordinance authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of North Glenstone Heights, generally located at 3627, 3697, and 3703 North Glenstone Avenue, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance.

PURPOSE: Authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of North Glenstone Heights, generally located at 3627, 3697, & 3703 North Glenstone Avenue upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance. (Staff recommends that City Council accept the public streets and easements.)

BACKGROUND INFORMATION:

A. An original Preliminary Plat of North Glenstone Heights dated December 4th, 2024, is on file in the Department of Planning and Development. A reduced version of which is included for general reference in Exhibit B, Attachment 3.

B. The Planning and Zoning Commission held a public hearing on December 19th, 2024, and approved the Preliminary Plat by a vote of 7 to 0, subject to the following conditions:

1. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department and the maintenance and operation of such improvements shall be the responsibility of the developers unless approved by the Director of Public Works. All required sanitary sewer, street, sidewalk, and drainage plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works.

2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.

3. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.

4. It is determined that the public interest requires assurance concerning adequate

maintenance of common space areas and improvements. The restrictive covenants, rules and bylaws creating the common ownership must therefore provide that if the owners of the Property Owners Association shall fail to maintain the common areas or improvements in reasonable order and condition in accordance with the approved plans, the City may, after notice and hearing, maintain the same and assess the costs against the units or lots, per the Common Open Space and Common Improvement Regulations section of the Zoning Ordinance.

5. The developer shall be responsible for the relocation costs of any existing utility services and shall be responsible for clearing all utility easements of trees, brush, and overhanging tree limbs.

6. All other requirements which are necessary for this subdivision to be in compliance with the Subdivision Regulations.

All required improvements shall be the sole responsibility of the sub-divider. As prescribed by Section 36-233 of the Subdivision Regulations, the improvements shall be made or guaranteed by means of bond, escrow agreement, letter of credit or other appropriate security agreement. Release of the final plat for recording shall be withheld until the sub-divider has complied with this section.

Section 36-226 of the Subdivision Regulations requires that a final plat be submitted within two years of City Council's acceptance of the public streets and easements.

Attached for Council information is a sketch showing the location of the plat area, an exhibit showing the proposed plat, and a copy of the Planning and Development Department staff report to the Planning and Zoning Commission.

The Comprehensive Plan's Land Use & Development chapter groups this area into the City Corridor and Traditional Neighborhood Placetype.

The City Corridor placetype predominantly consists of commercial and service-related development varying in scale, ranging from standalone businesses to large retail centers. City Corridors are also key locations to support and encourage multi-family developments that rely on proximity to retail, commercial services, and employment centers. Each of these use groups are best located along major roadways with high volumes of traffic. City Corridors are locations of significant redevelopment opportunity, where absorption of underserved housing, employment, sales, and service, can be accommodated. Underutilized properties may be redeveloped into higher density multifamily or mixed-use developments where appropriate to increase activity within the placetype. (p. 46, Chapter 5: Land Use & Development)

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. 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. (p. 36, Chapter 5: Land Use & Development)

The proposed subdivision is located at the northwest corner of Valley Water Mill Road and Glenstone Avenue, a secondary arterial roadway and primary arterial roadway. The property's presence on these thoroughfares, as well as its proximity to commercial zoning and land uses, establishes this property as an instance of a Traditional Neighborhood edge and an example of the City Corridor placetype. Subdividing the property provides opportunity for future commercial or multifamily development that can contribute to the activity at this node in the city. If a residential use is pursued, it may function as support for adjacent commercial uses, in addition to acting as a transition from non-residential uses to low-density residential uses.

REMARKS: Staff recommends approval.

Submitted By: Andrew Menke, Senior Planner

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

Maurice S. Jones, Deputy City Manager 1/21/2025

Attachments:

1. Preliminary Plat of North Glenstone Heights - 3627, 3697, and 3703 North Glenstone Avenue
2. PPlat North Glenstone Heights_exhA
3. PPlat North Glenstone Heights_exhB

One-rdg. _____
P. Hrngs. _____
Pgs. 21
Filed: 01-21-25

Sponsored by: McGull

First Reading: _____

Second Reading: _____

COUNCIL BILL 2025-019

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AUTHORIZING the Director of Planning and Development to accept the dedication of
2 public streets and easements to the City of Springfield, Missouri, as
3 shown on the Preliminary Plat of North Glenstone Heights, generally
4 located at 3627, 3697, and 3703 North Glenstone Avenue, upon the
5 applicant filing and recording a final plat that substantially conforms to
6 the preliminary plat; and authorizing the City Clerk to sign the final plat
7 upon compliance with all the terms of this Ordinance.
8 _____
9

10 WHEREAS, an original Preliminary Plat of North Glenstone Heights, dated
11 December 4, 2024, is on file with the City's Department of Planning and Development;
12 and
13

14 WHEREAS, the Planning and Zoning Commission of the City of Springfield,
15 Missouri, held a public hearing and conditionally approved the Preliminary Plat of North
16 Glenstone Heights on December 19, 2024, by a vote of 7-0, a copy of the Record of
17 Proceedings from said public hearing being attached hereto and incorporated herein by
18 this reference as "Exhibit A."
19

20 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
21 SPRINGFIELD, MISSOURI, as follows, that:
22

23 Section 1 – City Council hereby authorizes the Director of Planning and
24 Development, on behalf of the City of Springfield, to accept the land, easements, and
25 improvements dedicated to the City, as shown on the Preliminary Plat of North
26 Glenstone Heights, which is generally located at 3627, 3697, and 3703 North Glenstone
27 Avenue, as approved by the Planning and Zoning Commission. The original Preliminary
28 Plat of North Glenstone Heights is on file in the Department of Planning and
29 Development ("Approved Preliminary Plat"), a reduced version of which is attached
30 hereto for general reference as "Exhibit B – Attachment 3." All of "Exhibit B," including
31 attachments, is incorporated herein by this reference.
32

33 Section 2 – The Director of Planning and Development shall be authorized to

34 accept the land, easements, and improvements dedicated to the City, as shown on said
35 plat, upon the applicant filing and recording a final plat in accordance with this
36 Ordinance and the Subdivision Regulations of the City, which final plat shall
37 substantially conform to the Approved Preliminary Plat, including those conditions
38 described in "Exhibit B – Attachment 2," and upon the Director of Public Works certifying
39 to the Director of Planning and Development and the City Clerk that the public
40 improvements have been made in accordance with City standards and specifications.
41 Said public improvements shall not be accepted until the occurrence of all conditions
42 referenced herein and in "Exhibit B – Attachment 2."
43

