

City of Springfield



Agenda

City Council

- revised

Jeff Schrag, Mayor

Zone Councilmembers

Monica Horton, Zone 1
Abe McGull, Zone 2
Brandon Jenson, Zone 3
Bruce Adib-Yazdi, Zone 4

General Councilmembers

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

August 11, 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. July 28, 2025, City Council Meeting and July 29, 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. COUNCIL BILLS FOR PUBLIC HEARING. Citizens May Speak. Not Anticipated to be Voted On.

6.1. Council Bill 2025-177 (McGull)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 48 acres of property generally located at 3830 East Division Street from A-1, Agriculture District to Planned Development No. 392; and adopting an updated Official Zoning Map.

6.2. Council Bill 2025-171 (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 10.13 acres of private property generally located in the 4000 block of South Jonathan Avenue into the City of Springfield as Annexation A-6-2025.(By: Boehm Family Trust; 4000 block South Jonathan Avenue; A-6-2025.)

6.3. Council Bill 2025-172 (Horton)

A special ordinance granting Conditional Use Permit No. 482 for the purpose of permitting a daycare center as an adaptive use of a non-residential structure in a R-SF, Single-Family Residential District, generally located at 1212 North Broadway Avenue.(By: Czrina Moreno; 1212 North Broadway Avenue; Conditional Use Permit No. 482.)

6.4. Council Bill 2025-173 (Horton)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.22 acres of property generally located at 2800 North Kansas Expressway from GR – General retail district to HC – Highway commercial district; and adopting an updated Official Zoning Map. (By: Khan Family Properties, LLC; 2800 N. Kansas Expressway; Z-12-2025.)

6.5. Council Bill 2025-174 (McGull)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 3.83 acres of property generally located at 1100 East Kearney Street, 1101 East Turner Street, 2303 and 2307 North Taylor Avenue, and 2306 North Howard Avenue from R-TH – Residential townhouse district and HC – Highway commercial district, to R-MD – Medium density multifamily residential district and HC – Highway commercial district with Conditional Overlay District No. 272; establishing Conditional Overlay District No. 272; and adopting an updated Official Zoning Map. (By: Elevate Lives; 1100 East Kearney Street, 1101 East Turner Street, 2303 & 2307 North Taylor Avenue, 2306 North Howard Avenue; Z-13-2025 with Conditional Overlay District No. 272.)

6.6. Council Bill 2025-175 (Adib-Yazdi)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 10 acres of property generally located at 2456 East Sunshine Street from R-SF – Single-family residential district, GR – General retail district, and HC – Highway commercial district, to GR – General retail district, with Conditional Overlay District No. 271; establishing Conditional Overlay District No. 271; and adopting an updated Official Zoning Map. (By: Schweitzer Church, Inc.; 2701 & 2747 E. Sunshine Street and 2662, 2702, 2710 & 2740 E. Stanford Street; Z-11-2025 with Conditional Overlay District No. 271.)

6.7. Council Bill 2025-176 (Adib-Yazdi)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.45

acres of property generally located at 2961 East Republic Road and 4152 South Middleton Avenue from R-SF, Single-family residential district, to LB, Limited business district, with Conditional Overlay District No. 273; establishing Conditional Overlay District No. 273; and adopting an updated Official Zoning Map. (By: Windmill Holdings LLC; 2961 East Republic Road and 4152 South Middleton Avenue; Z-10-2025 with Conditional Overlay District No. 273.)

7. SECOND READING AND FINAL PASSAGE.

Citizens Have Spoken. May Be Voted On. Except Item 6.1. Citizens May Speak on the Amendment Only.

7.1. Amended Council Bill 2025-155 (Hardinger)

A general ordinance amending Springfield City Code, Chapter 10 'Alcoholic Beverages,' Article I 'In General,' Section 10-66 'Exception for Downtown and Commercial Street events,' for the purpose of removing the limitation on the number of permitted events.

7.2. Council Bill 2025-164 (Hosmer)

A special ordinance amending the City of Springfield Code Chapter 74 'Nuisance and Housing Code' Article I 'In General' Section 74-1 'Definitions,' Article II 'Enforcement,' Section 74-37 'Decision,' and Section 74-38 'Cost, assessments, and nuisance-abatement lien,' Article VII 'Nuisances,' Division 1 'Generally,' Section 74-382 'Property owner's responsibility for nuisance abatement,' and Division 2 'Weeds and Other Rank Vegetation,' Section 74-401 'Rank vegetation declared hazard to public health, safety and welfare,' Section 74-402 'Authority of city manager to determine existence of nuisance,' Section 74-403 'Weeds over seven inches in height declared nuisance,' and Section 74-406 'Charges for abatement by city,' to revise the sections for clarity, efficiency, and improved nuisance abatement and to add provisions to City of Springfield Code Chapter 38 'Land Development Code,' Article I 'Administration and Enforcement of Codes,' Division 4 'Permits and Fees,' Section 38-134 'Submittal documents' to better regulate construction, small-project construction, and a range of construction components.

7.3. Council Bill 2025-165 (Hardinger)

A general ordinance amending Chapter 36 of the Springfield City Code, 'Land Development Code,' Article III, 'Zoning Regulations,' Division 5, 'Supplemental District Regulations,' Section 36-459, 'Special regulations for retail liquor sales,' for the purpose of removing the requirement to advertise notice of proposed liquor sales in an official newspaper or a newspaper of general circulation in the City of Springfield, Missouri, for at least five consecutive issues to align City Code with state publication requirements.

7.4. Council Bill 2025-166 (Hosmer)

A special ordinance amending the Fiscal Year 2024-2025 operating budget of the City of Springfield in the General Fund by increasing both revenue and expenses in the amount of \$275,643.54, for the purpose of adjusting for certain reimbursements and associated offsetting expenses, adjusting the salary budget for retirement payouts, and adjusting interdepartmental budgets.

7.5. Council Bill 2025-167 (Carroll)

A special ordinance amending the Fiscal Year 2024-2025 operating budget of the City of Springfield by increasing both revenue and expenses in the amount of \$203,698.25, in various Special Revenue Funds, for the purpose of accounting for certain reimbursements and associated offsetting expense items.

7.6. Council Bill 2025-168 (Lee)

A special ordinance amending the Park Board's Fiscal Year 2024-2025 operating budget by increasing revenues by \$450,000 and appropriating \$375,000 of Park's Fund Balance, for a total of \$825,000, to offset unanticipated expenditures of \$825,000, and increasing both revenues and associated expenses within the Golf Enterprise Fund by \$580,000, for an overall budget adjustment of \$1,405,000.

8. RESOLUTIONS.

Citizens May Speak. May Be Voted On. Except Item 7.1. Citizens Have Spoken.

8.1. Council Bill 2025-163 (Jenson)

A resolution granting a new liquor license to sell liquor by the drink at retail, including Sunday sales, to Pinecone Developments, LLC, d/b/a Pinecone Developments LLC, for the location at 465 South Grant Avenue.

8.2. Council Bill 2025-184 (Lee, Adib-Yazdi, Jenson, McGull)

A resolution confirming the appointment of David Jacquez to the Board of Equalization.

8.3. Council Bill 2025-185 (Schrag)

A resolution declaring the intent of the City of Springfield, Missouri, to utilize the Construction Manager At Risk project delivery method for the Springfield Regional Convention and Event Center project; and setting forth selection criteria.

9. EMERGENCY BILLS.

10. PUBLIC IMPROVEMENTS.

11. GRANTS.

12. AMENDED BILLS.

13. FIRST READING BILLS. Requiring One Reading.

Citizens May Speak. May Be Voted On.

13.1. Council Bill 2025-178 (McGull)

A special ordinance approving the plans and specifications for the LeCompte Roadway Trail Improvements project; accepting the bid of KCI Construction Company for construction of the project in the amount of \$319,900.00; authorizing the City Manager, or designee, to enter into a contract with such bidder; and declaring this Ordinance qualifies for approval in one reading pursuant to Section 2.16(25) of the City Charter.

13.2. Council Bill 2025-179 (McGull)

A special ordinance authorizing the City Manager, or designee, to enter into a Carbon Reduction Program Supplemental Agreement with the Missouri Highways and Transportation Commission for the purpose of funding the design and construction of a pedestrian and bicycle multiuse trail along Sherman Parkway from Jordan Valley Park to Chestnut Expressway; amending the Fiscal Year 2025-2026 budget in the amount of \$408,635 to appropriate the additional federal funds for this project; and declaring that this Ordinance qualifies for approval in one reading pursuant to City Charter Section 2.16(25).

14. FIRST READING BILLS. Requiring Two Readings.

Citizens May Speak. Not Anticipated To Be Voted On.

14.1. Council Bill 2025-180 (City Council)

A special ordinance authorizing a budget adjustment amending the budget of the General Fund for Fiscal Year 2025-2026, by appropriating \$30 million of Spring Forward SGF 1/2-cent sales tax revenue for the purpose of providing a local match to the \$30 million offered by the State of Missouri for the development of a regional convention center complex.

14.2. Council Bill 2025-183 (Schrag)

A special ordinance authorizing the City of Springfield, Missouri, to enter into a First Amendment to agreement with Anita J. Cotter for the purpose of employing her as City Clerk; authorizing payment of salary and benefits in accordance with the provisions of said amended agreement; and authorizing the Mayor to execute the same by and on behalf of the City of Springfield.

15. PETITIONS, REMONSTRANCES AND COMMUNICATIONS.

15.1. Summer Ansari wishes to address City Council.

16. NEW BUSINESS.

17. UNFINISHED BUSINESS.

18. MISCELLANEOUS.

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

19.1. Council Bill 2025-181 (Adib-Yazdi)

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 Terragreen Condominiums Phase VI, generally located at 2305 South Blackman Road, 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. (By: Blackman Road Properties, LLC; ERCO Real Estate Company, LLC; H2D2-TGD, LLC; & 2305

Blackman Road Bldg A, LLC; 2305 South Blackman Road; Preliminary Plat of Terragreen Condominiums Phase VI.)

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

20.1. Council Bill 2025-182 (Carroll)

A special ordinance authorizing the City Manager, or designee, to accept a Missouri Blue Shield Grant Program grant from the State of Missouri, Department of Public Safety in the amount of \$50,000; amending the budget for the Police Department for the Fiscal Year 2025-2026 in the amount of \$50,000; and declaring that this Ordinance qualifies for approval in one reading pursuant to City Charter Section 2.16(25).

21. CONSENT AGENDA – SECOND READING BILLS.

22. END OF CONSENT AGENDA.

23. ADJOURN.



City of Springfield

Minutes

City Council Meeting

Jeff Schrag, Mayor

Zone Councilmembers

Monica Horton, Zone 1
Abe McGull, Zone 2
Brandon Jenson, Zone 3
Bruce Adib-Yazdi, Zone 4

General Councilmembers

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

July 28, 2025

6:30 PM

Regional Police-Fire

**Training Center
2620 West Battlefield Road
Room 101, 102, and 103**

1. ROLL CALL.

Present: Councilmember Horton, Councilmember McGull, Councilmember Hosmer, Mayor Pro Tem Hardinger, Councilmember Carroll, Councilmember Lee, Councilmember Adib-Yazdi, and Mayor Schrag. Absent: Councilmember Jenson.

2. APPROVAL OF MINUTES.

2.1. Approval of Minutes. July 14, 2025, City Council Meeting, July 15, 2025, Special City Council Meeting, and July 22, 2025, Special City Council Meeting.

Mayor Pro Tem Hardinger moved to approve the minutes of the July 14, 2025, City Council Meeting, July 15, 2025, Special City Council Meeting, and July 22, 2025, Special City Council Meeting as presented. Councilmember Carroll seconded the motion, and it was approved by the following vote: Ayes: Councilmember Horton, Councilmember McGull, Councilmember Hosmer, Mayor Pro Tem Hardinger, Councilmember Carroll, Councilmember Lee, Councilmember Adib-Yazdi, and Mayor Schrag. Nays: None. Absent: Councilmember Jenson. 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.

Mayor Schrag noted he was a member of the Missouri State University Board of Governors and intended to vote on the Consent Agenda.

The Consent Agenda was approved by the following vote: Ayes: Councilmember Horton, Councilmember McGull, Councilmember Hosmer, Mayor Pro Tem Hardinger, Councilmember Carroll, Councilmember Lee, Councilmember Adib-Yazdi, and Mayor Schrag. Nays: None. Absent: Councilmember Jenson. Abstain: None.

4. CEREMONIAL MATTERS.

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

David Cameron, City Manager, noted responses were provided via email to a variety of questions and requests for updates, including Chapter 98 regarding access points for driveways for the transportation system, a quarterly update of capital improvement projects for Public Works and Environmental Services, and a Level Property Tax update by Public Works.

Mr. Cameron thanked approximately 80 volunteers that worked alongside Springfield Public Works crews on Thursday to respond to nearly 400 properties in need of assistance during the Clean Green Storm Debris Volunteer Day. He further noted volunteers rallied at three locations in areas with the highest number of assistance requests, Zagonyi Park, Fassnight Park, and Sunset Church of Christ. They logged an estimated 320 volunteer hours working under the supervision of Public Works to move storm debris to the curb in preparation for upcoming pickup sweeps. Mr. Cameron added Public Works would continue to respond to debris staging assistance requests over the next week with a focus on Zones 1 and 3. Details could be found on the website at cleangreensgf.com.

Mr. Cameron noted he had the honor of attending the Springfield Police Department's promotional ceremony, celebrating six well-earned promotions within the department. Mr. Cameron congratulated Sergeant Nathan Davis, Captain Bryan Welch, Lieutenant Chris Nuccio, Senior ISS Nick Evgenides, Sergeant Jeremiah Lockett, and Sergeant Michael Walker. He added the promotions reflected years of dedicated service, professionalism, and commitment to the safety and well-being of the community. Mr. Cameron expressed his belief it was a privilege to witness this important moment in their careers and to join their families and colleagues in recognizing their achievements.

Mr. Cameron noted a news conference was held Friday at the U.S. Attorney's Office regarding numerous Federal indictments in a multi-state illegal gambling operation that had ties to Springfield. He added the Springfield Police Department's Organized Crime and Vice Unit initiated and was actively involved in the investigation.

Mr. Cameron noted the annual Birthplace of Route 66 Festival would take place August 8 and 9 in downtown Springfield. He further noted a renewed focus on downtown business participation resulted in a variety of positive changes that included the underwriting of vendor booth fees for downtown retailers and restaurants, and the movement of the main music stage. He added an additional stage was being set up on Kimbrough Street, organized by area Rotary Clubs and Hold Fast Brewing Company. A full line-up of festival activities could be found at route66festivalsgf.com.

Mr. Cameron provided an update on the Jenny Lind apartments. He noted they were notified by Millenia Housing Management that residents at Jenny Lind and at the Extended Stay hotel were notified the materials for the elevator modernization were shipped to the vendor who was completing the project. Mr. Cameron noted it was anticipated the project would take 9 to 12 weeks. He added residents were ensured updates on any delays would be provided and were provided contact names and numbers for local property managers.

6. SECOND READING AND FINAL PASSAGE.

Citizens Have Spoken. May Be Voted On.

6.1. Council Bill 2025-146 (Adib-Yazdi)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 47 acres of property generally located at 6217 South Southwood Avenue from Planned Development No. 258 and GI, Government and Institutional Use District with Conditional Overlay No. 36, to GI, Government and Institutional Use District; establishing Conditional Overlay District No. 269; and adopting an updated Official Zoning Map. (By: Tea Properties MO I, LLC; 6217 South Southwood; Z-4-2025 with Conditional Overlay District No. 269).

Ordinance 6936. Council Bill 2025-146 (Adib-Yazdi) was approved by the following vote: Ayes: Councilmember Horton, Councilmember McGull, Councilmember Hosmer, Mayor Pro Tem Hardinger, Councilmember Carroll, Councilmember Lee, Councilmember Adib-Yazdi, and Mayor Schrag. Nays: None. Absent: Councilmember Jenson. Abstain: None.

6.2. Council Bill 2025-147 (Adib-Yazdi)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 7 acres of property generally located at 6323 South Hartley Avenue, also known as South Farm Road 175, from Planned Development No. 258 to GI, Government and Institutional Use District; and adopting an updated Official Zoning Map. (By: Tea Properties MO II, LLC; 6323 South Hartley Avenue; Z-5-2025).

Ordinance 6937. Council Bill 2025-147 (Adib-Yazdi) was approved by the following vote: Ayes: Councilmember Horton, Councilmember McGull, Councilmember Hosmer, Mayor Pro Tem Hardinger, Councilmember Carroll, Councilmember Lee, Councilmember Adib-Yazdi, and Mayor Schrag. Nays: None. Absent: Councilmember Jenson. Abstain: None.

6.3. Council Bill 2025-148 (Adib-Yazdi)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 10 acres of property generally located at 6470 South Farm Road 175 from Planned Development No. 258 to GI, Government and Institutional Use District; establishing Conditional Overlay District No. 270; and adopting an updated Official Zoning Map. (By: Tea Properties MO II, LLC; 6470 South Farm Road 175; Z-6-2025 with Conditional Overlay District No. 270)

Ordinance 6938. Council Bill 2025-148 (Adib-Yazdi) was approved by the following vote: Ayes: Councilmember Horton, Councilmember McGull, Councilmember Hosmer, Mayor Pro Tem Hardinger, Councilmember Carroll, Councilmember Lee, Councilmember Adib-Yazdi, and Mayor Schrag. Nays: None. Absent: Councilmember Jenson. Abstain: None.

6.4. Council Bill 2025-149 (Adib-Yazdi)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 4 acres of property generally located at 3023 East Riverbluff Boulevard from R-SF, Single-Family Residential District, to GI, Government and Institutional Use District; and adopting an updated Official Zoning Map. (By: Tea Properties MO II, LLC; 3023 E. Riverbluff Blvd; Z-7-2025)

Ordinance 6939. Council Bill 2025-149 (Adib-Yazdi) was approved by the following vote: Ayes: Councilmember Horton, Councilmember McGull, Councilmember Hosmer, Mayor Pro Tem Hardinger, Councilmember Carroll, Councilmember Lee, Councilmember Adib-Yazdi, and Mayor Schrag. Nays: None. Absent: Councilmember Jenson. Abstain: None.

6.5. Council Bill 2025-150 (Adib-Yazdi)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 42 acres of property generally located at 3020, 3050, and 3053 East Riverbluff Boulevard from Planned Development No. 302 and GI, Government and Institutional Use District with Conditional Overlay District No. 36, to GI, Government and Institutional Use District; and adopting an updated Official Zoning Map. (By: Tea Properties MO I, LLC and Mercy Health Springfield Communities; 6323 S. Hartley Avenue; 3020, 3050 & 3053 E. Riverbluff Blvd; Z-8-2025).

Ordinance 6940. Council Bill 2025-150 (Adib-Yazdi) was approved by the following vote: Ayes: Councilmember Horton, Councilmember McGull, Councilmember Hosmer, Mayor Pro Tem Hardinger, Councilmember Carroll, Councilmember Lee, Councilmember Adib-Yazdi, and Mayor Schrag. Nays: None. Absent: Councilmember Jenson. Abstain: None.

6.6. Council Bill 2025-151 (Jenson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.1 acres of property generally located at 1414 West Elfindale Street and 1405 West Sunshine Street from Planned Development No. 319, Planned Development No. 46, and Planned Development No. 46 Amendment 2 to GR, General Retail District; and adopting an updated Official Zoning Map. (By: Guaranty Bank & NAP Legacy Real Estate LLC; 1414 West Elfindale Street and 1405 West Sunshine Street; Z-9-2025).

Councilmember McGull recused himself from Council Bill 2025-151 and left the dais.

Ordinance 6941. Council Bill 2025-151 (Jenson) was approved by the following vote: Ayes: Councilmember Horton, Councilmember Hosmer, Mayor Pro Tem Hardinger, Councilmember Carroll, Councilmember Lee, Councilmember Adib-Yazdi, and Mayor Schrag. Nays: None. Absent: Councilmember Jenson and Councilmember McGull. Abstain: None.

Councilmember McGull returned to the dais.

6.7. Council Bill 2025-155 (Hardinger)

A general ordinance amending Springfield City Code, Chapter 10 'Alcoholic Beverages,' Article I 'In General,' Section 10-66 'Exception for Downtown and Commercial Street events,' for the purpose of removing the limitation on the number of permitted events.

Mayor Schrag moved to amend Council Bill 2025-155 (Hardinger) by changing the alcohol limit for beer from five percent to eight percent, and by changing the alcohol metric for beer and wine from alcohol by weight to alcohol by volume. Councilmember Adib-Yazdi seconded the motion, and it was discussed.

Councilmember Hosmer expressed his concern the intoxicating nature of the drinks would be changed. He asked the difference between five percent and eight percent by volume, and the difference between weight and volume. Mayor Schrag responded the craft standard was typically between six and seven percent. He expressed his belief the change would be more inclusive for craft brewers. Councilmember Hosmer asked if the issue would be sent to a Committee. Mayor Schrag responded the intent was to hold it back for public hearing at the next City Council meeting.

The motion was approved by the following vote: Ayes: Councilmember McGull, Mayor Pro Tem Hardinger, Councilmember Carroll, Councilmember Lee, Councilmember Adib-Yazdi, and Mayor Schrag. Nays: Councilmember Hosmer. Absent: Councilmember Jenson. Abstain: Councilmember Horton.

The Public Hearing was continued on the amendment only to the August 11, 2025, City Council meeting.

Councilmember Hosmer noted he would like to have someone from the Police Department explain how the changes to the Council Bill would impact patrons and how the changes affect intoxication.

6.8. Council Bill 2025-156 (Jenson)

A special ordinance authorizing the City Manager, or designee, to enter into a Box Culvert and Parallel Development Agreement with BNSF Railway Company for the installation of a reinforced concrete box culvert beneath the railroad tracks near the crossing with Boonville Avenue.

Ordinance 28182. Council Bill 2025-156 (Jenson) was approved by the following vote: Ayes: Councilmember Horton, Councilmember McGull, Councilmember Hosmer, Mayor Pro Tem Hardinger, Councilmember Carroll, Councilmember Lee, Councilmember Adib-Yazdi, and Mayor Schrag. Nays: None. Absent: Councilmember Jenson. Abstain: None.

6.9. Council Bill 2025-162 (Hardinger, Horton)

A general ordinance suspending enforcement of Sec. 118-124 of the City Code, requiring payment of a vehicle inspection fee for taxicabs; and referring Chapter 118 – Vehicles for Hire, Article II – Taxicabs, Courtesy Cars and Airport Limousines, to the Finance and Administration Committee.

Ordinance 6942. Council Bill 2025-162 (Hardinger, Horton) was approved by the following vote: Ayes: Councilmember Horton, Councilmember McGull, Councilmember Hosmer, Mayor Pro Tem Hardinger, Councilmember Carroll, Councilmember Lee, Councilmember Adib-Yazdi, and Mayor Schrag. Nays: None. Absent: Councilmember Jenson. Abstain: None.

6.10. Council Bill 2025-158 (Horton)

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 West Talmage Addition, generally located at 2655 North Grant Avenue and 739 West Talmage Street, 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.

Ordinance 28183. Council Bill 2025-158 (Horton) was approved by the following vote: Ayes: Councilmember Horton, Councilmember McGull, Councilmember Hosmer, Mayor Pro Tem Hardinger, Councilmember Carroll, Councilmember Lee, Councilmember Adib-Yazdi, and Mayor Schrag. Nays: None. Absent: Councilmember Jenson. Abstain: None.

7. **RESOLUTIONS.**

Citizens May Speak. May Be Voted On.

7.1. Council Bill 2025-163 (Jenson)

A resolution granting a new liquor license to sell liquor by the drink at retail, including Sunday sales, to Pinecone Developments, LLC, d/b/a Pinecone Developments LLC, for the location at 465 South Grant Avenue.

David Holtmann, Director of Finance, provided a brief overview of the proposed. Mr. Holtmann noted the proposed would allow for a liquor license for Pinecone Developments, located at 465 South Grant Avenue. He further noted the intended use for the location was as an event center for weddings, special parties, and events. Mr. Holtmann further noted the proposed came before City Council due to its proximity to a school.

Councilmember Adib-Yazdi asked if there was any neighborhood involvement regarding the proposed. Mr. Holtmann responded there were no comments by Licensing. Councilmember Adib-Yazdi asked if there was a public posting. Mr. Holtmann responded liquor license applicants had to complete a successful background check and expressed his belief properties were physically posted.

Councilmember Horton noted there was typically a sign posted, and a mail notification was sent to those living within 200-feet. Councilmember Horton asked which school was nearby the proposed. Mr. Holtmann responded Campbell Elementary.

Councilmember Hosmer asked if there had been any response from Springfield Public Schools. Mr. Holtmann responded this would have shown on the background check, and a response was not received. Councilmember Hosmer expressed his concern about the proximity to an elementary school and asked if liability insurance was required. Mr. Paul responded they were required for special events. Councilmember Hosmer noted he would like to know what other jurisdictions required for liquor liability and if liquor liability could be required as part of licensure.

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

Councilmember Carroll asked if the applicant were present. There was no response from the audience.

Councilmember Adib-Yazdi moved to postpone Council Bill 2025-163 (Jenson) to the August 11, 2025, City Council meeting. Councilmember Hosmer seconded the motion, and it was approved by the following vote: Ayes: Councilmember McGull, Councilmember Hosmer, Councilmember Hardinger, Councilmember Carroll, Councilmember Lee, Councilmember Adib-Yazdi, and Mayor Schrag. Nays: Councilmember Horton. Absent: Councilmember Jenson. Abstain: None.

8. EMERGENCY BILLS.

8.1. Council Bill 2025-170 (Schrag)

A special ordinance calling an election on Tuesday November 4, 2025, in the City of Springfield, Missouri, to submit to the qualified voters the question of whether an additional three percent (3%) license tax shall be imposed on the business of renting, leasing, or letting living quarters, sleeping accommodations, rooms, or a part thereof, in connection with any hotel, motel, tourist court, or short-term rental, derived from or paid by transient guests for sleeping accommodations, for the purpose of attracting travel and tourism, including the construction of a regional convention and event center; and declaring an emergency.

Jordan Paul, City Attorney, provided a brief overview of the proposed. Mr. Paul noted on July 8, 2025, City Council heard a presentation on the 2025 Hunden Report which determined a full-service convention center would maximize Springfield's impact now and in the future. He further noted the report estimated such a project would generate \$1.3 billion over the next 30 years, with a net new fiscal impact of \$68.7 million. Mr. Paul noted the estimated cost of the project was \$175 million, and at the July 15 City Council Lunch Meeting, staff were asked to explore financing options. He further noted a presentation on financing options was presented to City Council on July 22, which included an additional 3 percent hotel/motel license tax.

Mr. Paul noted the proposed would submit to voters the question of whether to adopt the additional 3 percent hotel/motel license tax at the November 4 election. Mr. Paul further noted the ballot language would restrict the use of the license tax revenue for the purpose of attracting travel and tourism, including the construction of a regional convention and event center.

An opportunity was given for citizens to express their views.

Sean Fitzgibbons, Executive Director of the History Museum on the Square, addressed City Council in support of the proposed. Mr. Fitzgibbons expressed his belief placing a licensing tax showed forward-thinking. He further expressed his belief convention centers could shape communities. Mr. Fitzgibbons expressed his belief tourism was vital, and a convention center was investing strategically in our cultural and creative economy.

Gary Ellison addressed City Council in support of the proposed. Mr. Ellison expressed his belief the City had needed a convention center for a long time, and with additional State funding, this would be a wonderful opportunity. Mr. Ellison noted Visit Springfield had a good professional staff to promote a convention center.

Eric Pauly addressed City Council. Mr. Pauly noted the media was presented with the idea there was a possibility of using funds from the 3/4-cent tax that was approved by voters in November. He further noted the funds were originally intended to go for community investment for neighborhood betterment, increasing pay for Police and Fire, updating the Art Museum, road repairs, and ungapping the map for various trail networks. Mr. Pauly expressed his belief there was not enough clarity on where the money would be used. Mr. Pauly asked for more clarification on transient guests. Mr. Paul responded the definition was a person who occupies a room in a hotel, motel, tourist court, or short-term rental for 31 days or less.

Tracy Kimberlin addressed City Council in support of the proposed. Mr. Kimberlin noted he had worked on the project for over 30 years and expressed his belief the proposed was a demand generator that was needed and would help hotels. Mr. Kimberlin acknowledged Senator Lincoln Hough who put \$30 million in the Senate budget. Mr. Kimberlin expressed his belief the proposed was on a good path and noted marketing funds would still be needed.

Councilmember Hosmer asked how Springfield compared to Kansas City and St. Louis for the hotel/motel tax. Mr. Kimberlin responded they were ahead of us and would still be ahead if the proposed passed. Councilmember Hosmer acknowledged Mr. Pauly's concern regarding the 3/4-cent sales tax and expressed his belief funds should be taken and reinvested in the community. Mr. Kimberlin noted the convention center would help businesses and could also drive-up daily rates for other hotels. He further noted an events center would also be able to host other events and could complement existing facilities.

Mayor Schrag noted of the 3/4-cent sales tax, one quarter went to public safety, and the remaining half-cent was divided between neighborhood improvements, capital improvements, and parks. Mayor Schrag asked Mr. Kimberlin if he knew of a capital improvement that would have more economic impact on the City than a convention center. Mr. Kimberlin responded he did not. He added a convention center could bring additional development.

Councilmember Adib-Yazdi thanked the speakers and expressed his belief this was an important project for the City. He expressed his belief downtown was a neighborhood and needed another push of investment going forward.

Councilmember Hosmer expressed his support for the proposed and that this was broad-based economic development that could help everyone in the City. Councilmember Hosmer agreed that where the City's portion of the funds would come from should be carefully considered.

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

Ordinance 28184. Council Bill 2025-170 (Schrag) was approved by the following vote: Ayes: Councilmember Horton, Councilmember McGull, Councilmember Hosmer, Mayor Pro Tem Hardinger, Councilmember Carroll, Councilmember Lee, Councilmember Adib-Yazdi, and Mayor Schrag. Nays: None. Absent: Councilmember Jenson. Abstain: None.

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 2025-164 (Hosmer)

A special ordinance amending the City of Springfield Code Chapter 74 'Nuisance and Housing Code' Article I 'In General' Section 74-1 'Definitions,' Article II 'Enforcement,' Section 74-37 'Decision,' and Section 74-38 'Cost, assessments, and nuisance-abatement lien,' Article VII 'Nuisances,' Division 1 'Generally,' Section 74-382 'Property owner's responsibility for nuisance abatement,' and Division 2 'Weeds and Other Rank Vegetation,' Section 74-401 'Rank vegetation declared hazard to public health, safety and welfare,' Section 74-402 'Authority of city manager to determine existence of nuisance,' Section 74-403 'Weeds over seven inches in height declared nuisance,' and Section 74-406 'Charges for abatement by city,' to revise the sections for clarity, efficiency, and improved nuisance abatement and to add provisions to City of Springfield Code Chapter 38 'Land Development Code,' Article I 'Administration and Enforcement of Codes,' Division 4 'Permits and Fees,' Section 38-134 'Submittal documents' to better regulate construction, small-project construction, and a range of construction components.

Martin Gugel, Director of Building Development Services, provided a brief overview of the proposed. Mr. Gugel noted the proposed would allow changes to Chapter 74, the Nuisance Housing Code, to enhance enforcement capabilities and improve efficiency. He further noted additions would include dilapidated fences, barns, sheds, and the like made of scrap materials. Mr. Gugel added tents, tarps, and similar materials used for makeshift structures would also be added to the list of nuisances. Mr. Gugel noted clarification of rank vegetation and a property owner's responsibility to manage overgrowth of a property to the curb was included.

Mr. Gugel noted Section 38-134 would provide streamlined permitting for certain construction projects that did not fall under the residential code. He further noted the changes would allow owners, contractors, and developers to apply for, and receive, permits for specific scopes of work historically referred to as like-for-like on the replacement side, such as changing out a water heater. He added minimal documentation could be required.

Councilmember Adib-Yazdi expressed his appreciation for the changes.

Councilmember Lee asked how the changes would expedite the process in Committee hearings. Mr. Gugel responded projects in commercial development, such as replacing a hot water heater, would currently require signed and sealed plans from a design professional. The changes would allow smaller projects that were like-for-like to go straight to the permitting process.

Councilmember Horton noted code enforcement was rated the top concern in the 2023 Citizen Satisfaction Survey. She expressed her belief the changes to Chapter 74 were seeking to address that particular concern, specifically overgrowth and trash on private property, and the changes were responsive to the recommendations of the citizen-led 2023 report of the Nuisance Property Work Group. Councilmember Horton asked the intent of the section addressing native plantings. Mr. Gugel responded there were programs that existed to encourage native plantings and native growth. He further noted they were working to ensure those recognized yards in the program were not impacted by the proposed. He added the changes clarified language to allow for more proactive enforcement.

Councilmember Hosmer asked if Chapter 38 would change requirements for building permits in a residential setting. Mr. Gugel responded the changes were for things that would fall outside the residential building code.

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

12.2. Council Bill 2025-165 (Hardinger)

A general ordinance amending Chapter 36 of the Springfield City Code, 'Land Development Code,' Article III, 'Zoning Regulations,' Division 5, 'Supplemental District Regulations,' Section 36-459, 'Special regulations for retail liquor sales,' for the purpose of removing the requirement to advertise notice of proposed liquor sales in an official newspaper or a newspaper of general circulation in the City of Springfield, Missouri, for at least five consecutive issues to align City Code with state publication requirements.

David Holtmann, Director of Finance, provided a brief overview of the proposed. Mr. Holtmann noted the proposed would amend Chapter 35-459 of the City Code to remove the requirement to advertise proposed liquor sales in an official newspaper of general circulation to align with State requirements. Mr. Holtmann further noted the Planning and Zoning Commission recommended approval, and the Growth and Development Advisory Committee and the Downtown Springfield Association were notified.

Councilmember Hosmer asked how neighbors would know when there was an application. Mr. Holtmann responded the only change was the publishing requirement, and all other requirements would remain the same. Mr. Paul noted a posting was required in four places in the vicinity of the property, and a mailing was required to all locations within 200-feet of the property. He added the only requirement changed was the notice would no longer be published in the newspaper.

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

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 2025-166 (Hosmer)

A special ordinance amending the Fiscal Year 2024-2025 operating budget of the City of Springfield in the General Fund by increasing both revenue and expenses in the amount of \$275,643.54, for the purpose of adjusting for certain reimbursements and associated offsetting expenses, adjusting the salary budget for retirement payouts, and adjusting interdepartmental budgets.

Anita Cotter, City Clerk, read Council Bill 2025-166 and Council Bill 2025-167 together. A summary of the presentation was listed under Council Bill 2025-167.

14.2. Council Bill 2025-167 (Carroll)

A special ordinance amending the Fiscal Year 2024-2025 operating budget of the City of Springfield by increasing both revenue and expenses in the amount of \$203,698.25, in various Special Revenue Funds, for the purpose of accounting for certain reimbursements and associated offsetting expense items.

Anita Cotter, City Clerk, read Council Bill 2025-166 and Council Bill 2025-167 together. A summary of the presentation was listed under Council Bill 2025-167.

David Holtmann, Director of Finance, provided a brief overview of the proposed. Mr. Holtmann noted the proposed was part of annual Council bills brought forward after the close of the fiscal year to true up any unforeseen items. He further noted most of the items, for the General Fund totaling \$275,000, and for the special revenue funds totaling just over \$200,000, represented reimbursements such as insurance claim reimbursements and fire payouts.

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

14.3. Council Bill 2025-168 (Lee)

A special ordinance amending the Park Board's Fiscal Year 2024-2025 operating budget by increasing revenues by \$450,000 and appropriating \$375,000 of Park's Fund Balance, for a total of \$825,000, to offset unanticipated expenditures of \$825,000, and increasing both revenues and associated expenses within the Golf Enterprise Fund by \$580,000, for an overall budget adjustment of \$1,405,000.

Ron Schneider, Director of Parks and Recreation, provided a brief overview of the proposed. Mr. Schneider noted the proposed would amend the Parks budget for fiscal year 2025. He further noted the actual revenues surpassed what was budgeted by \$1,030,000 due to higher-than-expected sales tax receipts and strong golf revenues. He added expenditures were higher than budgeted by \$1,405,000. Mr. Schneider noted these expenses included a project at the Dickerson Park Zoo, parks equipment, vehicle service, general parks repairs and maintenance on the golf course, operating supplies, turf maintenance, and pro shop expenses.

Councilmember Horton asked if the Grant Beach Pool repairs were included. Mr. Schneider responded the repairs were not included in the adjustment. He noted an estimate of approximately \$250,000 was received, and they were working through the procurement process and with Risk Management and the Federal Emergency Management Agency (FEMA), to determine if FEMA funds could be utilized. Councilmember Horton expressed her belief the pool was an important amenity.

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. Tim Havens wishes to address City Council. Withdrew.

16. NEW BUSINESS.

16.1. Recommendation from the Plans and Policies Committee regarding referral of Consideration of updated policies addressing utility growth areas surrounding the City of Springfield to the Community Involvement Committee. Referred.

17. UNFINISHED BUSINESS.

18. MISCELLANEOUS.

19. CONSENT AGENDA – FIRST READING BILLS.

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

20.1. Council Bill 2025-169 (Lee)

A resolution confirming the appointment of Carol McLeod to the Downtown Springfield Community Improvement District Board of Directors.

Resolution 10833. Council Bill 2025-169 (Lee) was approved by the following vote: Ayes: Councilmember Horton, Councilmember McGull, Councilmember Hosmer, Mayor Pro Tem Hardinger, Councilmember Carroll, Councilmember Lee, Councilmember Adib-Yazdi, and Mayor Schrag. Nays: None. Absent: Councilmember Jenson. Abstain: None.

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

21.1. Council Bill 2025-157 (Hosmer)

A special ordinance authorizing the City Manager, or designee, to enter into a mutual aid agreement between the Brookline Fire Protection District and the City of Springfield for the purpose of providing fire protection mutual aid.

Ordinance 28185. Council Bill 2025-157 (Hosmer) was by the following vote: Ayes: Councilmember Horton, Councilmember McGull, Councilmember Hosmer, Mayor Pro Tem Hardinger, Councilmember Carroll, Councilmember Lee, Councilmember Adib-Yazdi, and Mayor Schrag. Nays: None. Absent: Councilmember Jenson. Abstain: None.

21.2. Council Bill 2025-159 (McGull)

A special ordinance authorizing the City Manager, or designee, to enter into an Intergovernmental Agreement with the Board of Governors of Missouri State University for the purpose of continuing to provide enhanced law enforcement services within and around the Missouri State University campus.

Ordinance 28186. Council Bill 2025-159 (McGull) was by the following vote: Ayes: Councilmember Horton, Councilmember McGull, Councilmember Hosmer, Mayor Pro Tem Hardinger, Councilmember Carroll, Councilmember Lee, Councilmember Adib-Yazdi, and Mayor Schrag. Nays: None. Absent: Councilmember Jenson. Abstain: None.

22. END OF CONSENT AGENDA.

23. ADJOURN.

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

July 29, 2025
Springfield, Missouri

The City Council met in special session on July 29, 2025, in the Councilman Denny Whayne Conference Room on the 4th Floor of the Busch Municipal Building. The meeting was called to order by Mayor Schrag.

Roll Call

Present: Abe McGull, Monica Horton, Heather Hardinger, Callie Carroll, Derek Lee, Bruce Adib-Yazdi, and Jeff Schrag. Absent: Craig Hosmer and Brandon Jenson.

Closed Session

Councilmember Horton 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 hiring, firing, disciplining, or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded pursuant to Section 610.021(3) 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 Carroll seconded the motion, and it was approved by the following vote: Ayes: Hardinger, Carroll, Lee, Horton, McGull, Adib-Yazdi, and Schrag. Abstain: None. Absent: Hosmer and Jenson.