44 Section 3 – The final plat shall not be recorded until: (1) the public improvements
45 relating to the Approved Preliminary Plat have been constructed according to the
46 specifications of the City of Springfield, Missouri, and are approved by the Director of
47 Public Works, and all engineering fees, permit fees, licenses, and other fees occasioned
48 by or in connection with the construction of said improvements have been paid to the
49 City; or (2) in lieu of the construction of the improvements, that the Applicant has filed
50 with the City Manager, according to the terms of the Subdivision Regulations of the City,
51 the prescribed financial assurances in a form acceptable to the City to ensure the
52 construction of the improvements and the payment to the City of all engineering fees,
53 permit fees, licenses, and other fees occasioned by, or which will be occasioned by, the
54 construction of the improvements.
55

56 Section 4 – Upon compliance with all the requirements of this Ordinance,
57 including the conditions described in "Exhibit B – Attachment 2," the City Clerk is hereby
58 authorized to endorse City Council's approval upon the final plat pursuant to Section
59 445.030, RSMo., and such endorsement shall constitute the acceptance of the Public
60 Improvements contained therein.
61

62 Section 5 – This Ordinance shall be in full force and effect from and after its
63 passage.
64

65 Passed at meeting: _____
66

67 _____
68 Mayor
69

70 Attest: _____, City Clerk
71

72 Filed as Ordinance: _____
73

74 Approved as to form: Laura Vales, Assistant City Attorney
75

76 Approved for Council action: Colin Sykes, Interim City Manager
77
78

EXHIBIT A
RECORD OF PROCEEDINGS
Planning and Zoning Commission – December 19, 2024

Preliminary Plat North Glenstone Heights
3627, 3697 & 3703 North Glenstone Avenue
Applicant: South Valley Apartments, LLC and Mike Seitz

Mr. Menke stated that this is a request to approve a preliminary plat for a 2-lot subdivision.

Mr. Tim Schowe, 2804 N. Biagio Drive, stated this is the same property discussed earlier (72-unit apartment) and has two existing parcels and they are adjusting the property lines to work with the proposed development.

Ms. Broekhoven closed the meeting.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Preliminary Plat North Glenstone Heights; Commissioner Pauly seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Broekhoven; Commissioner Ridge, Commissioner Colony, Commissioner Knuckles, Commissioner Pauly, Commissioner Doennig and Commissioner Scott. Nays: None. Absent: Commissioner Lebeck and Commissioner Gunther. Abstain: None.

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

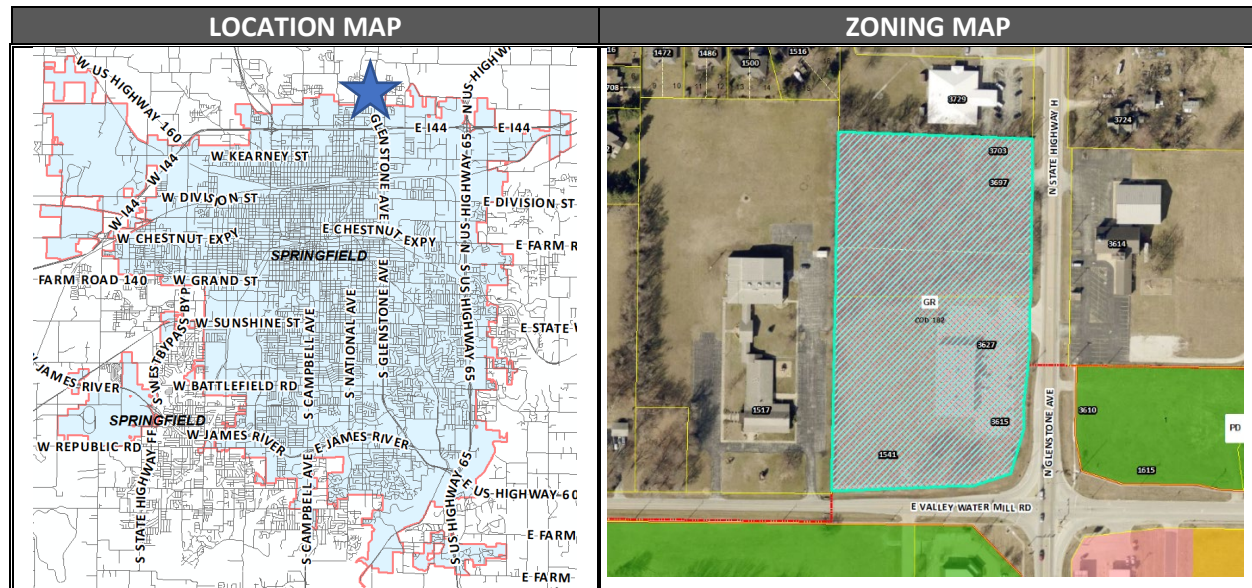
Bob Hosmer, AICP
Planning Manager

DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION	
Case Number:	Preliminary Plat of North Glenstone Heights
Location:	3627, 3697, & 3703 North Glenstone Avenue
Total Acres:	6.28 acres
Applicant:	Mike Seitz & South Valley Apartments, LLC
Existing Land Use:	Dollar Store & Undeveloped
Neighborhood Meeting:	N/A
Planning and Zoning Commission:	December 19, 2024
City Council:	January 27, 2025
Public Notification:	Posted property
Staff:	Andrew Menke, Senior Planner, (417) 864-1613
Staff recommendation:	Staff recommends approval
Proposed motion:	Move to approve the preliminary plat of North Glenstone Heights subject to the conditions listed in Attachment 2 of the staff report. (All commission motions are made in the affirmative.)
Required Vote:	A majority of those present (5 members are a quorum).

PROJECT SUMMARY:

Request to subdivide approximately 6.28 acres of property generally located at 3627, 3697, & 3703 North Glenstone Avenue into two (2) lots to facilitate the development of the site.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



DEVELOPMENT REVIEW STAFF REPORT



View from Glenstone Ave

PROPERTY HISTORY:

The subject property was annexed into the city in 2020. Immediately following the annexation, the property was rezoned to GR, General Retail with Conditional Overlay District #182. A Lot-Line Adjustment for the property was processed in 2021.

PLANNING AND ZONING COMMISSION AUTHORITY:

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

(3) Preliminary plat.

- (a) After participating in the pre-subdivision review with city staff, the subdivider may prepare a preliminary plat, together with supplementary material as prescribed in section 36-263.
- (b) Copies of the preliminary plat and supplementary materials specified, together with a fee for administrative handling and processing in the amount prescribed by ordinance, shall be submitted to the director of planning and development with written application for approval. Upon determination that the application is complete, the director shall place the application on the agenda of the commission at a regular meeting not later than the second such meeting following the date of the filing of the application.
- (c) The commission shall hold a public hearing on the preliminary plat. Notice of the public hearing shall be made in accordance with city ordinance and the rules of the commission.