Prepared by
Michelle Kaasa

Anita J. Cotter, MMC/MPCC
City Clerk

EXPLANATION TO COUNCIL BILL 2025-177 (MCGULL)

FILED: 07/24/2025

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 48 acres of property generally located at 3830 East Division Street from A-1, Agriculture District to Planned Development No. 392; and adopting an updated Official Zoning Map.

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 48 acres of property generally located at 3830 East Division Street from County A-1, Agriculture District to Planned Development No. 392. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION: PLANNED DEVELOPMENT NUMBER NO. 392

The applicant is requesting to rezone approximately 48 acres of property generally located at 3830 East Division Street from County A-1, Agriculture District to Planned Development No. 392. This rezoning would facilitate the development of the property into a residential subdivision with a mixture of single-family, two-family and multi-family uses.

REMARKS:

The Planning and Zoning Commission approved an amendment to limit the building height of the multifamily portion of the development to three stories. The Planning and Zoning Commission then recommended denial of the application, by a vote of 6 to 2.

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

FINDINGS FOR STAFF RECOMMENDATION:

1. The Comprehensive Plan's Land Use & Development chapter identifies this area within the Traditional Neighborhood placetype.
2. This application is consistent with the Traditional Neighborhood placetype which lists primary uses as single-family attached, single-family detached and multi-family dwellings as a primary use.

3. This application is consistent with the Housing and Neighborhoods chapter of the Comprehensive Plan and aligns with Goal 2, Diversify Housing Choices.
4. This application is intended to allow a variety of housing options. The southern and eastern perimeter contains single-family detached uses, and multi-family uses on the interior of the site. The maximum proposed gross density is 11 dwelling units per acre for the entire Planned Development area. Maximum residential densities as follows:
 - a. Single Family = 2.9 units per acre
 - b. Duplex = 10.8 units per acre
 - c. Villas = 5.9 units per acre
 - d. Townhomes = 7.5 units per acre
 - e. Apartments = 15.5 units per acre
5. The submitted application includes representative elevations of the multi-family buildings that illustrate the proposed design requirements. Refer to Exhibit 2 showing conceptual exterior elevation for apartment and townhomes.
6. The applicant states that the overall design intent of this development is to promote various housing types within a new community consisting of single-family homes, villas, townhomes, duplexes and apartments. Large community exterior/interior amenity spaces are provided for the entire development connected with sidewalks. These are not intended to show the final exterior elevations rather to show the general size, massing and materials of the buildings.
7. The applicant is also proposing landscaping standards that address buffering for adjacent properties and street trees within the development as recommended by the Comprehensive Plan (Exhibit 2) as follows:
 - a. Streetscape requirements – To provide a pedestrian oriented streetscape, street trees have been added to one side of each street between the street curb and the public sidewalk. Given that this is often in conflict with a utility corridor, a 10' utility easement will abut and parallel the r/w on private property. A minimum of one canopy tree shall be planted between the back of curb and public sidewalk in the area provided for each 75 feet of linear right-of-way frontage. The spacing between trees can vary to accommodate driveways, utility crossings, crosswalks, and building facades. All public streets within the develop shall adhere to these requirements.
8. If approved, the applicant will need to subdivide the property following the established major subdivision process.
9. A Traffic Impact Analysis (TIA) has been completed and accepted by the City. The improvements required based on the TIA are required to be submitted to the City on Public Improvement Plans (PIP) and the improvements constructed, or funds escrowed prior to approval of a building permit. Required improvements include:

- a. An eastbound right-turn lane is warranted at Access P1 & Division St.
- b. An eastbound right-turn lane is warranted at Access P2 & Division St.

10. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this. The utility easements will be dedicated on the final plat.

11. The subject property has access to public sewer. Gravity public sewer will need to be provided for all new lots in accordance with city standards. This will require public improvement plans which will need to be constructed or escrowed before any plats could be approved.

12. There are few changing conditions in the area affected that make the proposed rezoning necessary. The Springfield Underground property to the north amended the PD to allow for multi-family residential uses to the north of the subject property. The property at the northeast corner of Division Street and Le Compte Road was recently rezoned to IC with a COD to allow for future commercial, office and manufacturing uses. Le Compte Road north of Division Street is being widened and Eastgate north of Division Street is being extended and connected into Le Compte Road further north of Division Street.

13. The range of uses in the proposed Planned Development is compatible with the uses permitted on other property in the immediate vicinity. The PD to the north allows for multi-family residential. The intersection of Division and Eastgate has existing commercial and residential uses.

14. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned. Easements for utilities will be provided on the preliminary and final plat.

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

16. Approval of 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.

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

18. The proposed rezoning was reviewed by City departments and comments are



contained in the staff report (above).

STAFF RECOMMENDATION:

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

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 08/01/2025

Attachments:

1. PD 392 - 3830 E. Division St.
2. PD 392_exhA
3. PD 392_exhB
4. PD 392_exh C

One-rdg. _____
P. Hrngs. X
Pgs. 105
Filed: 08-05-25

Sponsored by: McGull

First Reading: _____

Second Reading: _____

COUNCIL BILL 2025-177

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 48 acres of property generally located at 3830 East Division Street
4 from A-1, Agriculture District to Planned Development No. 392; and
5 adopting an updated Official Zoning Map.
6 _____
7

8 WHEREAS, an application has been filed for a zoning change of the property
9 generally located at 3830 East Division Street, and more particularly described in
10 "Exhibit A," attached hereto and incorporated herein by this reference, from A-1,
11 Agriculture District to Planned Development No. 392; and
12

13 WHEREAS, following proper notice, a public hearing was held before the
14 Planning and Zoning Commission on July 17, 2025, a copy of the Record of
15 Proceedings from said public hearing being attached hereto and incorporated herein by
16 this reference as "Exhibit B," and said Commission recommended denial by a vote of 2
17 to 6, following approval of an amendment limiting the proposed development to no more
18 than three stories in height; and
19

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

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

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

30 Section 1 – The property described in "Exhibit A" is hereby rezoned from A-1,
31 Agriculture District to Planned Development No. 392. Springfield Land Development
32 Code, Section 36-306, 'Official zoning map and rules for interpretation,' is hereby
33 amended, changed, and modified consistent with this Ordinance.

34 Section 2 – The property described in “Exhibit A” of this Ordinance shall be
35 subject to the requirements and standards included in “Exhibit C – Exhibit 1,” and these
36 requirements and standards shall govern and control the use and development of the
37 land in Planned Development No. 392.

38
39 Section 3 – City Council hereby directs the City Manager, or designee, to update
40 the City's digital zoning map to reflect this rezoning, and City Council adopts the map
41 thereby amended as the Official Zoning Map of Springfield, Missouri, as provided for in
42 Springfield Land Development Code, Section 36-306, ‘Official zoning maps and rules of
43 interpretation.’

44
45 Section 4 – The Official Zoning Map herein adopted shall be maintained and
46 archived in the same digital form in which this Council has approved its adoption.

47
48 Section 5 – This Ordinance shall be in full force and effect from and after
49 passage.

50
51 Passed at meeting: _____

52
53 _____
54 Mayor

55
56 Attest: _____, City Clerk

57
58 Filed as Ordinance: _____

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

61
62 Approved for Council action: [Signature], City Manager
63
64

EXHIBIT A
LEGAL DESCRIPTION

ALL OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHEAST QUARTER (NE1/4), AND THE WEST TEN (10) ACRES OF THE NORTHEAST QUARTER (NE1/4) OF THE NORTHEAST QUARTER (NE1/4) ALL IN SECTION FIFTEEN (15), TOWNSHIP TWENTY-NINE (29) NORTH, RANGE TWENTY-ONE (21) WEST IN GREENE COUNTY, MISSOURI, EXCEPT ANY PART USED FOR PUBLIC ROADWAYS.

Surveyed Legal Description:

A TRACT OF LAND, SITUATED IN THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 29 NORTH, RANGE 21 WEST, GREENE COUNTY, MISSOURI, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID NORTHEAST QUARTER OF SECTION 15; THENCE SOUTH 87°17'03" EAST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, 1640.54 FEET; THENCE SOUTH 01°11'50" WEST, 34.39 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE SOUTH RIGHT OF WAY LINE OF STATE HIGHWAY "YY"; THENCE CONTINUING SOUTH 01°11'50" WEST, 1294.04 FEET TO THE NORTH LINE OF BRISTOL PARK SUBDIVISION RECORDED IN PLAT BOOK AAA PAGE 56, GREENE COUNTY RECORDER'S OFFICE; THENCE NORTH 87°21'04" WEST ALONG THE NORTH LINE OF SAID BRISTOL PARK SUBDIVISION, 1623.16 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF FARM ROAD 185; THENCE NORTH 01°12'55" EAST ALONG SAID EAST RIGHT OF WAY LINE, 1249.09 FEET TO A POINT ON SAID SOUTH RIGHT OF WAY LINE OF STATE HIGHWAY "YY"; THENCE NORTH 45°43'33" EAST ALONG SAID SOUTH RIGHT OF WAY LINE, 63.16 FEET; THENCE SOUTH 87°13'55" EAST ALONG SAID SOUTH RIGHT OF WAY LINE, 711.60 FEET; THENCE SOUTH 82°03'24" EAST ALONG SAID SOUTH RIGHT OF WAY LINE, 50.04 FEET; THENCE SOUTH 87°15'00" EAST ALONG SAID SOUTH RIGHT OF WAY LINE, 101.90 FEET; THENCE NORTH 87°43'31" EAST ALONG SAID SOUTH RIGHT OF WAY LINE, 48.74 FEET; THENCE SOUTH 87°25'37" EAST ALONG SAID SOUTH RIGHT OF WAY LINE, 666.61 FEET TO THE POINT OF BEGINNING, AND CONTAINING 48.16 ACRES OF LAND, MORE OR LESS, SUBJECT TO EASEMENTS AND/OR RIGHTS OF WAY.

EXHIBIT B
RECORD OF PROCEEDINGS
Planning and Zoning Commission – July 17, 2025

Planned Development 392
3830 East Division Street

Applicant: East Division Development, LLC et al

Mr. Hosmer states that this is a request to rezone approximately 48 acres of property from County A-1, Agriculture District to Planned Development No. 392.

Mr. Scott stated that he has a brother and sister-in-law that live in Cooper Estates and will not affect his vote. Ms. Gunther stated that she used to live in Cooper Estates and will not affect her vote.

Mr. Doennig opened the public hearing.

Mr. Will Hoey, 550 E. St. Louis Street gave some back-ground of the property, noting that it was county property when the developer started to look at it. During the neighborhood meeting it was asked about property ownership and currently it will be locally owned and operated with a HOA for maintenance and about 100 people showed up for the neighborhood meeting

Questions about setbacks, lot sizes and zoning code requirements.

Mr. Hoey stated that the primary intent behind the planned development is low density allowing to go up to 18 du/ac and we are trying to stay in the middle and thus create a step-down between single-family, then villa type middle and then to four-story apartment complexes.

Mr. Jonathan Pietz, 550 E. St. Louis Street here to talk about traffic concerns and highlighting some of the improvements, he noted that there is an existing project to widen Division from Hwy 65 over to Eastgate as well as installing new traffic signals. New improvements at the intersection of Division and Le Compte and the improvements on Eastgate will help the truck traffic for the underground.

Ms. Gunther asked if Division Street will be 4 lanes. Mr. Pietz noted that it is not currently being constructed and that the improvements will end at Eastgate.

Mr. Ricky Haase, 550 E. St. Louis Street spoke about the buffering around the single-family and noted that the site falls in grade significantly from the South to the North and have placed the multifamily units at a lower elevation. Spoke about the amenities, pickleball courts, pools, play areas, basketball courts, walking trails and a lot of green space. He stated that the stormwater will discharge into the Cooper's basin and have 2.5 to 3 acres of wet detention with permanent fountains, docks, and trails around it as well as keeping as many of the existing trees and that this development will be in phases and can take as long as 6 years.

Ms. Ridge asked about the rolling nature of the property and what will become of the house that is currently existing as well as the trees that lead up the home as they are very beautiful and if they will be retained.

Mr. Haase stated that there will be a lot of grade changes and will try to minimize the amount of the change. Regarding the trees he stated that they will need to look at the landscape plan but believes that they can save some of them.

Mr. Scott asked about trash service and was told that the developer is looking at a plan for trash pickup.

Mr. Joe Farley, 3730 E. Cromwell Lane and president of Cooper Estates Owner Association and noted a sinkhole in the northwest corner of the property and believes it has not been addressed properly. He stated that architectural plots

identify it as an existing farm pond. He directed the commissioners to his article regarding sinkholes and would like a geological evaluation completed.

Mr. Keith Abercrombie, 1236 N. New Castle Avenue stating that he is not opposed to growth but has concerns for the high-density development with over 530 residential units stating that it would be unsightly addition to the surrounding single-family neighborhoods. He questioned the housing shortage that is frequently stated and cannot find any substantial evidence to back up that assertion and that this is a post-war residential neighborhood containing predominantly single-family detached dwellings.

Mr. Bernie Burrier, 1155 N. Chesire Court voiced his concerns allowing apartments in single-family areas and may open pandora's box by allowing this development.

Mr. Mark Nelson, 4404 East Kentbrook Drive spoke about the missing middle, the proposed development will be lease only and not have ownership from the local people. He also stated his concern for the traffic, and it will cause safety issues. He also voiced his dissatisfaction for the neighborhood meeting room size and like issues resolved and have the developer resubmit.

Mr. Crighton talked about the Comprehensive Plan and that the staff did recommend approval based on the edges to the traditional neighborhoods that do allow for more intensity.

Discussion on meeting notices and it was confirmed that the notices sent out met the requirements.

Commission member asked about traffic safety and MoDOT. Mr. Zickefoose stated that he believes MoDOT is still in the process of reviewing the traffic impact study specific to this development and that they will construct whatever improvements they feel are necessary for the development regardless of city requirements. MoDOT will have to make improvements before the preliminary plat could be approved.

Ms. Kathy Christie, 4313 E. Kentbrook Drive and is the vice-president of the Hickory Hill Property Owners Association and states that this plan is a disrupter and has significant concerns about the high-density development forever altering the suburban country nature of the neighborhood and does not believe this meets the need for more affordable entry level housing. She also voiced her concerns for the increased traffic.

Mr. Phil Jones, 1405 N. Bristol Avenue stated that they were surprised about the annexation into the city and talked about the housing guidelines and that the proposal is a partial conformance with two of the six guidelines with the established neighborhood character, and the area would be negatively impacted and not revitalized. He commented that they are trying to protect the investments that they have in their homes and ask that the commission protect adjacent properties.

Mr. Chuck Cox, 4273 E. Sherwood Street stated that the neighborhood will be impacted significantly by the development and that the children walking to school will have safety concerns due to the increased traffic and speeding as well as additional students will cause overcrowding.

Mr. David Rosenbuth, 4459 E. Kentwood Brook Drive believes that the Planned Development 392 is not in the spirit of the plan for this area as a traditional single-family. The neighborhoods should strive to increase and integrate the quality of place and complete neighborhood characteristics, and this plan does not fit with high story apartment buildings, and it is certainly not low intensity multifamily. He also stated that he is not against townhomes, duplexes or villas, but four-story apartments are the concern.

Mr. Mark Sharp, 4051 E. Brookdale Terrace stated that they chose their home due to the unique privacy and believes it is not in conformity with the Forward SGF comprehensive plan by putting this right in the neighborhood. The other concern is the passageway into the neighborhood and would like this to be postpone until traffic and other studies are complete.

Mr. Ken Carter, 1302 N. Fenchurch Lane spoke about traffic and the significant increase at the intersections. He also spoke that when he was a county planning and zoning commissioner that major apartment operations did not go past Ingram Mill Road by not allowing apartments on the east side of 65 Hwy and believes it should continue with that ban.

Kiara Jacobs, 3905 E. Brookdale Terrace voiced her concerns for lighting and noise as her home is facing the field of the proposed project.

Allen Jacobs, 3905 E. Brookdale Terrace and his property borders about 1/3 of a section of the area and voiced his concern regarding the density, increased traffic issues at the intersection of Le Compte and may have to wait 20 minutes to turn and forcing people to come into my subdivision. He also noted the sinkholes in the area and hopes that the commission passes a conditional overlay district to single-family only as well as the high monthly cost of leasing and believes it does not meet the missing middle.

Ms. Michelle Jacobs, 3905 E. Brookdale Terrace stated that she will be very affected by the development such as noise, loss of property values, and traffic and is adamantly opposed to this particular development and would like more single-family homes.

Mr. Lebeck asked what a reasonable use of this property is.

Ms. Jacobs noted that she thinks it should be single-family homes and that individual plots could be sold for a high value, but could get behind duplexes, villas, and townhomes.

Mr. Brandon Corn, 801 N. Thorn Apple Lane stating that this development does not align with Forward SGF which designates this area as traditional neighborhood and intended primarily for single-family homes. Four-story apartments are too dense and intense for the area noting traffic, stormwater, police, fire, and schools services will be stretched thin.

Ms. Jessica Ingram, 4038 E. High Ridge Drive, stated that Planned Development 392 will disrupt their quality of life and that her driveway is only 30 feet from the proposal. She voiced concerns for traffic, safety, lighting, noise, and stated that the development plans to create an exit through their neighborhood. She also stated that it would negatively impact surrounding property values.

Mr. Lebeck asked about the traffic around Hickory Hills and what would be a fair balance/reasonable.

Ms. Ingram stated that with all the neighborhood surrounding the area the traffic is horrific and that Le Compte and Division do not have a traffic light, and the congestion is bad. She also noted that they knew when it was sold that it would be developed, but as single-family homes.

Mr. Ben Shantz, 2144 E. Republic Road talked about the comprehensive plan and the eight point criteria and believes that there is some room for multi-family but with predominant single-family homes. Also spoke about the gradual transition between single-family detached and higher density multifamily and states that it is too intense, as well as no clarity on sinkholes and the MoDOT study and whether it accounts for the existing aggregated traffic or will it be for the traffic when developed.

Mr. Lebeck asked what his relationship is to the neighborhood and what does he think as reasonable use for the property.

Ms. Shantz stated that he was hired by Bristol Park Community Association, attorney for the neighborhood. He noted whether there is an existing viable commercial alternative with the property itself. It was zoned single family residential when it was annexed in and can pencil out at single family residential given that it's a 48-acre site.

Mr. David Childers, 3811 E. Brookdale Terrace, gave out examples of existing traffic incidents (killed or injured in accidents).

Ms. Connie Keiser, 3893 E. Windsmore Drive gave out information on the number of apartments and parking spaces stating that a ridiculous amount of traffic will be coming out of the area and this proposal lacks common sense. She would like the MoDOT study completed before they approve the development and states that the schools are already overcrowded.

Mr. Larry Jefferies, 4146 E. Brookdale stated that his concerns are for stormwater and that with the recent rains (13 inches in 10 days) the water flows down there due to the natural drainage and that it is already close enough to his home and worries that it may come closer with the development.

Mr. Lebeck asked about the sinkhole/pond.

Mr. Jefferies the water flows down a natural valley right behind his property and that it was flowing fast and the sinkhole/pond does not hold water.

Mr. Dennis Owens, 4056 E. High Ridge stating that their front will face the high-rise apartments and ask for the commission not to support this proposal as they always envisioned single-family homes at some point.

Mr. Ian Vosalir, 2247 N. Citation Avenue stated that traffic starts to back up at the railroad tracks next to Hwy 65 and is not happy about the four-story apartments.

Mr. David Thornton, 5191 E. Farm Road 122 voiced his concern regarding traffic stating that he lived there for approximately 47 years and showed pictures of vehicles approaching noting the wait for traffic and has worked accidents at such intersections and the additional 1000 cars it will be a mess.

Ms. Leslie Kilpatrick, 1164 N. Chesire Court stated that she has taught at Hickory Hills a long time ago and was shocked at the change but is concerned for the safety of the people and stated that the infrastructure is inadequate for the number of cars that will be added by this development. She also stated that they do not know the plans of MoDOT.

Ms. Janae Jacobs, 3905 E. Brookdale and is adjacent to the proposed development and is concerned about the scale and structure and believes it will negatively impact and create challenges for the ones living in the area. She stated that her concerns are traffic as the intersection at Farm Road 185 and Division is already difficult and would like this development to be reconsidered.

Ms. Erica Gaynor, 3965 East Winsmore Drive and here on behalf of her neighborhood as the president of homeowner's association. The residents of Winsmore would like to see the density of the development reduced noting concern for the overcrowding of the schools as well as the exit points and is not built for the magnitude of the development and would like more single-family homes.

Mr. Brock Jacobs, 3905 E. Brookdale Terrace and his home directly borders the proposed development and that his home has provided a sense of peace, space and quiet, something that is becoming very difficult to find. He also stated that the sheer number of units and corresponding residents would overwhelm the area with the concerns of traffic and noise, and the complete loss of the countryside. The proposed development in its current form is not right for the location.

Mr. Dennis Brozowski, 3836 E. Brookdale Terrace, stating that they moved to Springfield not to be 500 yards from apartments. His concern is that apartment buildings will bring crime, theft, and division and believes it will kill the community.

Ms. Barbara Brozowski, 3836 E. Brookdale Terrace stating that there are four exists and noted that the traffic and intersections are a concern and that with the proposed development from her bedroom window will be about 40 feet from the traffic.

Mr. Andy Bennett, 771 N. Summer Creek Court talked about step down areas and traditional neighborhoods and believes that the apartment complexes are not a step down and that nine apartment buildings are too much. He also voiced his concern for the traffic issues and the current intersections.

Mr. Barrett Fisk, 3655 E. Moongate stated that Farm Road 185 that he travels daily is at capacity and the proposal will create absolute gridlock, noting the blind hill that intersects at Farm Road 185. He also noted that four-story apartment buildings are not the missing middle and that there are already plenty of apartments in Springfield. He also said that his property faces Chestnut and is limited to one-story buildings and need to maintain the same fairness for the zoning

regulations equally. He noted that Hickory development and UC Springhill development are one story development with lower density.

Mr. Aiden Anthony, 4354 E. Kentbrook Drive, said that his concerns were the impact on the schools and that his class size is already over 30 people and that traffic is a problem but believes that Springfield needs affordable housing but not in that area.

Mr. Frank Gardner, 3679 E. Cromwell and works for Cooper Estates and voiced his concern for the sinkholes and with the recent downpours the water runoff in Cooper Estates was more than he had ever seen. He also stated that the traffic and the intersections are a problem and gave examples of a couple accidents that had occurred and spoke about the development will be 100% rental and not ownership.

Ms. Gunther asked if Mr. Gardner remembered MoDOT turning Le Compte into four lanes. Mr. Gardner stated that he was at that meeting with MoDOT, and he said that those plans or drawings do not exist. He wants the traffic studies done before any approval of the development.

Mr. Doennig closed the public hearing.

Mr. Colony quoted, "I completely agree with and understand all the comments and concern on traffic and the seemingly lacking infrastructure that exists there. As far as the development goes, I think this kind of development is, is one of the things we're certainly looking for in Forward SGF. And that is a diverse development where we've got, you know, a little of everything sort of mixed in and I applaud the developer for putting together a plan that seems to work. You've got single family on the outside, your density changes as you crossover and, and you get to apartments in the middle and to the north end. I know it's tough for people to live in single-family neighborhoods to think about having apartment complexes move in and I don't, you know, but I but I think that's kind of where we're headed on some of these bigger open areas. There's a 48-acre plot and I think that's probably where we're headed, and I think these guys have done a good job at trying to accommodate that. I don't think whether they're four-story units or three-story units, the way the ground falls that they're going to be all that noticeable from anybody unless you're driving down Division Street, I don't think at the end of the day they'll have a negative impact, but the traffic is a massive concern. And I don't know whether this should move forward yet without some additional information on how we're going to handle all of the rapidly advancing traffic issues that are that is coming into the area, so I'm sort of on the fence as to whether I'm behind this or not. I really think that we may be doing a disservice if we let this thing, and not only to the folks that live in the neighborhood, but to the folks that will be moving in the neighborhood be subjected to some dangerous traffic situations if we don't require and get some sort of additional information on traffic before we let this thing move forward."

Mr. Scott quoted, "I think there's a lot of good potential with this and I'm going to propose that we eat the elephant one bite at a time. My challenge is, and I apologize for somebody reprimanding one of our speakers for picking paragraphs out when there's pages that address this kind of develop specific development specifically. But I picked out my own paragraph that gives me a little pause and full acceptance of this proposal. And it's only two sentences related to the higher design of the apartments. The design of higher density residential uses integrated into the residential neighborhood. Place type should complement the scale and character of the surrounding neighborhood. Attention should be given to the building height, orientation, architectural style and set back to ensure the existing neighborhood character is retained. I zoned in on the idea of scale and height and in in my thought of breaking this down to see what might be acceptable to the Commission. I would like to make an amendment. Propose a motion to limit the building height of the multifamily portion of the development to three stories. This would eliminate 74 units from that total of 4428 and would leave 354 apartments. Would also scale down the parking and the end of that motion would be that any added space to the development as a result of reduced parking. For the multifamily, the developer could add any of the lower density single family villas etcetera to the to the count that primarily reducing the apartments to no more than three stories. That to me addresses the complementing of the scale. Yes, it is one story higher than the surrounding neighborhoods that enjoy two stories, but it does not say match the height or scale. It says compliment, so I see that as a reasonable compromise between our neighborhood speakers tonight and the developer."

Mr. Hunton asked about the proposed amendment regarding the dwelling unit count.

Mr. Scott stated that he was strictly talking about the apartments going from 428 to 354 units.

Mr. Pauly quoted, "The amendment that we just voted on, I'm sorry, but I see that is basically a band-aid solution to what's been discussed here tonight. There's a lot in this plan is good things within this plan as it's brought forward to us, but the things that aren't good have been brought up. Neighbors obviously are very much against the apartment buildings within this plan itself. And I think that again, by reducing the height, all we've done is just put a band-aid on the on the situation itself. So, looking at the plan the way that it is right now, this is something that I always go back to when we look at anything. Is it, is this the type of thing that makes sense today? Does it work today? Will it work tomorrow? Is it a smart development? I think it's close, but I don't think we're quite there."

Mr. Lebeck quoted, "Simply put, I think this is too big and too much for this area. Section 36-367, if you take a chance, look at our city code, when we do a rezoning, we have to make certain findings as a Commission and those findings ask us to look at 8 factors. And where this development fails, it fails on three primary factors. 1st, is this consistent with the comprehensive plan? And I've read the comprehensive plan, and we were a part of the comprehensive plan. And on page three, it talks about the top 10 initiatives by the Forward SGF Comprehensive Plan. The first one is Restore SGF Neighborhood Revitalization. It talks about encouraging reinvestment and home ownership in Springfield's neighborhoods. This cuts against that directly. It also talks as item 2 about a place-based approach. This plan champions a shift in the city's planning focus from used to design with an emphasis on creating quality places. This again cuts against the comprehensive plan because it is deteriorating a good place in the city of Springfield and its current form. Another element, is it compatible with the uses of land in the immediate vicinity? The neighborhoods have all banded together tonight and they've spoken and said loud and clear. It does not, and I agree with that. In its current form with multifamily apartments buried inside some single family and some townhomes, it does not. It is not compatible with the properties in the immediate vicinity. And then finally and quite frankly, the most concerning part of this is the impact on not only vehicular but also pedestrian traffic and traffic safety. It's a traffic mess out there right now and I have not heard a consistent answer of how this is going to be fixed before we put additional property owners or renters in this area. This is an unanswered question and until this question is effectively answered, I think it would be simply irresponsible to approve this in its current form. So, I'm not supporting it currently because it does not comply with city code."

Ms. Ridge quoted, "From the beginning, I've had two objections to this project. The first was the population density that's proposed, which is just totally out of proportion with the rest of the area. The second was the traffic problems that could create. And then I have a third, I agree with much of what Mr. Lebeck said, but I also had a third objection because I'm very concerned about the aesthetics of our community. That's a beautiful area of town and that's a beautiful piece of property and I just didn't really want to see a jam packed with all those different types of structures. I didn't think it would do anything for the area. So those are my main objections to it."

Mr. Hunton quoted, "I think of myself as very pro-housing as a rule, and I think that it's something that we need to work on and something that we need to emphasize. There is good work, good intent behind this project, but I will also say that it does seem as though it hits a density that's a little bit higher than this board has in the past been okay with. If we look back at the 104-acres from just a couple months ago, similar numbers looking at that, it was approved by City Council, I think it was a split vote here, but they were at about 8.4 dwelling units per acre for those 104-acres. Based on Mr. Scott's amendment, we're down to 9.5 dwelling units per acre. Doesn't sound like a lot but that's still higher than I think we have been okay with, and I also think that there is a significant traffic issue. I came into this reading all the comments, reading every line of everything, even some of the cursive that I couldn't quite read. I tried my best; I came in today thinking that this was at least a fair approach. After hearing hours of commentary, I still think it's good in general, I think the intent is right, but I don't think this project necessarily is right. I think it does have legs, that there is a path forward but there's still questions such as the traffic, such as the density. I like it in general. I don't think I can support it at this time."

Ms. Gunther quoted, "I lived out there a long time and I know the traffic out there, it's not good. This is going to make it worse and they're going to have to figure out if they're going to build out there, they're going to have to figure out a way to do to move that traffic better. I agree with Mr. Lebeck that I would like to see ownership. I'm not feeling that this is necessarily a good thing to have renters only, but I am not going to support it."

Mr. Doennig quoted, "When I looked at this proposal just out of the gate, my initial reaction to it was the density is too high and I like the mix of properties. I like the fact that we have traditional single-family along with some villas, townhomes,

duplexes, those sorts of things because it gives options to people. Not everybody wants to live in a single-family home on a lot, some people want to live in apartments, and they want to live in duplexes, townhomes, condominiums as I do so I like that. I like that mix of styles and options that they're trying to accomplish here. I supported Dan's amendment simply because it moves us in the right direction and that is less density, but I don't think it really goes far enough. My other comment is and it's difficult for me as a commissioner to embrace something like this with MoDOT as the wild card. I am not disparaging MoDOT, they're good people and doing great work for our state, we have we have decent roads, and they are doing the best that they can do with what they have. That all said, I work with them frequently and I understand their process. And even if they were to come at us tomorrow and say, oh yeah, we finished that traffic study and we think that we need a traffic light at Le Compte and we need this, that and the other and maybe extend the three lanes on division or go 4 lanes on Division. All those things are, are wonderful, but the practical news is, that it is going to be years in the making. I do like the phased approach to the development because I think it sort of mitigates all of a 'sudden there' factor, but at the end of the day, based on all those things I am disinclined to support the proposal in front of us."

He also stated that it is an important part of the process, and he appreciates the process, but the Commission is an advisory board, so the recommendation will be passed to City Council, and it will be their decision as that will be the next step in the process.

COMMISSION ACTION: (amendment)

Planning and Zoning Commissioner Scott moved to **amend** Planned Development 392 to limit the building height of the multifamily portion of the development to three stories; Commissioner Colony seconded the motion. It was **Approved** with the following vote: Ayes: Commissioner Doennig, Commissioner Ridge, Commissioner Scott, Commissioner Hunton, Commissioner Gunther, and Commissioner Colony. Nays: Commissioner Pauly and Commission Lebeck. Absent: Commissioner Knuckles. Abstain: None.

COMMISSION ACTION:

Planning and Zoning Commissioner Scott moved to approve Planned Development 392; Commissioner Lebeck seconded the motion. It was **Denied** with the following vote: Ayes: Commissioner Scott and Commissioner Colony. Nays: Commissioner Doennig, Commissioner Ridge, Commissioner Hunton, Commissioner Pauly, Commissioner Gunther, and Commissioner Lebeck. Absent: Commissioner Knuckles. Abstain: None.



Bob Hosmer, AICP
Planning Manager



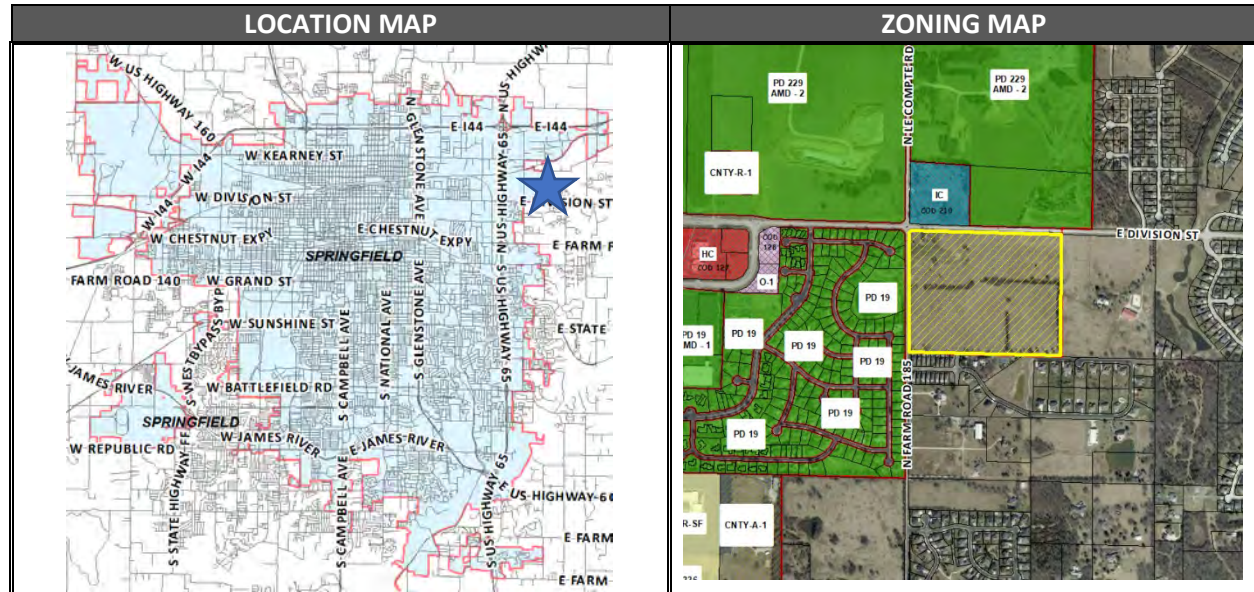
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PROJECT INFORMATION

Case Number:	Planned Development No. 392
Location:	3830 E. Division Street
Total Acres:	48 acres
Applicant:	East Division Development, LLC Etal
Existing Land Use:	Agricultural/Undeveloped land
Neighborhood Meeting:	June 26, 2025
Planning and Zoning Commission:	July 17, 2025
City Council:	August 11, 2025
Public Notification:	Mail, posted property, and legal in Springfield News-Leader
Staff:	Daniel Neal, Senior Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of Planned Development No. 392 (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 48 acres of property generally located at 3830 East Division Street from County A-1, Agriculture District to Planned Development No. 392.



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GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:



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PROPERTY HISTORY:

The subject property was recently annexed in 2025 and has the existing zoning of County A-1, Agriculture District.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

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

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

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR PD 392
Minimum Yard Requirements	See Exhibit 1.
Maximum Structure Height	See Exhibit 1
Minimum Open Space	See Exhibit 1
Buffering and Landscaping	See Exhibit 1

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Traditional Neighborhoods 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

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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.

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.
- 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.

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

- 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, Urban design characteristics unique to Traditional Neighborhood character area include:

- 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.

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.

The *Comprehensive Plan's Housing & Neighborhoods Chapter 7* encourages creative housing solutions in Section 2.2 to add housing diversity and support downsizing

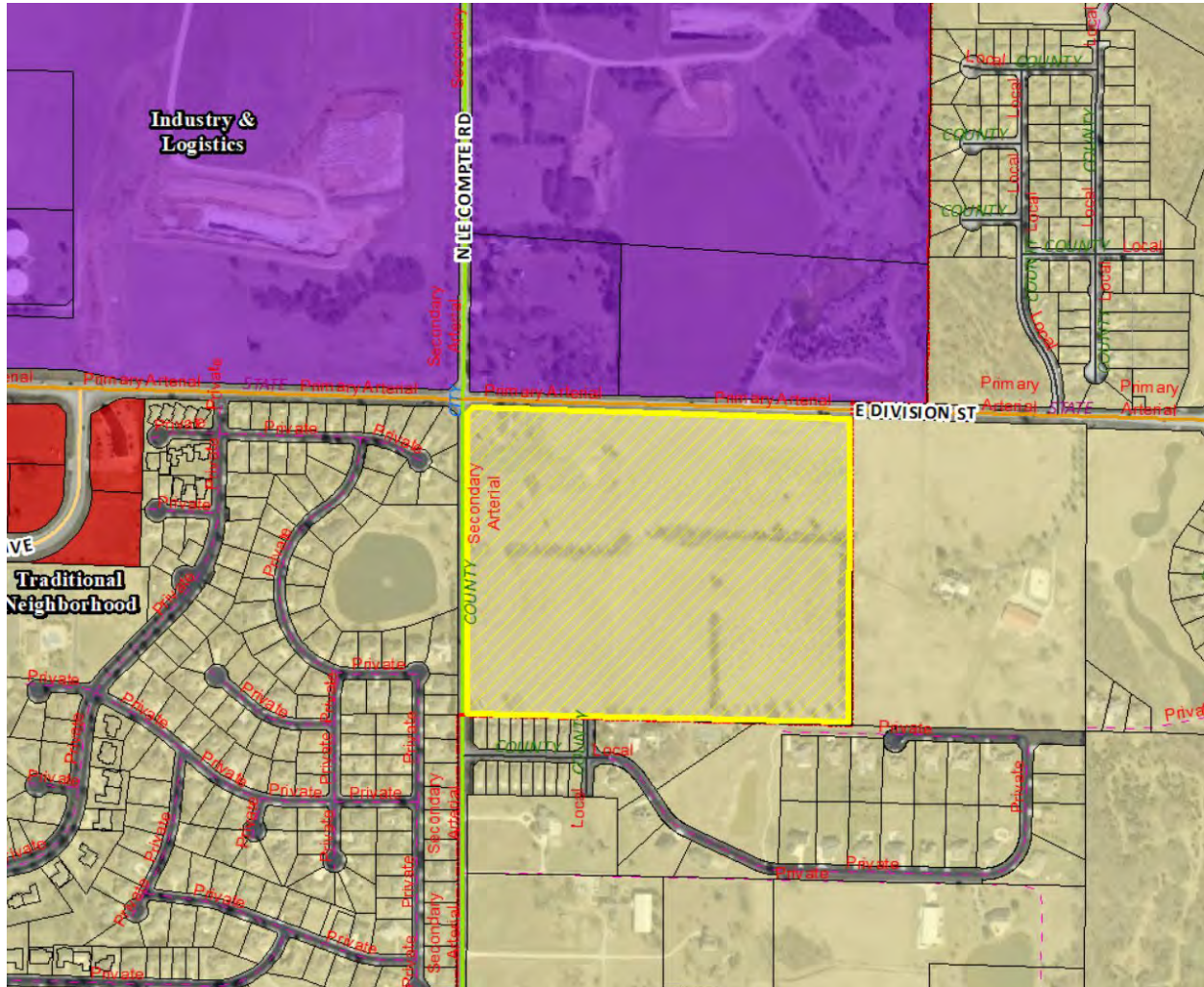
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households, young professionals and aging-in-place. Creative housing types can play an effective role in increasing housing diversity in a community and providing smaller scale, more affordable housing options. Examples of creative housing types include missing middle housing types, tiny homes, pocket neighborhoods, and accessory dwelling units (ADUs). The city should ensure the Land Development Code allows for such housing types in the Residential Neighborhood placetypes, where they can be targeted for infill development.