DEVELOPMENT REVIEW STAFF REPORT

- (d) The commission shall review the preliminary plat and supporting material, recommendations from agencies or officials, and testimony and exhibits submitted at the public hearing. The commission shall approve, conditionally approve or disapprove the preliminary plat and if approved, the commission shall express its approval and state the conditions of such approval, if any, or if disapproved, shall express its disapproval and its reasons, therefore. In any case, a notation of the action taken, and the reasons, therefore, shall be entered in the records of the commission.
- (e) If approved by the commission or approved with conditions acceptable to the applicant, then the director of planning and development shall forward the preliminary plat to the city council for its approval. Council shall determine if the land or easement proposed to be dedicated by the applicant for public use or if the public improvements shall be accepted by the city. If the city council determines that the location of the land to be dedicated for public use or the location of public improvements is appropriate and complies with applicable ordinances then the city council shall authorize the acceptance of the dedication of the land or easements upon the applicant filing and recording a final plat which substantially conforms to the preliminary plat and shall authorize the acceptance of the public improvements upon the director of public works certifying to the director of planning and development and the city clerk that the public improvements have been made in accordance with city standards and specifications.
- (f) If approved with modifications which are not acceptable to the applicant or if disapproved, the director of planning and development shall attach to the plat a statement of reasons for such action and return it to the subdivider.
- (g) Actions by the commission regarding the preliminary plat are final unless such action is appealed by the subdivider to the city council within 90 days of the action by the commission.
- (h) Effective period of preliminary approval.
 - 1. The approval of a preliminary plat shall be effective for a period of two years. The application for final plat approval must be submitted to the department of planning and development within the two-year period. Any plat not submitted within the two-year limit shall be null and void except as provided in subparagraph 2. below.
 - 2. The planning and zoning commission may at its discretion and upon application by the subdivider extend the effective period of preliminary approval by two years, one time. All other submittals shall be considered a new preliminary plat and subject to applicable reviews.

DEVELOPMENT REVIEW STAFF REPORT

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR GENERAL RETAIL
Minimum lot dimension requirements	36 feet of frontage along a public street
Maximum structure height	None, except that all structures shall remain below a 30-degree bulk plane as measured from the boundary of any R-SF or R-TH district.
Front yard setback	15 feet along local streets 25 feet along Collector streets or higher
Side and rear yard setback	None, except as required by section 36-453, supplemental open space and yard regulations, and the bufferyard requirements in subsection 36-421(8)
Street Classification	N Glenstone Avenue – Primary Arterial E Valley Water Mill Road – Secondary Arterial
Sidewalks	Along the property frontage of N Glenstone Avenue there are no existing sidewalks and sidewalks are required. Sidewalks exist along the property frontage of E Valley Water Mill Road and are required.
Open Space Requirements	The minimum open space ratio on each buildable lot shall be at least 20 percent.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE: CITY CORRIDOR & TRADITIONAL NEIGHBORHOOD

The *Comprehensive Plan's Land Use & Development* chapter groups this area into the City Corridor and Traditional Neighborhood Placetype.

The City Corridor placetype predominantly consists of commercial and service-related development varying in scale, ranging from standalone businesses to large retail centers. City Corridors are also key locations to support and encourage multi-family developments that rely on proximity to retail, commercial services, and employment centers. Each of these use groups are best located along major roadways with high volumes of traffic. City Corridors are locations of significant redevelopment opportunity, where absorption of underserved housing, employment, sales, and service, can be accommodated. Underutilized properties may be redeveloped into higher density multifamily or mixed-use developments where appropriate to increase activity within the placetype. (p. 46, *Chapter 5: Land Use & Development*)

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. 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. (p. 36, *Chapter 5: Land Use & Development*)

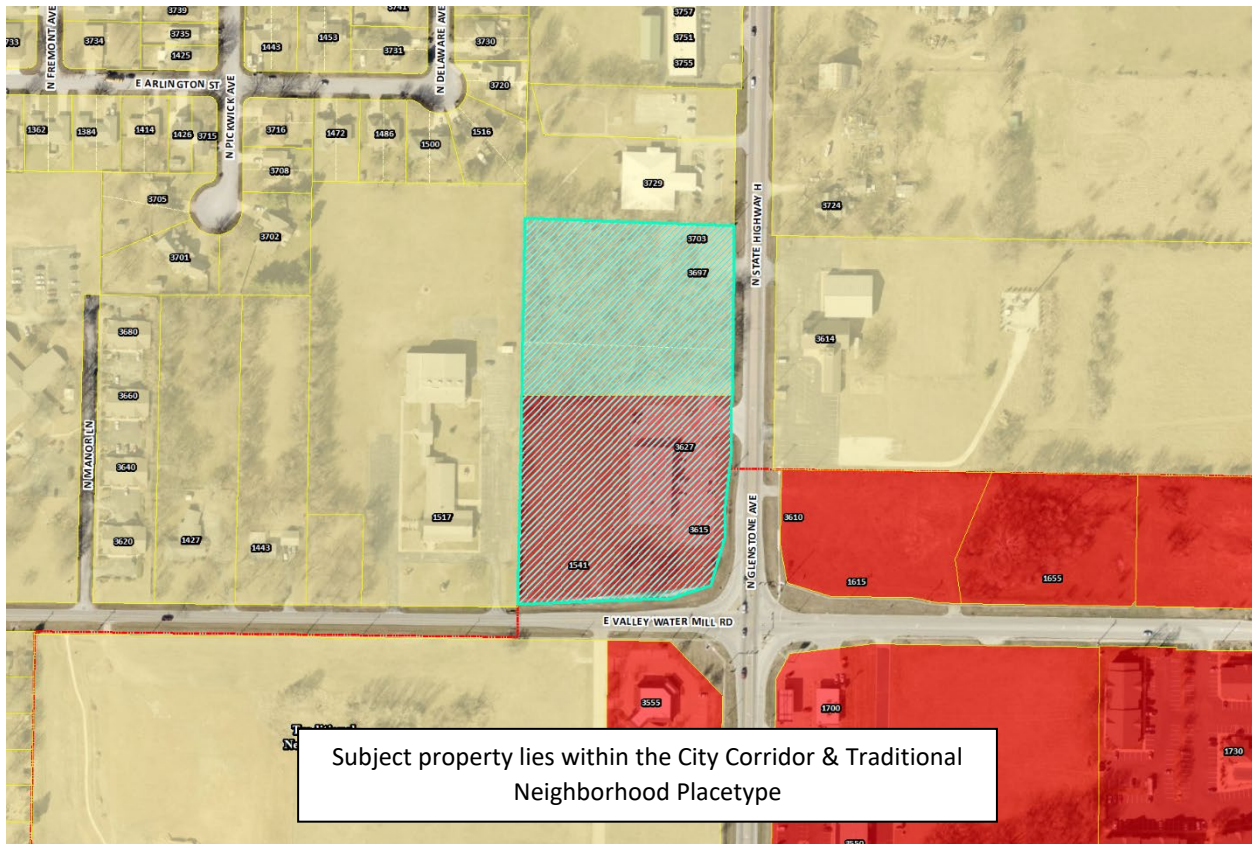
The proposed subdivision is located at the northwest corner of Valley Water Mill Road and Glenstone Avenue, a secondary arterial roadway and primary arterial roadway. The property's presence on these thoroughfares, as well as its proximity to commercial zoning and land uses,