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

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FUTURE PLACETYPE MAP:



PLACETYPES	LAND USES													
	Single-Family Detached	Single-Family Attached	Mixed-Family	Park & Open Space	Sports Complexes & Recreational Facilities	Urban Agriculture	Office, Institutional, Retail Sales & Service	Neighborhood Commercial	Major Arterial & Innovation Spokes	Universities, Colleges & Vocational Schools	Government, Healthcare & Professional Services	Personal Services, Outdoor Sales & Service	Light Industry	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

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MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	PD 229, 2 nd AM & IC COD 210	County PAD	County A-1	PD 19
LAND USE	Underground storage and undeveloped land	Single-family homes	Single-family home & agricultural uses	Single-family homes
PLACETYPES	Industry & Logistics	Traditional Neighborhood	Traditional Neighborhood	Traditional Neighborhood

DEVELOPMENT REVIEW STAFF REPORT

REVIEWING DEPARTMENTS COMMENTS:

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues generally with proposed re-zoning.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues with the PD but we do have the following critical issues for site development;

1. Public sewer needs to be extended to each lot which will require public improvement plans designed and constructed to city specs. Submit public improvement plans for review. Engineering and inspection fees of 5.35% of the approved contract amount must be paid prior to filing the plans.
2. There is also a \$0.0147 per square foot trunkline connection fee to drain into the Pierson Creek sewer basin. This is based on the area of the subdivision. This will be added to the engineering and inspection fees required to file the plans.
3. The public improvements must be approved and constructed or escrowed before any building permits or plats can be approved according to city code section 98-12(b)(c) Private Construction of Public Improvements and section 98-14. - Assurance for completion of Public Improvements.
4. Show the proposed peak and average flow rates for the entire development on any subsequent submittals.

FIRE DEPARTMENT:

All development shall comply with the 2018 International Fire Code (IFC).

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	Division St.	Primary Arterial	MoDOT	50	35	13,723	No	Yes	No
Street 2	Le Compte Rd.	Secondary Arterial	City	35	20	3,073	No	Yes	No

ACCESS - All new and existing driveway approaches shall comply with the accepted Traffic Impact Study, requirements of the planned development, and current City of Springfield standards for the street classification.

DEVELOPMENT REVIEW STAFF REPORT

- Division Street: Access P1 is a full access and will require an eastbound right turn lane per Traffic Study. Access P2 will only allow right in right out and will also require an eastbound right turn lane.
- Le Compte Road: Access P3 will serve as a full access driveway, providing ingress and egress to the development.

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

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

- An eastbound right-turn lane is warranted at Access P1 & Division St.
- An eastbound right-turn lane is warranted at Access P2 & Division St.

All public improvements shall be designed and constructed per City of Springfield Public Works Design Standards for Public Improvements.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

	Drainage Basin	Fee in Lieu for Flood Control	Fee in Lieu for Water Quality	Stream Buffer on Site	Sinkhole or Watershed	Floodplain and Floodway
3830 E Division St	Pierson Creek	No	No	Yes	No	No

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 Volume is required for the development. The site drains to MODOT right-of-way on E Division St.

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.

DEVELOPMENT REVIEW STAFF REPORT

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

1. The Pierson Creek stream is present on the west side of the property and originates from the road culvert that drains the Cooper Estates Wetpond. The Cooper Estates and site drainage is greater than 40 acres and the stream is present to the existing farm pond.
 - a. Stream buffer area will be dedicated on the preliminary and final plat.

SINKHOLES & KARST FEATURES
N/A

MODOT COMMENTS:

MoDOT has reviewed and approved the TIA that was submitted by the applicant.

DEVELOPMENT REVIEW STAFF REPORT

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 48 acres of property generally located at 3830 East Division Street from County A-1, Agriculture District to Planned Development No. 392. The applicant is proposing a mixed residential development with single-family detached, single-family semi-detached and multi-family townhomes and apartments.
2. The *Comprehensive Plan's Land Use & Development* chapter identifies this area within the Traditional Neighborhood placetype.
3. This application is consistent with the Traditional Neighborhood placetype which lists primary uses as single-family attached, single-family detached and multi-family dwellings as a primary use.
4. This application is consistent with the Housing and Neighborhoods chapter of the Comprehensive Plan and aligns with Goal 2, Diversify Housing Choices.
5. This application is intended to allow a variety of housing options. The southern and eastern perimeter contains single-family detached uses and multi-family uses on the interior of the site. The maximum proposed gross density is 11 dwelling units per acre for the entire Planned Development area. Maximum residential densities as follows:
 - a. Single Family = 2.9 units per acre
 - b. Duplex = 10.8 units per acre
 - c. Villas = 5.9 units per acre
 - d. Townhomes = 7.5 units per acre
 - e. Apartments = 15.5 units per acre
6. The submitted application includes representative elevations of the multi-family buildings that illustrate the proposed design requirements. Refer to Exhibit 2 showing conceptual exterior elevation for apartment and townhomes.
7. The applicant states that the overall design intent of this development is to promote various housing types within a new community consisting of single-family homes, villas, townhomes, duplexes and apartments. Large community exterior/interior amenity spaces are provided for the entire development connected with sidewalks. These are not intended to show the final exterior elevations rather to show the general size, massing and materials of the buildings.
8. The applicant is also proposing landscaping standards that address buffering for adjacent properties and street trees within the development as recommended by the Comprehensive Plan (Exhibit 2) as follows:
 - a. Streetscape requirements – To provide a pedestrian oriented streetscape, street trees have been added to one side of each street between the street curb and the public sidewalk. Given that this is often in conflict with a utility corridor, a 10' utility easement will abut and parallel the r/w on private property. A minimum of

DEVELOPMENT REVIEW STAFF REPORT

one canopy tree shall be planted between the back of curb and public sidewalk in the area provided for each 75 feet of linear right-of-way frontage. The spacing between trees can vary to accommodate driveways, utility crossings, crosswalks, and building facades. All public streets within the develop shall adhere to these requirements.

9. If approved, the applicant will need to subdivide the property following the established major subdivision process.
10. A Traffic Impact Analysis (TIA) has been completed and accepted by the City. The improvements required based on the TIA are required to be submitted to the City on Public Improvement Plans (PIP) and the improvements constructed, or funds escrowed prior to approval of a building permit. Required improvements include:
 - a. An eastbound right-turn lane is warranted at Access P1 & Division St.
 - b. An eastbound right-turn lane is warranted at Access P2 & Division St.
11. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this. The utility easements will be dedicated on the final plat.
12. The subject property has access to public sewer. Gravity public sewer will need to be provided for all new lots in accordance with city standards. This will require public improvement plans which will need to be constructed or escrowed before any plats could be approved.
13. There are few changing conditions in the area affected that make the proposed rezoning necessary. The Springfield Underground property to the north amended the PD to allow for multi-family residential uses to the north of the subject property. The property at the northeast corner of Division Street and Le Compte Road was recently rezoned to IC with a COD to allow for future commercial, office and manufacturing uses. Le Compte Road north of Division Street is being widened and Eastgate north of Division Street is being extended and connected into Le Compte Road further north of Division Street.
14. The range of uses in the proposed Planned Development is compatible with the uses permitted on other property in the immediate vicinity. The PD to the north allows for multi-family residential. The intersection of Division and Eastgate has existing commercial and residential uses.
15. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned. Easements for utilities will be provided on the preliminary and final plat.
16. The impact of the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity. With the proposed PD improvements, Traffic supports the request.

DEVELOPMENT REVIEW STAFF REPORT

17. Approval of the proposed zoning will not correct an error in the application of this article but rather will provide a viable use of the property subject to the provisions of the zoning district.
18. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.
19. The proposed rezoning was reviewed by City departments and comments are contained in the staff report (above).
20. The applicant held a neighborhood meeting on June 26, 2025, regarding the rezoning request. A summary of the meeting is attached (Attachment 1).
21. The public notice was advertised in the Springfield News-Leader at least 15 days prior to the public hearing. The property was posted by the applicant at least 10 days prior to the public hearing. Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 185 feet.

STAFF RECOMMENDATION:

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

PLANNING AND ZONING OPTIONS:

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

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

Planned Development No. 392

Exhibit 1 Narrative

1. Application

- a. Building or other permits may not be issued for development permitted by this planned development, nor can any changes be made to this property until the final development plan has been approved in the manner described at the end of this exhibit. All requirements of the Springfield Zoning Ordinance shall apply unless modified by the requirements and standards that follow.

2. Intent

- a. The intent of the Planned Development district is to encourage more creative and imaginative design than generally is possible under conventional zoning regulations. In addition, a development plan should be designed to ensure that the following general goals are achieved.
 - i. The proposed development shall be of such design that it will promote achievement of the stated purposes of the Springfield Comprehensive Plan.
 - ii. The development will efficiently utilize the available land, and will protect and preserve to the extent possible, natural features of the land such as trees, streams and topographic features.
 - iii. The development shall provide for harmonious and coherent site and building design that creates a sense of place.
 - iv. The quality, scale and relationship between land use, structures and site design are of vital importance in creating a healthy and livable community.

3. Uses Permitted

- a. Single Family
- b. Duplex
- c. Villas
- d. Townhomes
- e. Apartments
- f. Leasing offices
- g. Amenities

4. Use Limitations

- a. All uses shall operate in accordance with the noise standards contained in as permitted by the *Springfield Zoning Ordinance* in effect at the time of development.
- b. No use shall emit an odor that creates a nuisance as determined by Springfield City Code.

5. Intensity of Development (Density)

- a. Development shall adhere to the following standards.
 - i. The current developable area is 48.16 acres which includes all future public right of way to be dedicated.
 - ii. The proposed number of residential units is 530.
 - iii. The maximum allowable overall density is 11 units per acre.
 - 1. Single Family = 2.9 units per acre
 - 2. Duplex = 10.8 units per acre
 - 3. Villas = 5.9 units per acre
 - 4. Townhomes = 7.5 units per acre
 - 5. Apartments = 15.5 units per acre

6. Bulk, Area, Setbacks, and Height Requirements

- a. Development shall adhere to the following standards.
 - i. Single Family
 - 1. Minimum lot area.

- a. 10,000 square feet
 - 2. Minimum lot width.
 - a. 80 feet
 - 3. Minimum lot depth.
 - a. 125 feet
 - 4. Minimum Setbacks
 - a. Front: 20 feet
 - b. Back: 25 feet
 - c. Side: 5 feet
 - d. Side yard: 15 feet
 - 5. Maximum structure heights: 2 stories excluding basement
- ii. Duplex
 - 1. Minimum lot area.
 - a. 7,500 square feet
 - 2. Minimum lot width.
 - a. 75 feet
 - 3. Minimum lot depth.
 - a. 100 feet
 - 4. Minimum Setbacks
 - a. Front: 15 feet
 - b. Back: 20 feet
 - c. Side: 5 feet
 - d. Side yard: 15 feet
 - 5. Maximum structure heights: 2 stories excluding basement
- iii. Villas
 - 1. Minimum lot area.
 - a. 7,000 square feet
 - 2. Minimum lot width.
 - a. 50 feet
 - 3. Minimum lot depth.
 - a. 100 feet
 - 4. Minimum Setbacks
 - a. Front: 10 feet
 - b. Back: 20 feet
 - c. Side: 5 feet
 - d. Side yard: 10 feet
 - 5. Maximum structure heights: 2 stories excluding basement
- iv. Townhomes
 - 1. Minimum lot area.
 - a. 3,000 square feet per unit
 - 2. Minimum lot width.
 - a. 25 feet per unit.
 - 3. Minimum lot depth.
 - a. 100 feet.
 - 4. Minimum Setbacks
 - a. Front: 5 feet
 - b. Back: 20 feet
 - c. Side: 5 feet
 - d. Side yard: 15 feet
 - 5. Maximum structure heights: 2 stories excluding basement
- v. Apartments
 - 1. Minimum Setbacks
 - a. Front: 15 feet
 - b. Back: 15 feet
 - c. Side: 15 feet
 - d. Side yard: 15 feet

- 2. Maximum structure heights
 - a. 4 stories excluding basement
- vi. All setbacks are measured to the building foundation and not the roof overhang.
- vii. Accessory structures such as dumpsters are not required to meet setback requirements.

7. Design Requirements

- a. Building Design Requirements: The overall design intent of this development is to promote various housing types within a new living community consisting of Single-Family Homes, Villas, Townhomes, Duplexes and Apartments. Large community exterior/interior amenity spaces are provided for the entire development connected with pedestrian sidewalks. Refer to attachment showing conceptual exterior elevation for Apartment and Townhomes. These are not intended to show the final exterior elevations rather to show the general size, massing and materials of the buildings.
 - i. Building Facades: All sides of buildings visible to the public, whether viewed from the public right-of-way or a nearby property, shall display a similar level of quality and architectural finish. This shall be accomplished by integrating architectural variations and treatments such as windows and other decorative features into all sides of a building design. Two or more of the following design elements shall be incorporated for each fifty (50) horizontal feet of a building façade:
 - 1. Changes in color, texture or material.
 - 2. Projections, recesses and reveals expressing structural bays, entrances, or other aspects of the architecture.
 - 3. Groupings of windows or fenestration.
 - ii. Building Materials and Colors: Variations of brick, stone, cement siding and wood trim (as generally shown on attachments) to provide a residential feel to the development.
 - 1. Prohibited Materials:
 - a. Metal shall not be used as a primary exterior surface material. It may be used as a trim material covering no more than ten (10) percent of the façade.
 - b. Vinyl Siding shall not be used. Cementitious siding is allowed.
 - c. Fluorescent colors are prohibited.
- b. Parking Requirements
 - i. Parking as permitted by the *Springfield Zoning Ordinance* in effect at the time of development.
 - ii. Single family, duplexes, villas, and townhomes – Each unit shall have 1 garage space and 1 additional parking space in the driveway.
- c. Alley Design Requirements
 - i. 15' width (minimum)
- d. Retaining Walls
 - i. Outcropping Stone – This wall type can be used for walls of any height.



- ii. Brutus Wall Block – Walls less than 30 inches in height or walls stemming from the building.
- iii. Split Face Block – Walls less than 30 inches in height or walls stemming from the building.

8. Open Space, Landscaping, and Screening

- a. Open Space Requirements
 - i. Minimum open space = 20%.
 - ii. Maximum impervious area = 80%
- b. Landscaping. The landscaping and screening provisions are intended to improve the physical appearance of the district, to improve the environmental performance by contributing to the abatement of heat, glare and noise, and by promoting natural percolation of storm water and improvement of air quality; to buffer potentially incompatible land uses from one another; and to conserve the value of adjoining property and neighborhoods.
 - i. Landscaping standards.
 - 1. Tree species, sizes and spacing shall be approved consistent with the City of Springfield's Arboricultural Design Guidelines on file with the Planning and Development Director or as permitted by the *Springfield Zoning Ordinance* in effect at the time of development.
 - 2. Tree preservation. Preservation of each healthy existing tree of an approved species that is at least four and one-half (4-1/2) inches caliper shall count as two (2) trees toward fulfillment of the tree requirements of this District.
 - 3. Maintenance of required landscaping. Upon installation or preservation of required landscape materials, appropriate measures shall be taken to ensure their continued health and maintenance. Required materials that do not remain healthy shall be replaced consistent with this article.
 - ii. Bufferyards - Required bufferyards on a lot or tract shall be installed when the lot or tract is developed.
 - 1. Required bufferyard between wet detention and parking
 - a. Provide a solid evergreen hedge along the edge of parking. The hedge shall achieve a minimum height of 3' at the first two years of installation and shall continue to achieve this height thereafter. Canopy trees shall be spaced at 50-foot intervals, and one understory tree shall be placed midway between each two

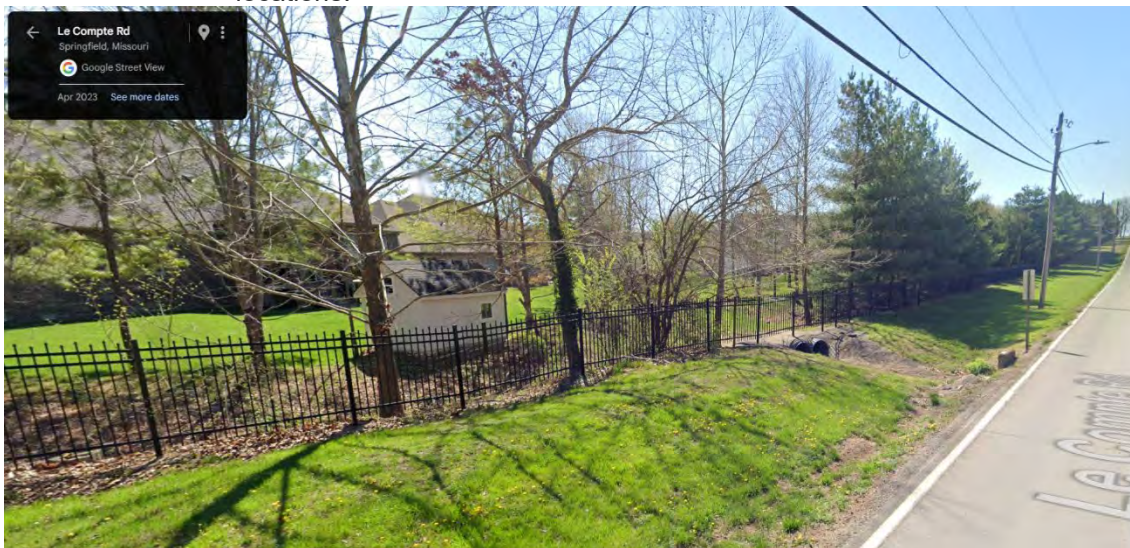
- Canopy trees. Offset the hedge and tree trunks from the back of curb (or parking blocks) to allow for bumper overhang.
2. Required bufferyard along eastern property line
 - a. For each 100 linear feet of apartment use abutting the existing single-family property to the east, provide 1 canopy tree, 2 understory trees, 2 evergreen trees, and 10 shrubs. The minimum depth of the bufferyard is 15'. If the bufferyard depth is 20' or greater the plant quantities can be reduced by 20%.
 - iii. Streetscape requirements – To provide a pedestrian oriented streetscape, street trees have been added to one side of each street between the street curb and the public sidewalk. Given that this is often in conflict with a utility corridor, a 10' utility easement will abut and parallel the r/w on private property. A minimum of one canopy tree shall be planted between the back of curb and public sidewalk in the area provided for each 75 feet of linear right-of-way frontage. The spacing between trees can vary to accommodate driveways, utility crossings, crosswalks, and building facades. All public streets within the development shall adhere to these requirements.
 - iv. Parking lot and vehicular use area landscaping requirements
 1. Perimeter Landscaping. Perimeter landscaping shall be provided where a parking lot or vehicular use area is within 50 feet of a public right-of-way, excluding alleys, and there is not an intervening building. Perimeter landscaping areas shall be protected from vehicular encroachment or overhang through appropriate wheel stops or curbs.

The perimeter landscape treatment shall consist of the following:

- a. A landscape area located within 30 feet of the adjacent street right-of-way containing at least ten square feet of open space for each one foot of street frontage. The landscape area shall be arranged to create a strip at least five feet wide directly adjacent to the street right-of-way and to accommodate the required plantings. If a utility easement is in the same corridor, required trees may be placed just outside of the easement. Preference shall be given to massing landscape areas at access drives to the site. The perimeter landscape area shall not be counted towards the required interior landscaping area for the parking or vehicular use area.
- b. The plantings within the perimeter landscape area shall consist of at least one canopy tree, one understory, ornamental, or evergreen tree and four shrubs per 100 linear feet of street frontage.
- c. The landscape area located directly adjacent to the street right-of-way may be reduced to less than five feet in width but not less than two feet in width when at least 12 square feet of open space for each one foot of street frontage is provided. At least 75 percent of the required landscape area shall be located within 30 feet of the adjacent street right-of-way. The remaining 25 percent of the required open space shall be provided elsewhere on the site. In addition to the landscaping required above, four shrubs shall be planted on the site with preference given to locations within or adjacent to the parking area.
- d. Necessary accessways from the public right-of-way shall be permitted through all such landscaping. All accessways shall comply with the Springfield City Code at the time of development.

2. Interior Landscaping.
 - a. A landscaped area must abut paved areas on at least two sides or more than 50 percent of the landscaped area perimeter to qualify as an interior landscape area.
 - b. Interior landscape areas shall be protected from vehicular encroachment or overhang through appropriate wheel stops or curbs.
 - c. Interior landscaping shall be provided in general conformance with the attached Preliminary Development Plan attached.
- c. Screening and fencing.
 - i. *Location and height of required screening.* The following shall be required in addition to any bufferyard required, unless a screening structure is provided as a part of the bufferyard design.
 1. *Refuse storage areas.* For all uses other than single-family, two-family and townhouse dwellings, refuse storage areas visible from the property line shall be visually screened by a solid fence or wall, not less than the height of the refuse storage containers, on all sides except the side used for refuse pick-up service. Such side shall not be required to be screened
 2. *Household resource recovery collection centers.* Unless inside a building, collection containers and any equipment for household resource recovery collection centers shall be visually screened by a solid fence or wall six feet high on all sides except the side used for drop-off of resources. Such side shall not be required to be screened. The collection containers and equipment shall be arranged so that they are screened from residential districts and public rights-of-way. Signs, advertising the collection center and materials collected, may be placed on the fence or wall in addition to any freestanding signs on the property.
 3. *Mechanical and electrical equipment.* Mechanical and electrical equipment, such as air conditioning units, shall be screened from public view as space allows.
 - a. Screening of mechanical and electrical equipment for single-family detached and duplex dwellings meets the screening requirements of this section if the equipment is located behind the front building line of the main structure. Equipment may not be able to be screened along the street frontages as this equipment will likely be in a utility easement.
 - b. Mechanical or electrical equipment for other residential and nonresidential uses shall be visually screened from all residential districts, when the equipment is located within 200 feet of a residential district, and public rights-of-way by a wall, fence or landscaping not less than the height of the mechanical or electrical equipment. Screening is required whether the equipment is located on the ground or on the roof of a structure. For this article, mechanical and electrical equipment includes equipment that provides service to building, such as air conditioning units and does not include industrial processing equipment, such as conveyors and dust collectors.
 4. *Maintenance and other equipment.* Unless stored in an enclosed building, maintenance and other equipment shall be visually screened from adjoining property and public rights-of-way if required by the zoning district in which the property is located.
 - ii. *Screening standards.* Any of the following types of screening will satisfy the requirements of subsection.

1. *Screening alternate A.* Screening alternate A shall consist of a solid masonry or concrete wall.
 2. *Screening alternate B.* Screening alternate B shall consist of a landscaped earthen berm. Side slopes of berms shall have a minimum of two feet of horizontal distance for each one foot of height. Berms shall contain such drainage provisions as may be required by the ordinances of the city.
 3. *Screening alternate C.* Screening alternate C shall consist of a solid wood fence.
 4. *Screen alternative D.* Screening alternative D shall consist of an evergreen hedge at least two-thirds the minimum height required at the time of planting and shall be planted and maintained to form a continuous, unbroken, solid, visual screen which shall be at least the minimum height required within two years after time of planting.
- iii. *Fencing Along Division Street.* Fencing shall be like the fencing seen below (Ameristar Montage or approved equal) along the single-family residential area. Fencing in all other areas along Division Street are not required but may be installed. If installed, the fence must also match the Ameristar Montage style. Wood fencing is not allowed in any locations.
 - iv. *Fencing Along Le Compte Road.* Fencing shall be like the fencing seen below (Ameristar Montage or approved equal). Wood fencing is not allowed in any locations.



- v. *Maintenance.* The owner of the property shall be responsible for maintaining, in a neat and orderly manner at all times, all required screening materials. Plant materials which die shall be replaced with healthy plant material of similar variety and meeting the size requirement of this section
- vi. *Buffer areas.* Whenever landscaping and bufferyards of this P.D. requires the installation of a buffer area, the screening required by this section should be construed to be an additional requirement.

9. Exterior Lighting

- a. The requirements and standards of the Springfield Zoning Ordinance, in effect at the time of the time of development shall apply.

10. Access to Public Thoroughfares

- a. Access to the public street system, as shown on the attached exhibits, shall be governed by the existing standards as permitted by the City of *Springfield* in effect at the time of development for the applicable street classification.

- b. Internal public roadways are proposed as Local Residential classification and shall have a dedicated 50 foot right of way. Division is classified as a Primary Arterial and Le Compte is classified as a Secondary Arterial.
- c. Internal and external site triangles will be provided in accordance with City of Springfield design standards:

RIGHT-OF-WAY TRIANGLE REQUIREMENTS

Intersection of With	Expressway	Primary Arterial	Secondary Arterial	Collector		Non- Residential Local	Residential Local	Marginal Access
Expressway	A	A	A	B		B	B	B
Primary Arterial	A	A	A	B		B	C	C
Secondary Arterial	A	A	B	B		C	D	D
Collector	B	B	B	C		C	D	D
Non-Res. Local	B	B	C	C		C	D	E
Residential	B	C	D	D		D	E	E
Marginal Access	B	C	D	D		E	E	E

KEY:

- A – 100' X 100' ROW triangle w/separate right turn lanes
- B – 30' X 30' ROW triangle w/50' corner radii
- C – 10' X 10' ROW triangle w/30' corner radii (or 15' ROW radius)
- D – 10' X 10' ROW triangle w/20' corner radii (or 15' ROW radius)
- E – No ROW triangle w/15' corner radii

11. Signs

- a. The requirements and standards of the Springfield Zoning Ordinance, in effect at the time of development, shall apply.

12. Required Improvements

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

Works that the required improvements will be completed as required by this ordinance within a reasonable time.

- c. Required improvements. Improvements necessary to adequately accommodate the intensity of development in this District include the following.
 - i. Street improvements as defined in the approved traffic study.
 - ii. Sanitary sewer facilities required to provide public sanitary service to each parcel.
 - iii. Storm water regional management facilities as shown in the attached exhibits.
- d. Improvement Standards.
 - i. Improvements shall conform to the following standards.
 - ii. All new utilities and utility connections shall be located underground, including, but not limited to, electrical and telephone cables, security and other telecommunication systems and wires. Transformers, meters of any type (including electric, gas or other meters), or other apparatus shall be adequately screened and landscaped.

13. Maintenance of Common Areas and Facilities

- a. The maintenance of common areas, all amenities, and stormwater facilities (ponds, basins, and stream corridor) within the Planned Development shall be assumed by a duly constituted property owners association meeting all legal requirements prescribed by the City Attorney.

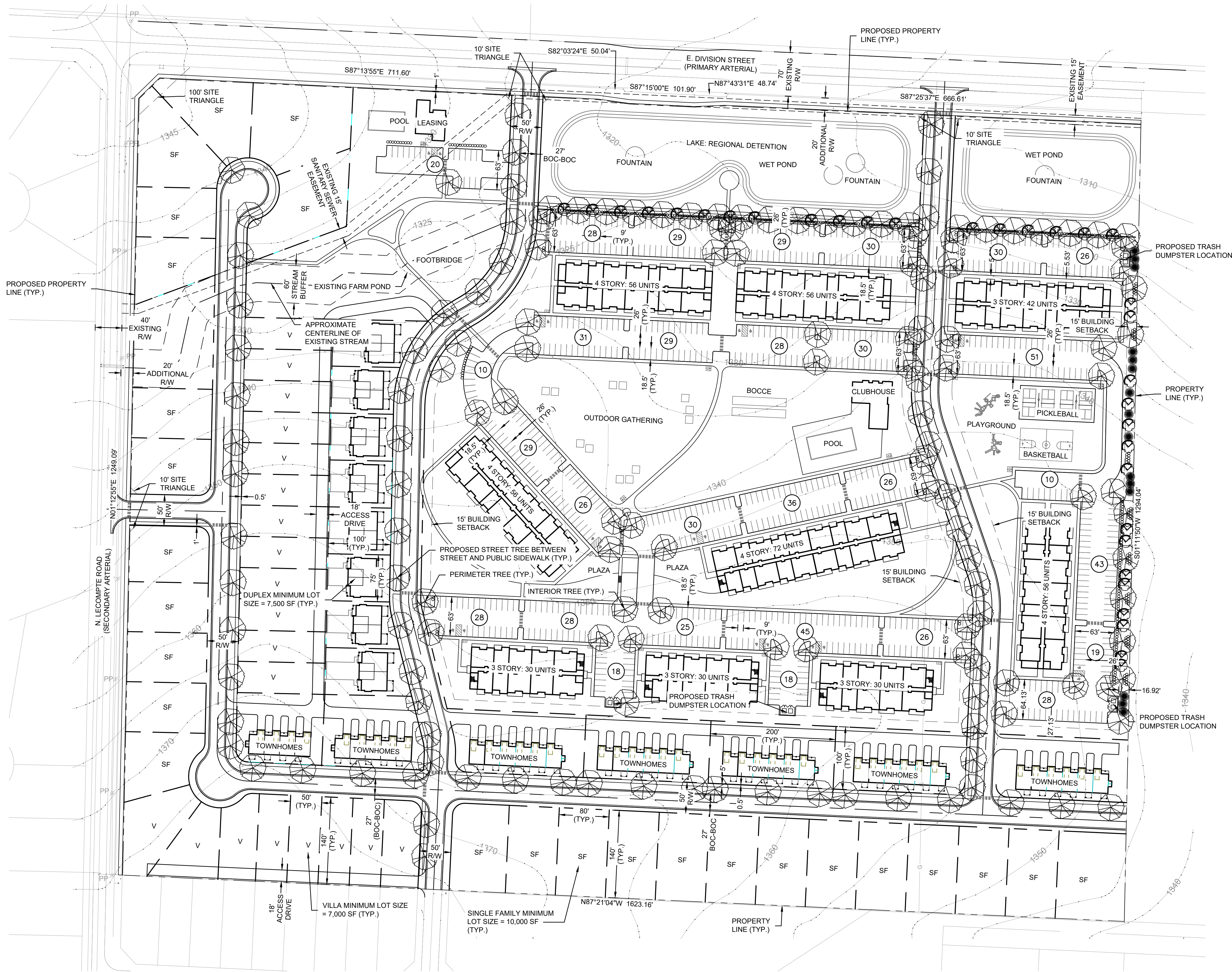
14. Phasing

- a. Development may be phased provided that all public improvements directly related to each phase are completed at the time of its development and that improvements serving the District as a whole and the adjoining area are completed in a sequence assuring full utility of the District as a whole and all areas within the District and so that future public improvements required by this ordinance or other applicable ordinances of the City are not compromised or rendered unduly difficult.
 - i. The development is anticipated to be completed in 3 phases. The first phase is anticipated to be completed within 2 years of zoning approval, at the latest.

15. Final Development Plan

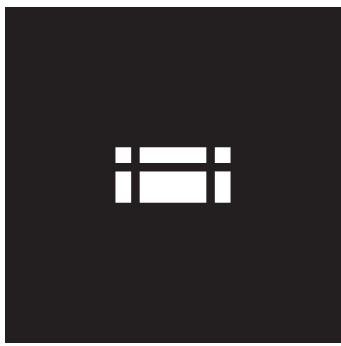
- a. A final development plan, showing conformance with the requirements of this Exhibit, shall be submitted to the Administrative Review Committee and approved in the manner described below prior to the issuance of any building permits or prior to the commencement of any of the permitted uses or improvements permitted or required by this exhibit. Development of this District shall be in accordance with the approved final development plan. Final development plans designating the location of uses shall be submitted to the Administrative Review Committee, either as a whole or in phases.
 - 1. The intent of Exhibit 2 is to illustrate the general improvements. The site plan is subject to change but will maintain conformance with the stipulations mentioned above. A final development plan shall only be approved if it is in substantial conformance with Exhibit 2 as defined by Subsection 36-405 (9) (c) of the Springfield Zoning Ordinance.

2. The final development plan shall be submitted for Pre-Development Review and then submitted to the Administrative Review Committee for review. The Administrative Review Committee is hereby authorized, at its discretion, to approve minor adjustments and modifications to the site plan per section 36-405 (9) (c). Such authority shall not, however, be construed to permit:
 - A. Any uses within the District other than those specifically prescribed by the ordinance.
 - B. Any increase in the intensity of use permitted within the district.

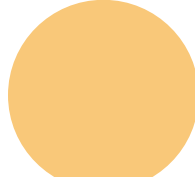
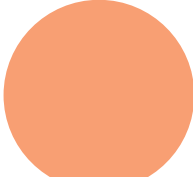
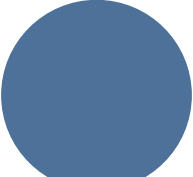
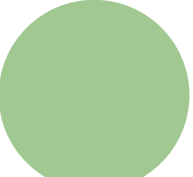
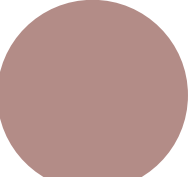


SHEET
1 of XX

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hdesigngroup

-  apartments
-  townhome
-  duplex
-  single-family lot
-  villa lots

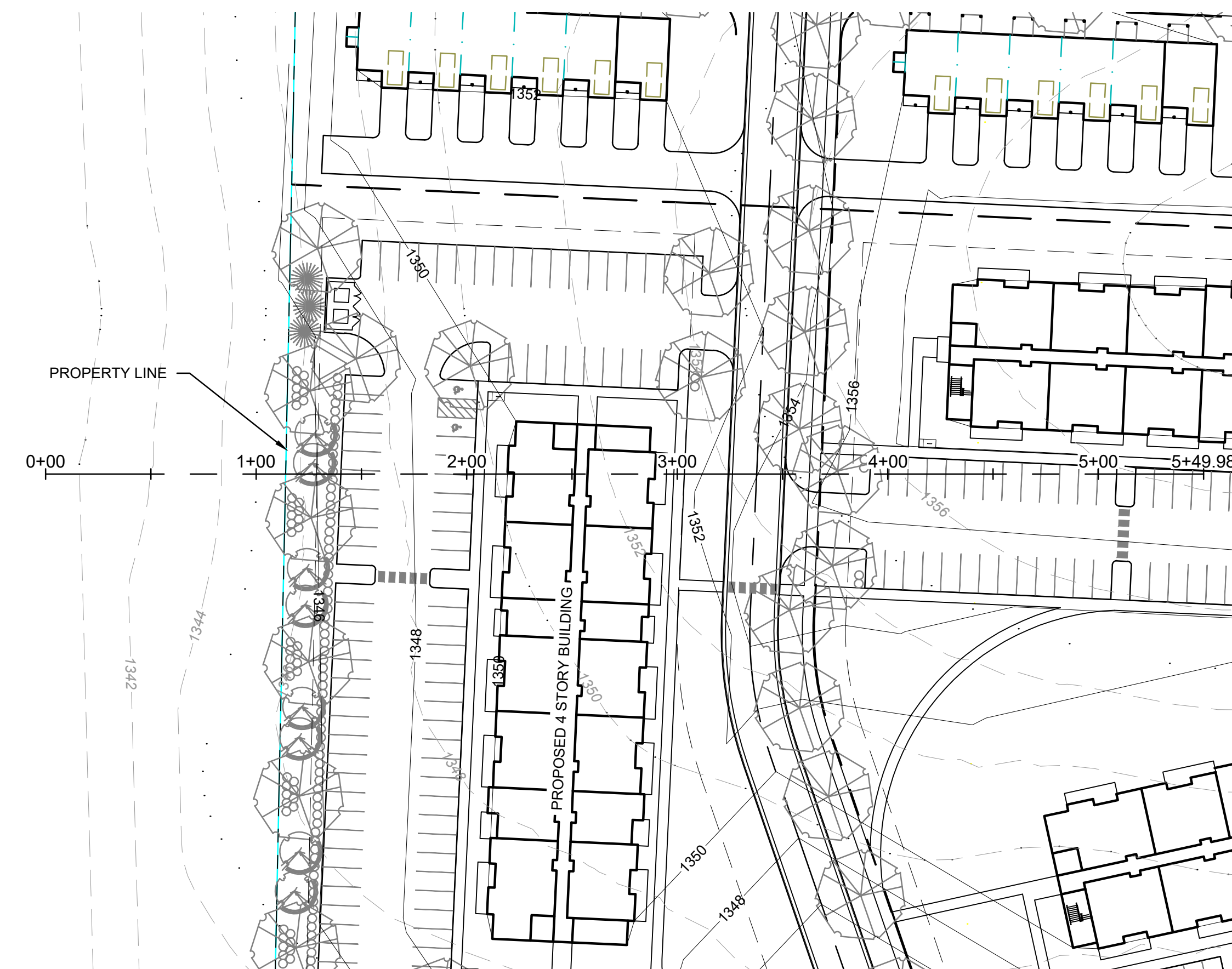
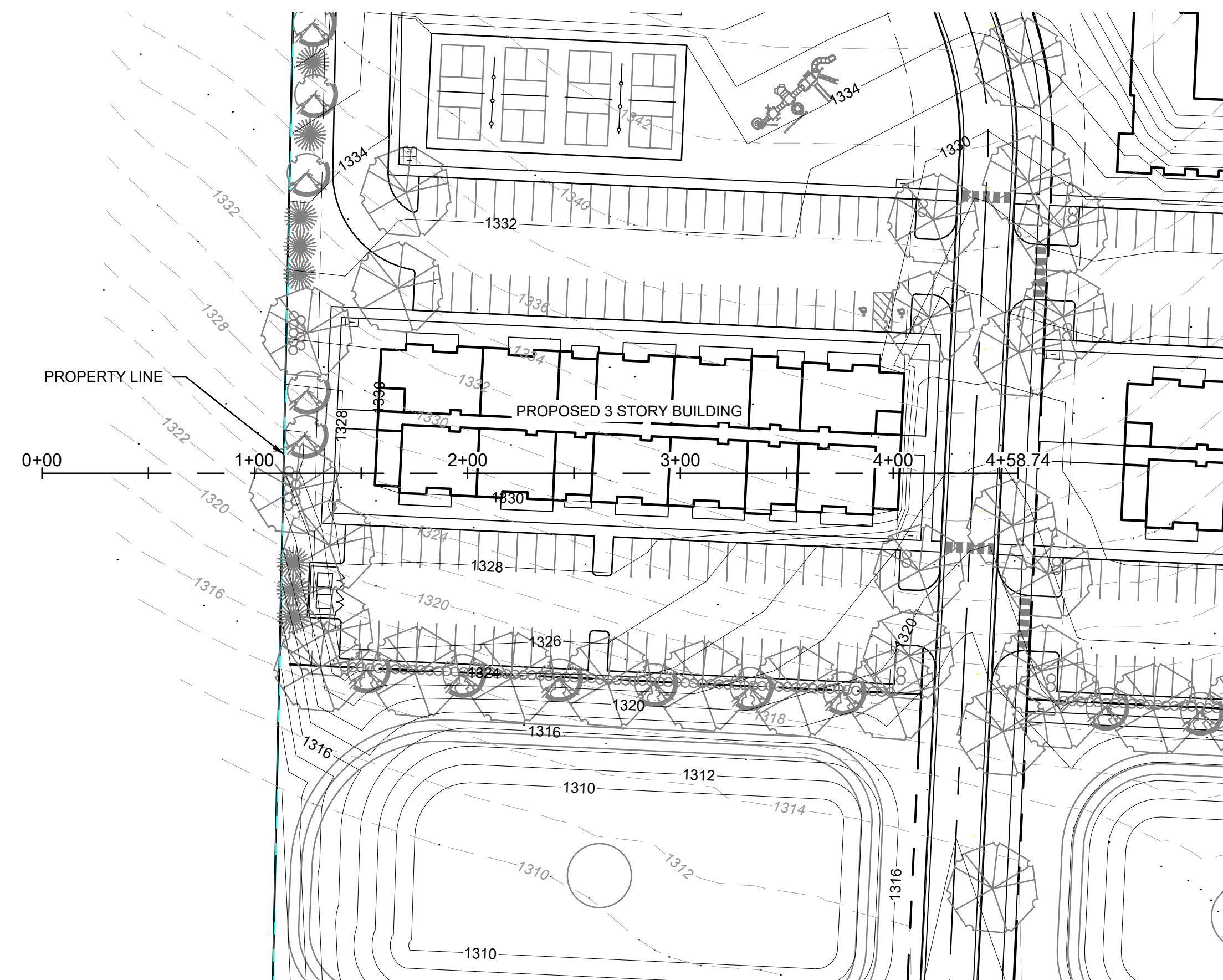
division & le compte development



townhome elevation example



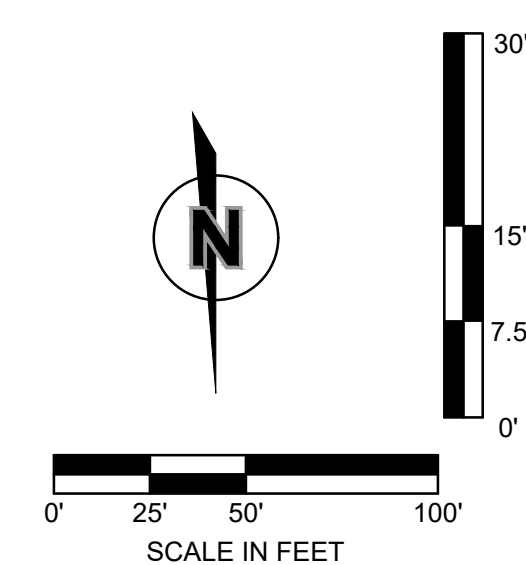
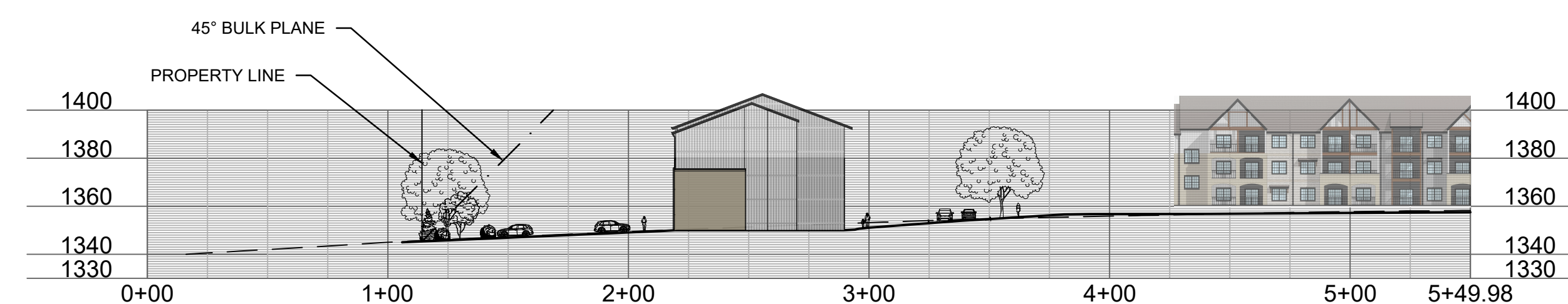
apartment elevation example