DEVELOPMENT REVIEW STAFF REPORT

establishes this property as an instance of a Traditional Neighborhood edge and an example of the City Corridor placetype. Subdividing the property provides opportunity for future commercial or multifamily development that can contribute to the activity at this node in the city. If a residential use is pursued, it may function as support for adjacent commercial uses, in addition to acting as a transition from non-residential uses to low-density residential 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	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	○	○	○	○	○	○	○	○	○	○	○	○	○	○

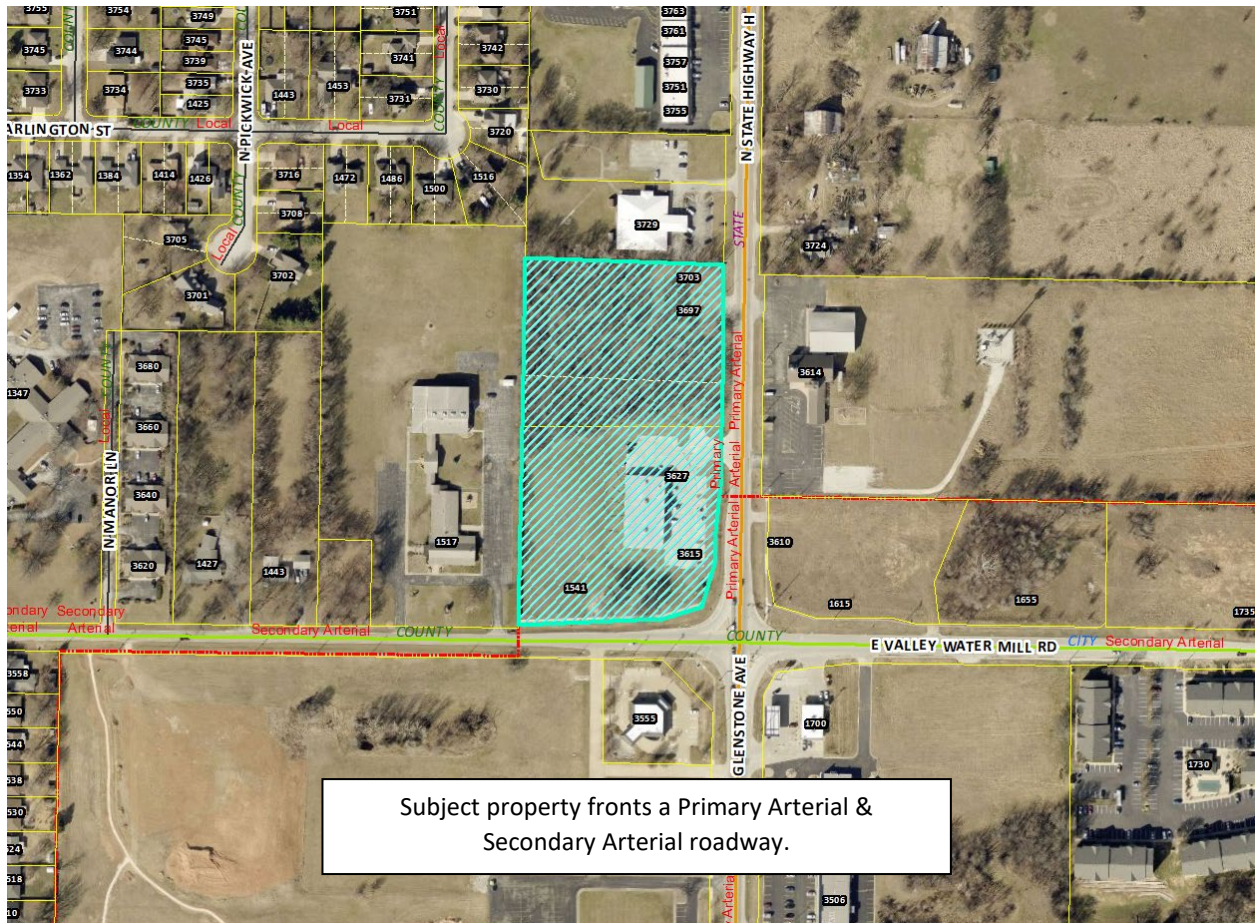
● **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype

○ **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	C-1	PD 80, Amd 1	County PAD 1801	R-1
LAND USE	Commercial	Church & office	Church & undeveloped	Church
PLACETYPES	Traditional Neighborhood	City Corridor & Traditional Neighborhood	City Corridor & Traditional Neighborhood	Traditional Neighborhood

DEVELOPMENT REVIEW STAFF REPORT

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is proposing to subdivide approximately 6.28 acres into a two (2) lot subdivision named "North Glenstone Heights".
2. All lots meet the minimum dimension requirements of the City's subdivision regulations and the General Retail District.
3. If Planning and Zoning Commission approves the preliminary plat, then the plat will be forwarded to City Council for acceptance of public streets and easements. An approved preliminary plat is active for two (2) years.
4. The proposed preliminary plat was reviewed by City departments and comments are contained in **Attachment 1**. Conditions of Approval are provided in **Attachment 2**. The Preliminary Plat drawing can be found in **Attachment 3**.

STAFF RECOMMENDATION:

1. The proposed subdivision is consistent with the *Land Use and Development Element of the Comprehensive Plan* and all proposed lots meet the subdivision regulations and the General Retail District.
2. Staff recommends approval as submitted in the staff report.

PLANNING AND ZONING COMMISSION OPTIONS:

The commission shall review the preliminary plat and supporting material, recommendations from agencies or officials, and testimony and exhibits submitted at the public hearing.

1. The commission shall approve the preliminary plat.
2. The commission shall conditionally approve the preliminary plat.
3. The commission shall disapprove the preliminary plat.

PUBLIC NOTIFICATION AND COMMENTS:

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

No comments were received by citizens for this case at the time of publication.

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT COMMENTS:

ATTACHMENT 1

1. AT&T:

Did not respond in allotted review time.

2. CITY UTILITIES:

Both proposed lots will have access to CU electric, gas & water.

A 10' wide utility easement will be needed for the existing gas service line where it would cross proposed lot 1, unless it were to be relocated to be entirely on proposed lot 2. A 10' wide utility easement will be needed along the entire Valley Water Mill and Glenstone frontages. These easements can be added to the final plat.

Public water extensions on private property for the sole purpose of fire protection are prohibited per CU's extension policy, so the easement shown for the water line and hydrant will likely not be needed. Public water services will be provided near the ROW areas.

3. DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No further comments.

4. DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

Possible critical issue:

1. Public sewer is currently available to each lot however the plat shows a proposed 8" sanitary sewer and sewer easement. If this sewer main and easement is going to be public sewer, public improvement plans will need to be submitted, approved and filed prior to approval of either the plat or the building plans.
2. The public improvements could be escrowed, once the plans are filed, which would allow approval of the plat and building plans.

5. FIRE DEPARTMENT:

No comments.

6. MISSOURI DEPARTMENT OF TRANSPORTATION:

Did not respond in allotted review time.

7. DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

Site Description and Drainage Pattern

The property is in the **Pea Ridge 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**

DEVELOPMENT REVIEW STAFF REPORT

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.**

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

Detention and Discharge Requirements

1. Any development or redevelopment that increases runoff, through the increase in impervious surface, current detention requirements must be met per Chapter 3 Sec. 2.3.3. The site drains south to the E005 Sinkhole at 3535 N Glenstone Ave. Detention for flood control is required.
2. Known flooding risk: The culvert under E Valley Water Mill Rd is 15 inches in diameter. The culvert is within the Greene County area of responsibility. The culvert is known to flood during larger storm events. The flood control requirements will prevent premature flooding due to increased impervious area.

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 Channels and Stream Buffers

N/A

Sinkholes and Karst Features

1. The site drains to the E005 Sinkhole located on 3535 N Glenstone Ave. The sinkhole was previously excavated for flood control volume of the 3535 N Glenstone Ave property. The sinkhole watershed extends to the 3697 N Glenstone Lot.

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

8. DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

Access

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

Trails, Bus Stops, And Additional Information

There are no Greenway Trails near the property. There are no bus stops near the property.

Improvements

No improvements are required for this preliminary plat. A traffic study may be required at the time of development.

	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. Glenstone Avenue	Primary Arterial	State	50	40	NA	No	Yes	No
Street 2	E. Valley Water Mill Road	Secondary Arterial	City	35	32	NA	No	Yes	Yes

DEVELOPMENT REVIEW STAFF REPORT

CONDITIONS FOR APPROVAL:

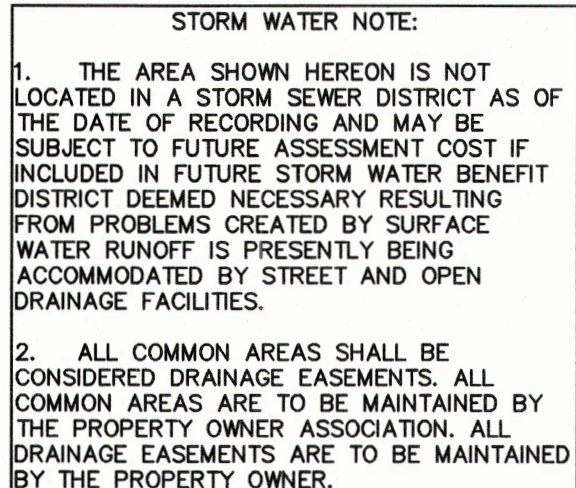
ATTACHMENT 2

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

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

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

ATTACHMENT 3



2804 NORTH BIAGIO STREET
OZARK, MISSOURI 65721

3800 S FREMONT AVE
SPRINGFIELD, MISSOURI 65804

LOT #1
4.78 AC.
208,217 S.F.

LOT #2
1.39 AC.
60,548 S.F.

EXISTING DOLLAR GENERAL
3827 N. MO HWY H.
F.F.E. = 1274.93

NEW PROPERTY LINE

EXISTING PROPERTY LINE TO BE REMOVED

N STATE HWY H
(ASPHALT AND CONCRETE PAVEMENT)
(VARIABLE WIDTH)
(PRIMARY ARTERIAL)

N GLENSTONE AVE
(ASPHALT AND CONCRETE PAVEMENT)
(VARIABLE WIDTH)
(PRIMARY ARTERIAL)

E VALLEY WATER MILL ROAD
(ASPHALT PAVEMENT (VARIABLE WIDTH))
(SECONDARY ARTERIAL)

2014/17777-14

N/F KETCH CARES INC

N/F LUTHER CHURCH OF SPCD
2242/1840

N/F SOUTH VALLEY APARTMENTS LLC
202/00231821

N/F SEITH, WKE
2023/02836223

BY: DANIEL K. GILDEHAUS, P.L.S. #2006016625
STATE OF MISSOURI
PROFESSIONAL LAND SURVEYOR
FOR COCHRAN

ANITA J. COTTER, MMC/MPCC
CITY CLERK

STEPHEN CHILDERS, DIRECTOR OF PLANNING AND DEVELOPMENT

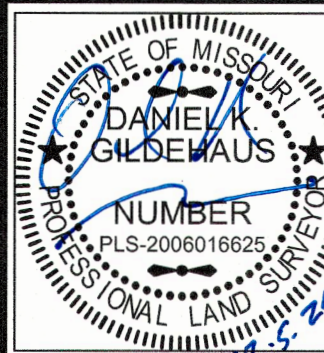
1. BEARINGS REFERENCED TO GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE AND ELEVATIONS REFERENCED TO NAVD 1988 PER GPS OBSERVATIONS UTILIZING THE MODOT VRS RTK NETWORK.
2. UNDERGROUND STRUCTURES, FACILITIES AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS AND RECORDS. THEREFORE, THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. THERE MAY BE OTHERS, THE EXISTENCE OF WHICH IS PRESENTLY NOT KNOWN.
3. NO INVESTIGATION HAS BEEN PERFORMED BY COCHRAN ENGINEERING AND SURVEYING REGARDING HAZARDOUS WASTE, UNDERGROUND CONDITIONS OR UTILITIES AFFECTING THE TRACT SHOWN HEREON.
4. THIS SURVEY WAS EXECUTED WITHOUT A TITLE COMMITMENT AND IS SUBJECT TO ANY AND ALL EASEMENTS, RESTRICTIONS, CONDITIONS, ETC. OF RECORD.
5. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE LAND SURVEYOR.
6. ZONING: GR - GENERAL RETAIL WITH CONDITIONAL OVERLAY DISTRICT #182. SETBACKS ARE TO BE DETERMINED BY THE ZONING AT THE TIME OF DEVELOPMENT.
7. THE ENTIRETY OF THIS PROPERTY LIES WITHIN "ZONE X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FLOOD INSURANCE RATE MAP FOR GREENE COUNTY, MISSOURI & INCORPORATED AREAS, PANEL 219 OF 506, COMMUNITY PANEL NUMBER 29077C0219E, EFFECTIVE DATE DECEMBER 17, 2010.
8. SITE BENCHMARK: FOUND IRON ROD 5/8" WLS SCT 370 ON NORTHEAST CORNER OF TRACT 2, ON WEST RIGHT OF WAY LINE OF N. GLENSTONE AVE. ELEV. = 1278.60 (NAVD 88)
9. FIELDWORK WAS PERFORMED BY R.J.R JUNE, 2023.
10. ○ - DENOTES SET MONUMENT AS NOTED.
11. ○ - DENOTES FOUND MONUMENT AS NOTED.