SITE SECTION #1
STA: 0+0.00 - 4+58.74



SITE SECTION #2
STA: 0+0.00 - 5+49.98



olsson®

550 East St. Louis Street
Springfield, MO 65806

olsson.com
TEL 417.890.8802
FAX 417.890.8805

Olsson - Landscape Architecture
Missouri COA #2005000285

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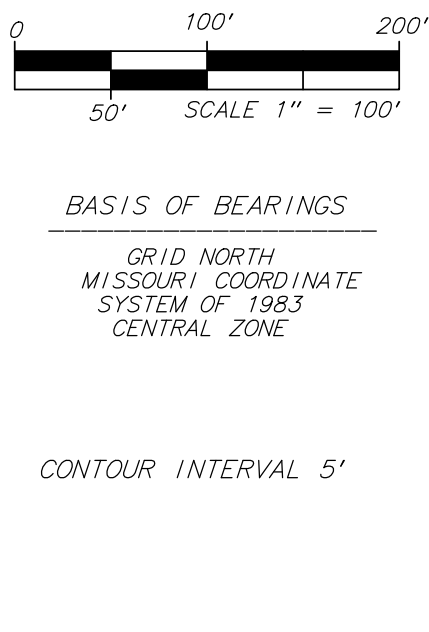
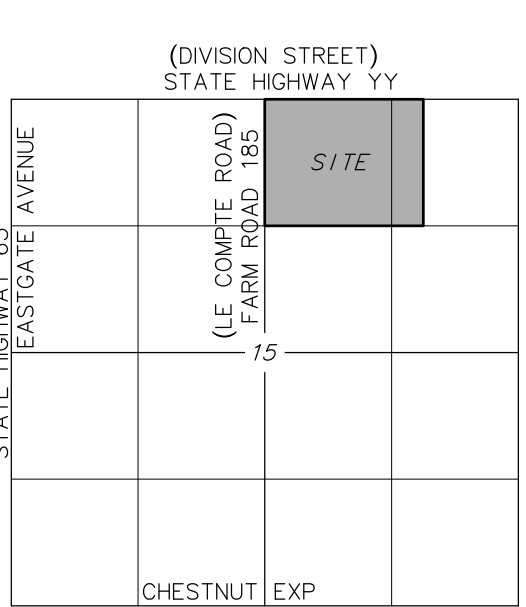
PLANNED DEVELOPMENT EXHIBIT
PRELIMINARY SITE SECTIONS PLAN

NAPREDAK BUILDERS, LLC
3830 E. DIVISION STREET

SPRINGFIELD, MISSOURI

drawn by: RPJ
designed by: JKE
project no.: 025-01404
date: 06.09.2025

SHEET
2 of XX



SITE BENCHMARK

Elevation Benchmarks: GR09AZ
Intersection: Lecampe @ Division
Location: SW Quadrant
Set By: DNR
Northing: 507,002.41
Easting: 1,431,912.62
Elevation (feet): 1,348.55

SURVEY FOR NAPREDAK BUILDERS, LLC

A PART OF THE NORTHEAST QUARTER OF
SECTION 15, TOWNSHIP 29 NORTH, RANGE 21 WEST
GREENE COUNTY, MISSOURI

3830 E DIVISION STREET, SPRINGFIELD, MO

LINE	BEARING	DISTANCE
L-1	S 01°11'50" W	34.39'
L-2	N 45°43'33" E	63.16'
L-3	S 82°03'24" E	50.04'
L-4	S 87°15'00" E	101.90'
L-5	N 87°43'31" E	48.74'

DEED LEGAL DESCRIPTION

BOOK 2010 PAGE 001057-10

ALL OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHEAST QUARTER (NE1/4), AND THE WEST TEN (10) ACRES OF THE NORTHEAST QUARTER (NE1/4) OF THE NORTHEAST QUARTER (NE1/4) ALL IN SECTION FIFTEEN (15), TOWNSHIP TWENTY-NINE (29) NORTH, RANGE TWENTY-ONE (21) WEST IN GREENE COUNTY, MISSOURI, AND CONTAINING FIFTY (50) ACRES, MORE OR LESS AND EXCEPT ANY PART USED FOR PUBLIC ROADWAYS.

SURVEY PROPERTY DESCRIPTION

A TRACT OF LAND, SITUATED IN THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 29 NORTH, RANGE 21 WEST, GREENE COUNTY, MISSOURI, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID NORTHEAST QUARTER OF SECTION 15; THENCE SOUTH 87°17'03" EAST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, 1640.54 FEET; THENCE SOUTH 01°11'50" WEST, 34.39 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE SOUTH RIGHT OF WAY LINE OF STATE HIGHWAY "YY"; THENCE CONTINUING SOUTH 01°11'50" WEST, 1294.04 FEET TO THE NORTH LINE OF BRISTOL PARK SUBDIVISION RECORDED IN PLAT BOOK AAA PAGE 56, GREENE COUNTY RECORDER'S OFFICE; THENCE NORTH 87°21'04" WEST ALONG THE NORTH LINE OF SAID BRISTOL PARK SUBDIVISION, 1623.16 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF FARM ROAD 185; THENCE NORTH 01°12'55" EAST ALONG SAID EAST RIGHT OF WAY LINE, 1249.09 FEET TO A POINT ON SAID SOUTH RIGHT OF WAY LINE OF STATE HIGHWAY "YY"; THENCE NORTH 45°43'33" EAST ALONG SAID SOUTH RIGHT OF WAY LINE, 63.16 FEET; THENCE SOUTH 87°13'55" EAST ALONG SAID SOUTH RIGHT OF WAY LINE, 711.60 FEET; THENCE SOUTH 82°03'24" EAST ALONG SAID SOUTH RIGHT OF WAY LINE, 50.04 FEET; THENCE SOUTH 87°15'00" EAST ALONG SAID SOUTH RIGHT OF WAY LINE, 101.90 FEET; THENCE NORTH 87°43'31" EAST ALONG SAID SOUTH RIGHT OF WAY LINE, 48.74 FEET; THENCE SOUTH 87°25'37" EAST ALONG SAID SOUTH RIGHT OF WAY LINE, 666.61 FEET TO THE POINT OF BEGINNING, AND CONTAINING 48.16 ACRES OF LAND, MORE OR LESS, SUBJECT TO EASEMENTS AND/OR RIGHTS OF WAY.

LEGEND

S/E	SANITARY SEWER EASEMENT
—1350—	EXISTING CONTOURS
—	PROPERTY LINE
---GHE---GHE---	OVERHEAD ELECTRIC
—SAN—SAN—	EXISTING SANITARY SEWER LINE
—W—W—W—	EXISTING WATER LINE
---G---G---G---	EXISTING GAS LINE
—e—e—e—	UNDERGROUND CABLE
MH	SANITARY SEWER MANHOLE
PP	POWER POLE
FH	FIRE HYDRANT
CB	CABLE BOX

REFERENCE RESEARCH

SURVEY BY HOOD RICH
DONALD L. RICH LS 1215
DATED 1-11-1988
DOC NAME Y2311377

SURVEY BY WILSON SURVEYING
RICK WILSON PLS 1970
DATED 12-23-1997
SURVEY RECORD
BOOK 5490 PAGE 623

FINAL PLATS
BRISTOL PARK SUB
PLAT BOOK AAA PAGE 56
COOPER ESTATES SEVENTH ADD
PLAT BOOK MM PAGE 61
COOPER ESTATES TENTH ADD
PLAT BOOK NN PAGE 69
COOPER ESTATES EIGHTH ADD
PLAT BOOK PP PAGE 17

STATE HIGHWAY YY
MO-DOT RIGHT OF WAY PLANS

WARRANTY DEEDS
BOOK 2010 PAGE 001057-10
BOOK 2008 PAGE 010422-08

DECLARATION:

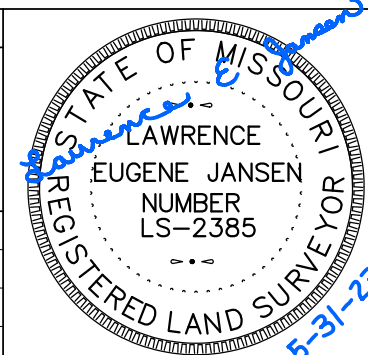
Global Precision Surveying, LLC, hereby declares to **NAPREDAK BUILDERS, LLC**. The information contained herein is based on an actual survey of the land described above, which was performed to the best of company knowledge and belief in accordance with the minimum standards for property boundary surveys as promulgated for the state of Missouri by the Board of Architects, Professional Engineers and Land Surveyors; and the Missouri Department of Natural Resources; and based on information provided by the lender. Monuments and pins shown as set were placed under my personal supervision. Physical evidences as shown is from information obtained 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 those based on information provided by others and do not represent an opinion as to title. Declaration is made to original purchaser of the survey. It is not transferable to additional institutions or subsequent owners. No attempt has been made as part of this survey to obtain or show data concerning existence, size depth, condition, capacity, or location of any underground utility. For information regarding these utilities please contact the appropriate agencies. No attempt has been made as a part of this boundary survey to obtain or show data concerning the existence of or the location of floodways and sinkholes. Existing fences are located at the corners of the property and may not be on the property line between the corners. The location and/or existence of utility service lines to the property surveyed are unknown and are not shown.

Lawrence E. Jansen 5-31-23
LAWRENCE E. JANSEN PLS 2385
DATE

CLASS "URBAN" SURVEY

EIP ● -- EXISTING IRON PIN
SIP ○ -- SET IRON PIN
---X---X--- FENCELINE
P = PLAT DISTANCE
M = MEASURED DISTANCE
D = DEED DISTANCE

Job No.: 2305-001
Date: 5-31-2023
Location: SPRINGFIELD, MO
3830 E DIVISION STREET



THIS PROPERTY DOES NOT LIE WITHIN A FLOOD HAZARD AREA AS DETERMINED BY THE FLOOD INSURANCE RATE MAP # 28077 C 0352 E DATED 12-17-2010.

GLOBAL
PRECISION SURVEYING, L.L.C.
P.O. BOX 790, REPUBLIC, MO 65738
PHONE (417) 883-0300 FAX (417) 883-0335
CERTIFICATE OF AUTHORITY
NUMBER LS-2010000563



-  EXISTING TREES TO BE REMOVED.
ALL OTHER EXISTING TREES TO BE PRESERVED. (SEE EXISTING TREE REMOVAL TABLE ON SITE CALCULATION SHEET)

 NEW SHADE TREE

 NEW UNDERSTORY TREE

 NEW EVERGREEN TREE

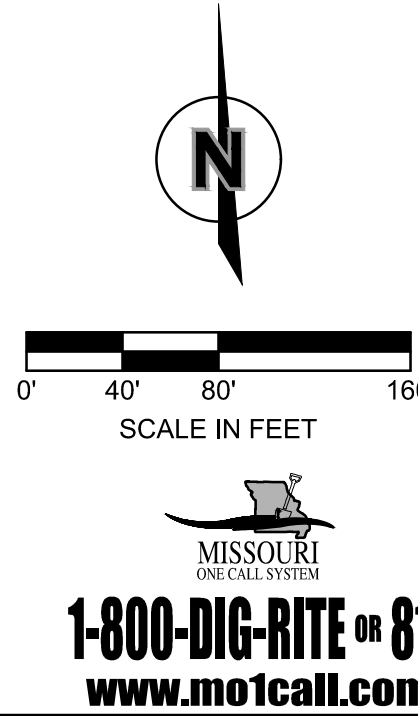
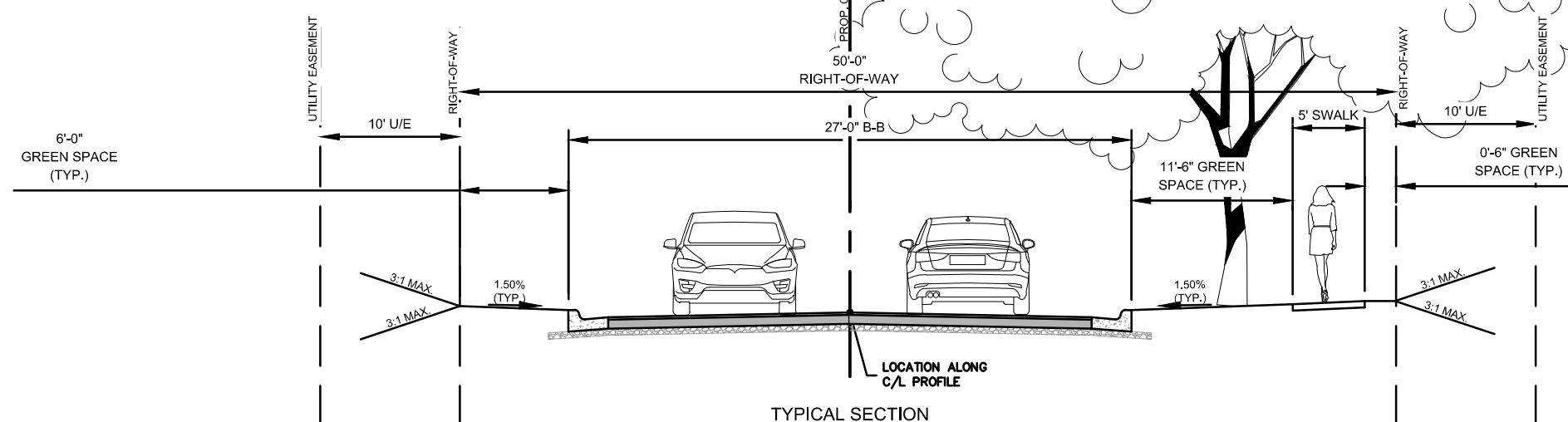
 NEW SHRUB

 EXISTING TREE TO REMAIN

LEGEND

- | | |
|----------------------------------|-------------------|
| SF | SINGLE FAMILY LOT |
| V | VILLA LOT |
| ☒ | PARKING COUNT |

NOTE: IF ADDITIONAL EXISTING TREES ARE REMOVED AS A RESULT OF CONSTRUCTION (FOR EXAMPLE, DUE TO UTILITY LINE INSTALLATION), THEN THEY WILL BE REPLACED 1 FOR 1.



AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: R-SF to Planned Development
(existing zoning) (proposed zoning)
2. Meeting Date & Time: June 26, 2025 from 4:00-6:30 pm
3. Meeting Location: Greenstay Hotel and Suites 222 N Ingram Mill Ave, Springfield, MO
4. Number of invitations that were sent: 100
5. How the mailing list was generated: City of Springfield Generated List
6. Number of neighbors in attendance (attach a sign-in sheet): 89
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

See attached document.

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

See attached document.

I, Ricky Haase (print name), attest that the neighborhood meeting was held on June 26, 2025 (month/date/year), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."

Ricky G Haase

Signature of person completing affidavit

Ricky Haase

Printed name of person completing affidavit

Neighborhood Meeting

Southeast Corner of Division and Le Compte Property Rezoning

June 26, 2025

4:00 p.m. – 6:30 p.m.

Name	Address	Phone
Jessica Ingram	4038 E. High Ridge Dr Springfield MO 65802	417 569-8166
Jo & Bob Shurba	3824 E. Brookdale Springfield MO 65802	417 839-7365
Gayla Floyd	1305 N Fenchurch Ln Spfld MO 65802	417-818-1118
Michelle Holder	1210 N. New Castle	417-770-4177
Carla Jones	3941 E Windsmore Dr	636-229-2811
Wyll Patten	3941 E. Windsmore P	417-813-3156
Connie Kaiser	3893 E Windsmore	914-720-6247
Erica Gaynor	3965 E Windsmore	417 766-2208
Tim Chumy	1651 N. Bridal Ave.	417-379-9131
Barb Rurak	4035 Brookdale Terr	503-593-4167

Robert + Mary Luke 1306 N Fenchurch Ln 417-848-8528

Janae Jacobs 3905 E Brookdale Terr. 417-773-6202

550 St Louis Street / Springfield, MO 65806

☎ 417.890.8802 / olsson.com

OVER

Pam & Bernie Buorier	1155 N. Chesire Ct.	417-887-5681
Lucian + Patty Moné	1326 N Lennox Ct	386 2258901
Dublin Jones	1327 N Lennox Ct	417-234-2847
Dennis + BARBARA BROZOWSKI	3836 E. Brookdale Ter	417-319-5048
Joyce Snyder	1229 N New Castle Ave	417-849-0359
Jack Howard	65803 1150 N. Chesire Ct	417-859-7586
Heidi Howard	1150 N. Chesire Ct.	417-818-6666
Linda Hills	1227 N. Yarberry Ct.	417-840-4002

Neighborhood Meeting

Southeast Corner of Division and Le Compte Property Rezoning

June 26, 2025

4:00 p.m. – 6:30 p.m.

Name	Address	Phone
Phil Jones	1405 N. ARISTOC	309-360-4248
RALPH & BEVERLY TETER	3840 E. BROOKDALE DR.	417 332 5854
OT. & Sharon Brewer	3649 E. Cromwell	417-234-7264
BOB HONG	1122 N. NEW CASTLE	815 -685-5420
Kathy Christy	4313 E. KENTBROOK DR.	417.224.2826
Marilyn Dennis	3701 E. Cromwell Lane	417-866-7121
Doug + Jan Block	3505 E Cooper Blvd	417-224-4569
Hubert Morris	3627 E. Sheffield Way	417-818-9231
David Rosenbluth	4459 E Kentbrook	972 834-3634
Ben Shantz	2144 E Republic RD	417-888-1000
Michelle Jacobs	3905 E Brookdale Terrace	417-861-6308

Neighborhood Meeting

Southeast Corner of Division and Le Compte Property Rezoning

June 26, 2025

4:00 p.m. – 6:30 p.m.