SUBJECT TO A PROPERTY BOUNDARY SURVEY ANY AND ALL EASEMENTS, RESTRICTIONS, COVENANTS OF RECORD.

[illegible]

SITE IMPROVEMENTS
VALLEY WATER MILL ROAD
SPRINGFIELD, MISSOURI

Three working days prior to the start of any excavation on this site, contractor shall call 1-800-DIG-RITE for utility location information.





OCHRAN

417-595-4108 (tel.)
417-595-4109 (fax)
mail@ochranchr.com

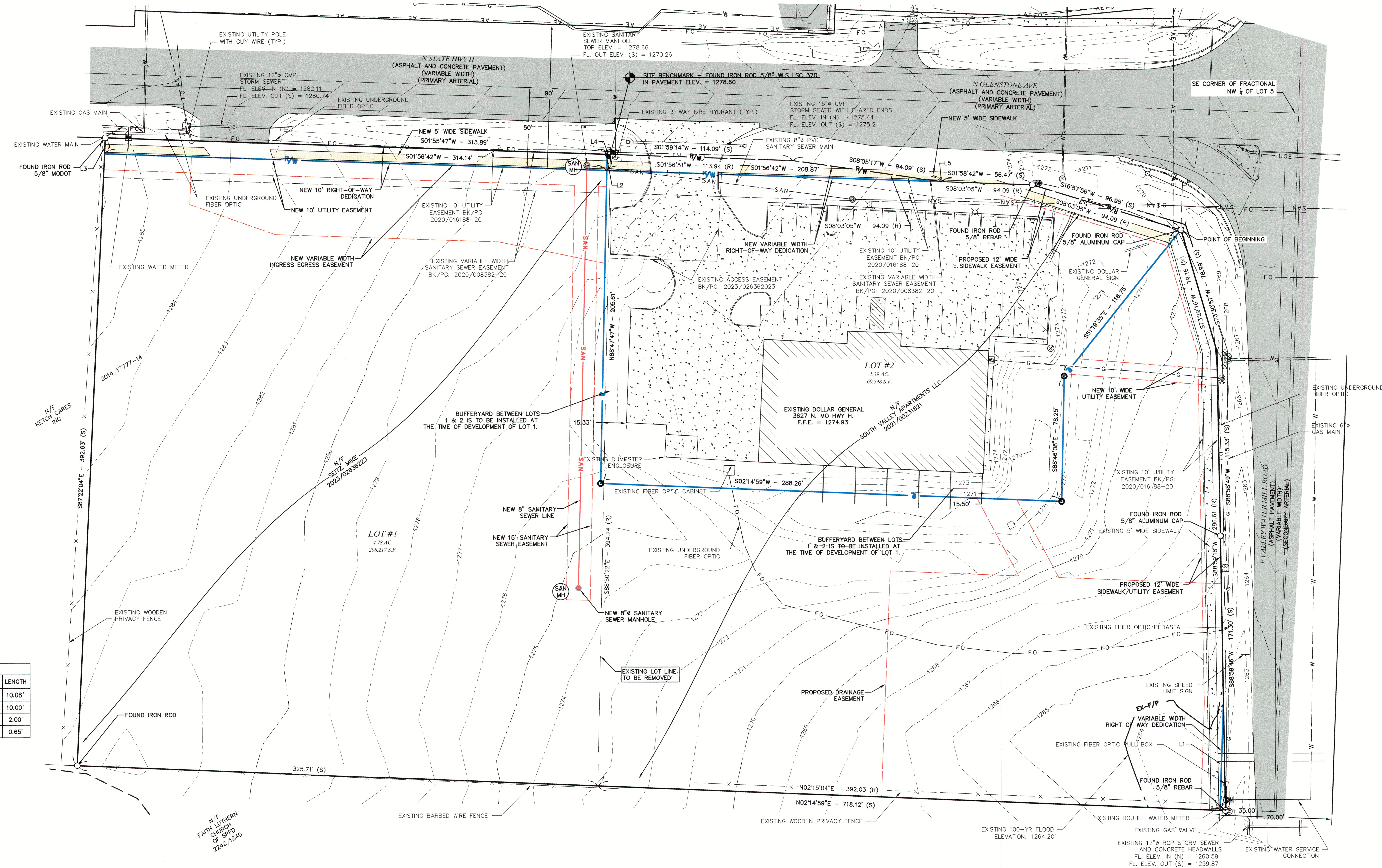
2804 North Biagio Street
Ozark, Missouri 65721

- Civil Engineering
- Land Surveying
- Architecture
- Site Development
- General Consulting
- Management Planning

Missouri State Certificate
of Authority Numbers:
Engineering : 201703202

—500—	INDEX CONTOUR	
=====	INTERMEDIATE CONTOUR	
=====	PROPERTY LINE	
=====	RIGHT-OF-WAY	
=====	LOT LINE	
-----	EASEMENT	
---AE---	AERIAL ELECTRIC	
○→	UTILITY POLE / GUY WIRE	
---FO---	UNDERGROUND FIBER OPTIC	
---SAN---	SANITARY SEWER	
○	SANITARY MANHOLE	
---SS---	STORM SEWER	
□	INLET	
▣	GRATED INLET	
◀	FLARED END SECTIONS	
G	GAS LINE	
⊕	GAS VALVE	
GM	GAS METER	
---X'W---	WATER LINE (SIZE)	
⊕	FIRE HYDRANTS	
⊗	WATER VALVE	
MM	WATER METER	
---+---+---+---+	FENCE	
⊗	LIGHT	
---DS---	DOWNSPOUT	
	CONCRETE PAVEMENT	
	STANDARD DUTY ASPHALT PAVEMENT	
	GRAVEL SURFACE	

A TRACT OF LAND BEING PART OF LOT 5, OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 29 NORTH, RANGE 21 WEST OF THE 5TH P.M., CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI



LINE TABLE		
LINE #	DIRECTION	LENGTH
L2	N88°47'47"W	10.08'
L3	N87°22'04"W	10.00'
L4	N01°55'47"E	2.00'
L5	N08°05'17"E	0.65'

[illegible]

PRELIMINARY PLAT		DWN BY:	APPD BY:
DATE:	REVISION:		
DWN BY:	DATE:	DWN BY:	APPD BY:
EDD		TES	
SCALE:			
1" = 30'			
PROJ NO:			
SW23-546			
DWG NO:			
2 OF 2			



EXPLANATION TO COUNCIL BILL 2025-020 (HARDINGER)

FILED: 01/09/2025

ORIGINATING DEPARTMENT: Environmental Services

TITLE: A special ordinance authorizing the City Manager, or designee, to enter into a Sponsorship Agreement with Watershed Committee of the Ozarks, Inc for the purpose of continuing to support drinking water source protection and water quality activities.

PURPOSE: Authorizing the City Manager, or his designee, to enter into the Watershed Committee of the Ozarks Sponsorship Agreement for the purpose of continuing to support the drinking water source protection and water quality activities of the Watershed Committee of the Ozarks.

BACKGROUND INFORMATION: The Watershed Committee was established in 1984 through an agreement between the City of Springfield ("City"), City Utilities of Springfield ("CU"), and Greene County ("County"). Initially known as the Watershed Management Coordinating Committee, it later became the Watershed Committee of the Ozarks. Its primary goal is to support the protection of the watersheds that provide drinking water to the Springfield community. Additionally, the Watershed Committee assists the Sponsors in meeting federal Clean Water Act regulatory requirements through public education, outreach, and other related activities. Over the years, it has become a widely recognized example of successful interagency cooperation.

The Committee consists of six members, with one appointed representative from each of the City, CU, and the County and three at-large members. Funding for the Committee is shared among the three agencies, with CU providing 60 percent of the Committee's annual base budget and the City and County each contributing 20 percent.

The original 1984 agreement was updated in 2002 and 2018. The agreement attached as "Exhibit A" will replace the expiring 2018 agreement.

REMARKS: The attached agreement has been reviewed by staff and legal counsel for the City, CU and the County and is recommended for approval by the City Manager's office, Board of Public Utilities, and County Commission.

Submitted By: Carrie Lamb

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

Maurice S. Jones, Deputy City Manager 1/21/2025



- Attachments:**
1. Watershed Sponsorship Agreement_ord
 2. 25-01-13 WCO Contract 2025_Exh A

One-rdg. _____
P. Hrngs. _____
Pgs. 10
Filed: 01-21-25

Sponsored by: Hardinger

First Reading: _____

Second Reading: _____

COUNCIL BILL 2025-020

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AUTHORIZING the City Manager, or designee, to enter into a Sponsorship
2 Agreement with Watershed Committee of the Ozarks, Inc for the
3 purpose of continuing to support drinking water source protection
4 and water quality activities.
5 _____
6

7 WHEREAS, the City of Springfield, City Utilities of Springfield, and Greene County
8 have sponsored the activities of the Watershed Committee of the Ozarks, Inc (hereafter
9 "WCO") since 1984; and
10

11 WHEREAS, the sponsored activities of WCO protect the community's drinking water
12 sources and provide public education and assistance to the Sponsors in meeting federal
13 Clean Water Act regulatory requirements through public education, outreach, and other
14 related activities; and
15

16 WHEREAS, the proposed Sponsorship Agreement continues that support and
17 replaces the expiring 2018 agreement.
18

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

22 Section 1 – The City Manager, or designee, is hereby authorized to enter into a
23 Sponsorship Agreement with Watershed Committee of the Ozarks, Inc for the purpose
24 of continuing to support drinking water source protection and water quality activities,
25 said Agreement to be substantially similar to the document attached hereto and
26 incorporated by reference as "Exhibit A", and to do those things necessary to carry out
27 the intent of the Agreement.
28

29 Section 2 – This Ordinance shall be in full force and effect from and after passage.
30

31 Passed at meeting: _____
32
33

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: John Millington, Deputy City Attorney

Approved for Council action: Collin Sykes, Interim City Manager

Exhibit A

WATERSHED COMMITTEE OF THE OZARKS SPONSORSHIP AGREEMENT

This Sponsorship Agreement, made and entered into this XXth day of January, 2025 by and between the City of Springfield, Missouri, a municipal corporation hereinafter referred to as the "City," Greene County, Missouri, hereinafter referred to as the "County," the Board of Public Utilities of the City of Springfield, Missouri, hereinafter referred to as "CU," these three aforementioned parties hereinafter collectively referred to as "Sponsors," and the Watershed Committee of the Ozarks, Incorporated, hereinafter referred to as "Corporation," is for the purpose of sponsoring the Corporation and its efforts.

WHEREAS, on August 22, 1984, an agreement was entered into between the Sponsors, establishing the Watershed Management Coordinating Committee as a citizens' advisory committee, with the Sponsors providing financial support; and

WHEREAS, thereafter, the City, County, and CU established a not-for-profit corporation under Chapter 355, R.S. Mo. 1986, the Watershed Committee of the Ozarks, Inc., hereinafter referred to as the "Corporation", to aid in the protection of the water and watersheds that are currently supplying the Springfield community with drinking water, as well as all other watersheds in Southwest Missouri that are recognized as potential long-term water sources for the Springfield community; and

WHEREAS, the Corporation further assists the Sponsors with federal Clean Water Act regulatory requirements including, but not limited to, providing public education and outreach activities; and

WHEREAS, the overall mission of the Watershed Committee of the Ozarks, Inc. is: "to sustain and improve the water resources of Springfield and Greene County through education and effective management of the region's watersheds"; and

WHEREAS, the Sponsors previously provided financial support of the Corporation in accordance with the original agreement, wherein CU provided 60 percent, and the City and the County each provide 20 percent of the Corporation's operating budget; and

WHEREAS, the Sponsors and Corporation desire to renew the Sponsorship Agreement, confirming and agreeing: 1) the "Corporation" encompasses the Watershed Committee of the Ozarks, Inc., along with any business unit and subsidiary duly approved by the Corporation's Board of Directors; and 2) the Corporation provides services to assist the Sponsors in meeting the requirements of federally mandated Clean Water Act, including but not limited to the National Pollution Discharge Elimination System (NPDES) permit requirements; and 3) the Corporation's annual operating budget will include its collective revenue and expenses projected for the following year, encompassing the Corporation and any board-approved business units and subsidiaries, which includes, but is not limited to, Fellows Lake LLC, Watershed Natives, and the Watershed Conservation Corps.

NOW, THEREFORE, for the consideration hereinafter expressed, it is agreed by and between the parties hereto as follows:

1. CORPORATION SERVICES. The Corporation shall have the following responsibilities and provide the following services to the Sponsors:
 - a. To foster protection of all current and future potential drinking water supplies of the Springfield community and more specifically, to advocate and provide public education and outreach for:
 - adequate amounts of high-quality drinking water for present and future populations,
 - maintaining those aspects of the water supply that lead to its current high quality, and improving those aspects which most threaten to degrade it, and
 - maintaining the proper balance between future development and the protection of the environment within those watersheds.
 - b. To promote the adoption of goals, objectives, policies, and regulations for watershed management by CU, local governments in the watershed areas, the Missouri Clean Water Commission, and other appropriate state and federal agencies, including the municipal separate storm sewer system permits.
 - c. To review major public and private projects within the municipal water supply watersheds, and to submit written comments and reports to the City, the County, and CU regarding the consistency of these projects with watershed management goals, objectives, and policies, as needed.
 - d. To educate the public about the importance of protecting public water supplies by 1) educating how individuals and businesses can do their part to protect the area's public water supplies, and 2) providing education and outreach that assists the City and the County in maintaining compliance with Federally required NPDES.
 - e. To recommend programs and activities to enhance the area's capacity to manage its watersheds.
 - f. To provide education and water quality management services through the Corporation, and its associated business units and subsidiaries approved by the Board of Directors, which includes, but is not limited to, Fellows Lake. LLC, Conservation Corps., and Watershed Natives.
2. ANNUAL REPORT. The Corporation shall provide an annual report, including a financial statement, to all Sponsors detailing the activities of the Corporation and each of its business units and subsidiaries for the calendar year.
3. FINANCIAL SUPPORT. Financial support for the Corporation shall be as follows:
 - CU 60%,

- City 20%
- County 20%.

The actual amount of funding provided by each sponsor in any given year will be set forth in the annual joint funding memorandum between Sponsors and Corporation.

4. **ANNUAL OPERATING BUDGET.** Corporation shall submit a proposed annual operating budget to the Sponsors each calendar year, for appropriation and approval, setting forth in general the services which the Corporation will provide for the Corporation's operating year and shall include all planned revenues and expenses necessary to maintain ongoing operations for the fiscal year, including a reserve fund.

The proposed annual operating budget shall be forwarded to the Sponsors in adequate time for Sponsors to meet their budget and fiscal year cycles. The Corporation's annual operating budget, and each Sponsor's share, shall be set forth in an annual joint funding memorandum by and between the Sponsors, which shall be signed by the Chief Executive Officer of each Sponsor and attached to this Agreement. The Chief Executive Officer of each Sponsor may sign the memorandum upon the approval of funds in the Sponsor's budget.

5. **PREVIOUS SPONSORSHIPS.** Upon signature by the parties, this Sponsorship Agreement replaces all previous agreements for sponsorship of the Corporation.
6. **CONFLICT OF INTEREST.** No salaried officer or employee of the City, and no member of City Council or the Board of Public Utilities shall have a financial interest, direct or indirect, in this Agreement that is in violation of Section 19.16 of the Springfield City Charter. A violation of this provision renders the Agreement void. Federal regulations and state law shall not be violated. No family members of, and no salaried officer or employee of the City, the County, or CU, and no member of City Council, County Commission, or Board of Public Utilities shall serve on the WCO board.
7. **RIGHT OF AUDIT.** Corporation's Books and Records. The Corporation shall keep accurate reports and other records showing in full detail the costs for services rendered. Any Sponsor may examine, at its own expense, at any time during regular business hours, such time and expense reports at Corporation's office, and the Corporation shall produce such records whenever reasonably required by any Sponsor.
8. **APPLICABLE LAWS.** Corporation shall comply with all laws of the United States of America, the State of Missouri, and the City of Springfield that are applicable to work performed by the Corporation, or its subsidiaries, under this Agreement.
9. **JURISDICTION.** This Agreement and every question arising hereunder shall be construed or determined according to the laws of the State of Missouri. Should any part of this Agreement be adjudicated, venue shall be proper only in the Circuit Court of Greene County, Missouri.

10. NOTICES. All notices required or permitted hereunder and required to be in writing may be given by first class mail, addressed to City at 840 N Boonville, Springfield, Missouri, 65802; the Corporation at 2400 E. Valley Water Mill Rd., Springfield, Missouri, 65803; CU at 301 E. Central St. Springfield, Missouri, 65802; and the County at 940 N Boonville, Springfield, Missouri, 65802 and N. Austin Fax, Lowther Johnson Attorneys at Law, LLC, 901 E. St. Louis Street, 20th Flr., Springfield, MO 65806. The date of delivery of any notice shall be the date falling on the fifth (5th) full day after the day of its mailing.
11. ENTIRE AGREEMENT. This Agreement contains the entire agreement between the parties respecting the matters herein set forth and can be amended only upon written agreement of all parties. This Agreement supersedes all prior agreements between the parties hereto about such matters. This Agreement may be executed in any number of counterparts, which together shall constitute the agreement of the parties.
12. DISCRIMINATION. The Corporation shall not, in the performance of this Agreement, discriminate on the grounds of or because of race, creed, color, national origin or ancestry, sex, religion, age, handicap, or political opinion or affiliation, against any employee of the Corporation or applicant for employment and shall include a similar provision in all subcontracts let or awarded hereunder.
13. AGENCY. Each party is responsible only for its own acts and omissions and those of its agents, employees, and officials in connection with this Agreement. The Corporation and its contractors and employees, including its subsidiary's contractors or employees, are not agents or employees of any other party or parties to this Agreement. The Corporation's Executive Director and other staff are not an employee of any Sponsor and are not entitled to any benefits available to an employee of any Sponsor.
14. DURATION and TERMINATION. This Agreement shall remain in full force and effect for one year from its effective date, with automatic, one-year extensions for five additional years, or until April 30, 2031, with the mutual assent of the parties and appropriation of funds. This Agreement shall automatically renew each year unless terminated for good cause with thirty (30) days written notice to the other parties, or for no cause or any cause with sixty (60) days written notice to the other parties. In the event that funds are not appropriated for purposes of this Agreement, the parties may terminate this Agreement immediately. If one party terminates this Agreement, the Agreement remains effective with respect to the other parties.
15. HOLD HARMLESS. Each Party bears all responsibility for its own employees' actions while in its employee and in the ordinary course and scope of their official duties. To the extent allowed or imposed by law, and without waiving any sovereign immunity rights and/or defenses for any Sponsor, each Party shall indemnify and hold the other Party harmless from and against any and all claims, demands, actions, losses, damages, liabilities, expenses, and costs including but not limited to attorney fees that relate to or result from (i) any material breach of this agreement, including but not limited to a breach of a Party's representations

contained herein; or (ii) any alleged violation by the Party of any applicable law or regulation. The Sponsors assume no liability by virtue of this Agreement and expressly reserve all rights, privileges, immunities, and defenses available in law or equity with respect to the alleged acts or omissions of any of their respective employees and officials.

16. Corporation shall procure and maintain insurance, throughout the course of this Sponsorship Agreement, that will adequately protect the actions of Corporation, and any claims brought against the Sponsors that relate to this Sponsorship Agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the _____ day of _____, 2025.

GREENE COUNTY COMMISSION:

, Commissioner

, Commissioner

, Commissioner

ATTEST:

, County Clerk

APPROVED AS TO FORM:

N. Austin Fax, County Counselor

CITY OF SPRINGFIELD MISSOURI:

City Manager or Designee

APPROVED AS TO FORM:

City Attorney or Assistant City Attorney

CITY UTILITIES:

President-CEO

APPROVED AS TO FORM:

VP-Chief Legal Officer

WATERSHED COMMITTEE OF THE OZARKS, INC.

By: _____

Title: _____