Name	Address	Phone
Donald Melton	3924 E Windsmore Dr	417-830-3918
Nancy Hudson	1360 N. Cooper Blvd	417-863-6061
Ken Albin	4441 E Sherwood St.	417-840-8915
KEITH ABERCROMBIE	1236 NEWCASTLE AV.	417-838-0258
Betsy Carroll	3739 E. Cronwell Ln	417 849-4556
David & Shelia Childers	3811 E. Brookdale Ter	417-839-5405
Yina & Mark Stillwell	3660 E. Sheffield Way	417-862-7962
Dory Ann & Royce	3738 E. Cronwell Ln	417 8603 / 69
Tim & Leslie Kilgus	1164 N CHESIRE CT	417-880-9227
Sean & Christine Lashmet	1412 N. Cooper Blvd	417-827-6125

Bob & Barbara Schneider

3827 E. Brookdale Terr

417-343-8554

Brock Jacobs

3905 E Brookdale Terrace

417-773-6481

550 St Louis Street / Springfield, MO 65806

O 417.890.8802 / olsson.com

Neighborhood Meeting

Southeast Corner of Division and Le Compte Property Rezoning

June 26, 2025

4:00 p.m. – 6:30 p.m.

Name	Address	Phone
Ernest & Tracy Curry	851 N. Summercreek Ct Springfield 65802	417-766-0828
Ken & JAT CAREER	1302 N. Fenchum Ln	417-849-3030
Michael R. Smith	1465 N. Bristol Ave	417-988-4792
MARK NELSON	4404 E. KENTBROOK DR	417-236-4940
David L. Luytman	119 N. Fairbrook	417-693-0513
PT & WALKER	3218 E. Kambert Ln	417-866-3688
Jean Grabbeel	1241 N Cooper Blvd	417-459-5344
Dale Fagerland	3638 E Cromwell CT.	417-848-3786
Randy Norrweik	3660 Cromwell	417-664-2877
Jennifer Feller	3819 E Brookdale Ter	615 927 3862
Steve & Noriko Makoski	4225 Bristol Ln.	417-576-0125

Neighborhood Meeting

Southeast Corner of Division and Le Comte Property Rezoning

June 26, 2025

4:00 p.m. - 6:30 p.m.

LORI Scott

1413 N. Fenchurch Ln

573 719-4318

Name	Address	Phone
Andy & Suzanne Baugh	771 N. Summerbrook Dr.	860-8751
PAT & CAROL BARR	1165 N NEWCASTLE	417-849-1499
Mike & Heather Ulmer	784 N. Fallbrooke Ter	417-399-7300
Maksim & Yelena Popov	3538 E Cooper Blvd	405-326-2731
Norma Gaddner	3832 E Brookdale Terr	417-234-0018
Dennis & Brenda Quinn	4056 E High Ridge Ln.	417-326-9220
Todd Chambers	1393 N. Bristol Ave.	417-889-4444
Lydia & Chris Regier	791 N. Fallbrooke Ter	417-328-8832
Mark Axford	1170 W Scarlett Hwy	843 566-4105
Mike & Karen Boatright	3823 E. Brookdale Terr	417 840-1346

Allen + Michelle Jacob 3905 E Brookdale Ter 417-861-6307

MEETING NOTES

Neighborhood Rezoning Meeting

Project Name:	3830 E Division Street Proposed Development
Project Location:	Springfield, MO
Client:	City of Springfield
Project Manager:	Ricky Haase
Date:	06/26/2025

1) List of verbal comments and how we plan to address any issues:

- a) **How many units are going in?**
 - 1) 530 units in total.
 - 2) We answered how many 1, 2, and 3 bedroom apartments there were.
- b) **Are those sticks and nails? (What will they be made of)**
 - 1) There is brick, stone, etc. That is all listed in the planned development.
- c) **Why are we putting so many people in such a little space?**
 - 1) To provide a mixed/diverse housing type. Not everyone wants a single family home.
- d) **Who is paying for public improvements? Is the City contributing?**
 - 1) This project is entirely privately funded. All required design, construction, public improvements, etc are paid for by private funding.
 - 2) The current Le Compte/Division active project has private and public dollars involved.
- e) **A lady talked to planning and zoning on September 4th. Property used to be zoned for agricultural purposes. Noted that nobody knew about the switch from agriculture to R-SF nor annexation.**
 - 1) The city doesn't have an agricultural zoning so when the annex happens, it automatically is zoned to R-SF. There was a public notice sent out about the change and annexation. We were not required to do mailers and post signs for this.
- f) **Are there hard numbers about how many cars are going to be added or kids added to schools? How many cars are going to be on the road? Can it be handled?**
 - 1) MoDOT owns and operates roads, traffic study has been done, MoDOT is currently reviewing.
 - 2) Please ask the City Council the question about the schools. This project is phases over 5+ years so the impact would not be immediate. School districts have time to plan for this.
- g) **What are the results of the traffic study? What is the volume of traffic?**
 - 1) We do not have the traffic study approved yet, but the study includes current traffic volumes, current traffic plus development, and it looks at future growth.
- h) **Is there an impact on the schools? Can they handle the extra people? How would children get to school?**

- 1) That would be a question for the city council. The school districts are made aware of these projects and have time to plan around them.
- i) **How many parking spots are planned out?**
 - 1) We provided the number of parking spots, garages, parking in driveways, etc.
- j) **Is this R3 zoning?**
 - 1) That would only be if we did the whole development was apartments. We are proposing a planned development.
- k) **How much are you charging for rent? What is the price of apartments?**
 - 1) They are on the higher end. APPROXIMATELY \$1,300-\$1,500 per month for a 1-bedroom apartments. All other units go up for there.
 - 2) The homes will be APPROXIMATELY \$400,000-\$600,000.
- l) **Comprehensive plan of Springfield talks about single family residence only, not apartments. Have we had conversations with the city about a variance other than the comprehensive plan?**
 - 1) That's what this is, we are asking for a higher density to rezone the property.
- m) **Nicer living gets destroyed, what is keeping this from getting run down?**
 - 1) Long term residency, developer owns and is keeping rentals, everything is in an HOA, HOA dues are used to upkeep the facilities.
- n) **Is there anything built that is a good example of growth?**
 - 1) The Lakes at Wild Horse are very similar for single family. Stone Creek Falls (Republic MO) is the same developer and would be a good example of apartments.
- o) **Who is the developer, are they local?**
 - 1) Napredak Builders and Canyon View Capital
- p) **Are there provisions for the sinkhole?**
 - 1) Yes, leaving it as greenspace
- q) **Have you considered the other development further south of this one?**
 - 1) That is a MoDOT question on what their roadway networks plans for. Our traffic study accounts for our development only.
- r) **Is Le Compte Rd going to have a signalized turning area?**
 - 1) There is a turn lane going in on Division and Le Compte at our entrances but the traffic study does not currently recommend a traffic signal at Division and Le Compte.
- s) **What happens at the south entry of the property? We had been told it was an emergency exit only.**
 - 1) Connects to road that is stubbed. We have no issue with making it an emergency exit, but the city told us it needs to be an open public street.
- t) **When we look at traffic, we must look at the bigger picture, not just the added development. It is all dependent on each other.**
 - 1) MoDOT is doing exactly that. They are looking at the entire area with anticipated uses.

- u) **Is Le Compte not being widened?**
 - 1) Yes, it is being widened the entire length between Kearney and Division.
- v) **Who at the city is okay with this much traffic in one area?**
 - 1) We have coordinated with Public Works and MoDOT.
- w) **What are the target dates?**
 - 1) Breaking ground 1st of next year, at the earliest. 3 phases, finished in 3-5 years, at the quickest.
 - 2) We are still developing the 3 different phases and how it will split up. Generally, will develop from North to South. We would mass grade the entire site initially.
- x) **To the east there is a horse farm being sold. If that changes, another development would be there, only further adding to congestion that is already overwhelming.**
 - 1) MoDOT is aware of the area developing.
- y) **Is there any intent for this developer to purchase the farm to the east?**
 - 1) No. It was previously talked about.
- z) **On the very south side, what type of fencing is going to be between the developments. We want a 6-foot fence.**
 - 1) As of right now, there is no fence being added but we add that.
 - 2) There is a fence along the western edge per coordination with Cooper Estates HOA.
- aa) **Neighbor to the south thought there was an access easement on our development.**
 - 1) We said we would review the title work and adjust as needed at time of development.
- bb) **We asked “What would everyone like to see?”**
 - 1) It does not fit, figure out a different plan.
 - 2) Neighbors claimed they would be supportive of all single family. We explained that would not work for the project financially due to the cost of land. Also, the Comprehensive Plan states that we need more diverse housing. The missing middle housing is the issue we’re trying to address.
- cc) **Is the HOA going to allow rentals? What is the quality of the individuals?**
 - 1) There are no short-term rentals. All tenants get background checks and are screened.
- dd) **How will this growth impact stormwater?**
 - 1) All the stormwater is going to Division, as it does now. The volume and flow rate will be the same after the development as it is in the current condition as a field.
- ee) **All the people are going to have to take their kids to school, adding to traffic.**
 - 1) The idea is that this is the same trip as people heading to work as well.
- ff) **Is there any way to know what is on top of the rent and how much HOA fees are?**
 - 1) I do not have the answer to that.
- gg) **What happens to the value of current properties?**

- 1) I do not have the answer to that.
- hh) **If this was only single-family residence, how many units would there be?**
- 1) We don't have the answer to that as we did not create a layout for single family only.
- ii) **Would the developer be willing to sell?**
- 1) I can put you in contact with them if you'd like to negotiate.
- jj) **Is this already annexed?**
- 1) Yes.
- kk) **Are those city and commission meetings open to the public?**
- 1) Yes, each person gets 3 minutes to speak at each.
- ll) **What is the size of the development?**
- 1) Approximately 48 acres.
- mm) **Will there be a stoplight at Division and Le Compte?**
- 1) Not currently, but that is a MoDOT decision
- nn) **Are you going to open the road to go into the villas to the south during construction?**
- 1) This area would not happen until the final phase of construction which is, at the earliest, in 5 years.
- oo) **What would be the impact on crime rates? Is there security?**
- 1) We will have maintenance staff but no security officer.
- pp) **What police and fire departments covers this development?**
- 1) Springfield Police Department
- 2) We are waiting for a response from the fire department.
- qq) **What type of buffer is between the villas and Bristol Park?**
- 1) By code, we are not required to have buffering, but we are open to adding a fence.
- rr) **Does the city put fire gates on public roads? What are fire gates?**
- 1) It is a Knox box, the fire department can open the gate so the fire can go through, but traffic cannot.
- ss) **Who at the city is in charge of this? Can we have names?**
- 1) All contact information will be available in the Planning and Zoning and City Council packet that is released a few days ahead of the meeting.

Attachment 2

J Keith Abercrombie
1236 N New Castle Avenue
Springfield MO 65802

keithabercrombie329@gmail.com

June 23, 2025

City of Springfield
Dept of Planning and Development
P.O. Box 8368
Springfield, Missouri 65801-8368

Ref: Planned Development 392
3830 E Division St

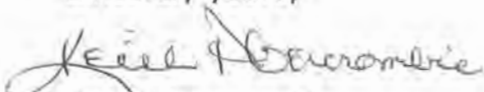
Dear Members of the Board,

We have lived in Cooper Estates for 27 years with our residence backing up to FR185 (LeCompte Road). During this time, we have enjoyed the country view and relatively quiet road that runs behind our house. We are certainly not against "growth" and have always anticipated housing developments to spring up east of us. However, the proposed development on the parcel referenced can only be seen as totally unacceptable!

This area is adjacent, and surrounded by, nice single-family homes all of which will suffer dramatic loss of property value should the development be allowed to continue as proposed! Cooper Estates consists on 90 acres and has 242 homes while this development is proposing almost 500 residents on a mere 46 acres! Almost 700 parking spaces! Undoubtedly the development will be a congested mess of unsightly apartment buildings and the traffic congestion caused by the volume of vehicles will be unbearable.

THIS DEVELOPMENT CAN NOT BE APPROVED AS PLANNED! Surely the Planning and Development Board cannot be so insensitive to the negative influence on property values and the traffic nightmare caused by such a development...all in the pursuit of a larger tax base. You can be sure that a large number of residents of our neighborhood as well as neighborhoods like Bristol Estates, Wildhorse, Hickory Ridge as well as Supreme Estates are opposed to this development as proposed!

Sincerely yours,



Keith Abercrombie

417-838-0258

Eric Anderson
4396 E Kentbrook Dr
Springfield, MO 65802

July 2nd, 2025

City of Springfield
Dept of Planning and Development

RE: Planned Development 392 located at 3830 E Division St.

I am writing **against** the above-mentioned project that is on the July 17th, 2025 Planning and Zoning meeting for the following reasons.

First, on November 11, 2022, the City adopted a Comprehensive Plan that included a Growth and Annexation Plan starting on page 56. On page 58 of that report, the City's plan for this piece of land, and the land around it, is to be zoned as *"Residential Neighborhood: Traditional. Post-war residential neighborhoods that contain predominantly single-family detached dwellings with uniform setbacks, building designs, and parcel sizes."*

The current design for the Planned Development does not conform to this definition of a Residential Neighborhood: Traditional, that the City said it wants in this location. The planned PD would be putting 530 units on just over 48 acres. That is just over 11 units per acre. The Springfield R-SF only allows for 7 units per acre. Additionally, of those 530 units, 428 units are multi family units. That means over 80% of the units will not fit the definition of *Residential Neighborhood: Traditional*.

Second, the infrastructure is not sufficient with the current traffic. I understand there are plans to improve the intersection of Le Compte and Division but those improvements would only make things adequate for current traffic needs. If you assume 1.5 cars per unit, this would add 795 additional cars (1,590 trips per day) to this already congested road/intersection.

Third, the impact to Hickory Hills K-8 school enrollment. The current enrollment is just over 800 students. This development would add over 900 doors to this school. If you assume one third of the of the units have one child that is kindergarten through 8th grade, this would increase enrollment 37.5%.

In closing, I would like to include part of the City's own Comprehensive Plan as part of my objection letter. On page 57 of the Comprehensive Plan, under the Managed Growth section, it discusses Prioritizing Positive Potential, Plan Infrastructure Investments, Balance Infrastructure Maintenance, among other things. This Planned Development does not include any of those considerations and in fact goes against many of those items to be considered for development. I would fully support this development going forward if it were developed as single family, or something that is similar in nature; 428 apartment units is not similar in nature.

Sincerely,





SHAREHOLDERS
JOHN M. CARNAHAN III, LL.M., TAXATION
JOSEPH D. SHEPPARD III
JULIE T. BROWN
THOMAS D. PEEBLES JR
DOUGLAS D. LEE, LL.M., TAXATION
CHRISTIAAN D. HORTON ¹
JAY PRESTON
ANDREW T. PEEBLES ²
DAVID K. OLIVE, LL.M., TAXATION
SHAWN P. BATTLER
JAMES E. MEADOWS

SENIOR COUNSEL
FRANK C. CARNAHAN, LL.M., TAXATION
ANDREW K. BENNETT
DOUGLAS R. NICKELL
JOHN E. PRICE

OF COUNSEL
COURTNEY L. FLETCHER ³
ROBYN A. HORTON

ASSOCIATES
NADIA D. MOLLOY
BRETT A. HODGES
JUSTIN B. CANTWELL, LL.M., TAXATION ⁴

RETIRED
C. BRADFORD CANTWELL
WILLIAM E. EVANS

CLIFFORD S. BROWN (1942-2021)
JOHN M. CARNAHAN JR (1915-1998)

July 8, 2025
VIA EMAIL AND CERTIFIED MAIL

abennett@carnahanevans.com

PRIVILEGED & CONFIDENTIAL

dneal@springfieldmo.gov

City of Springfield
Department of Planning and Development
Attn: Daniel Neal
840 N. Booneville Ave #1
Springfield, MO 65802

RE: Planned Development 392
3830 E. Division St.

Dear Mr. Neal:

I am submitting these concerns on behalf of Windsmore Homeowners Association. For the reasons stated hereunder. Our Homeowners Association is requesting that the Department of Planning and Development take one of the following actions with respect to Planned Development 392:

1. Reject the planned development;
2. Significantly reduce the density of this project; or
3. Table further consideration of this development until the residents in the area surrounding the proposed development can be provided with, and analyze, any MODOT opinions and analysis and consult with Springfield Public Schools regarding the effect of this development on affected schools.

TRAFFIC ON LECOMPTE ROAD (FARM ROAD 185)

Although the residents of Windsmore Subdivision have concerns about the effect of this development on Division Street and LeCompte Road intersection, the primary traffic concern of most residents pertains to the anticipated increase of traffic on LeCompte Road. The plan calls

¹ ALSO ADMITTED IN
OKLAHOMA AND ARKANSAS

² ALSO ADMITTED IN ARKANSAS

³ ALSO ADMITTED IN KANSAS

⁴ ALSO ADMITTED IN TEXAS,
CALIFORNIA, AND ARIZONA

Letter to Neal
Page 2
July 8, 2025

for two areas of ingress and egress on Division Street, but only one of those will allow a left hand turn onto Division Street going west. Traffic turning west onto Division Street, can then turn south onto LeCompte Road. Additionally, although the representative from Olsson suggested at the neighborhood meeting that there would be one exit directly from the subdivision onto LeCompte Road, there would actually be two entrances and exits, with one funneling traffic through the one street neighborhood of Bristol Park. This development will absolutely ruin that subdivision.

As you know, LeCompte Road is a narrow, hilly two-lane road between Chestnut Expressway and Division Street. The additional traffic from approximately 530 residential units at the corner of Division Street and LeCompte Road will create a significant safety issue on LeCompte Road. The intersection of LeCompte Road and Chestnut Expressway is already dangerous. Adding this much additional traffic will create even more safety issues.

Please do not take any further action on this Planned Development, until the residents of Windsmore Subdivision can evaluate the MODOT study.

SCHOOL OVERCROWDING

It is my understanding that Hickory Hills School is already crowded, adding 530 or so additional residential units would create even more of a burden on that school.

IMPACT OF DENSITY ON SURROUNDING

This many large apartment buildings is an astounding increase in density for this location. To change this location from what has been agricultural zoning to a Planned Development, is an unreasonable change in the character of the area. The change in density will adversely affect the value of those homes within Windsmore Subdivision which back up to LeCompte Road (although frankly, the decrease in the value of those homes may not compare to the loss in the value to the homes in Bristol Park).

Over the last few years, appropriate single-family developments have been approved along LeCompte Road, and at the south end of LeCompte Road. We can understand why the City might approve a minor increase in density at the corner of LeCompte Road and Division, however, this 530 unit proposal is not a reasonable increase in density.

If the Department of Planning and Development is not inclined to reject this proposal, I respectfully request that it at least be tabled to give Windsmore residents an opportunity to attend a more accessible neighborhood meeting. The neighborhood meeting which was held on June 26, 2024 at Greenstay, took place in a room which would not permit all of the interested people to enter the room. The moderator said that this was the only place within the authorized area where the meeting could take place. However, I am aware that Cooper Estates has a clubhouse, which could accommodate at least 200 people. It would be beneficial to all involved to have another

Letter to Neal
Page 3
July 8, 2025

meeting after neighbors in this area have had an opportunity to review the MODOT study.

Thank you for your consideration. I would be glad to discuss this matter with you or anyone in your department.

Sincerely,

A handwritten signature in blue ink, appearing to read 'AKB', with a long horizontal flourish extending to the right.

Andrew K. Bennett

AKB:kcg
18911-001/1346421

June 25, 2025

City of Springfield
Dept. of Planning and Zoning
P.O. Box 8368
Springfield, MO 65801-8368

RE: Project 3830 E. Division East of Cooper Estates

FACT 1. We have lived on the NE side of Springfield since 1980 and there is no other apartment complex like this proposal is size and scope.

Fact 2. The entire area is almost single family homes within subdivisions.

Fact 3. Traffic - Division is only a two lane road and cannot handle the additional traffic from the proposed project.

Fact 4. Springfield underground is adding more warehousing and a strip center creating more traffic.

Fact 5. The train tracks on Division west of US 65 for E & W traffic causes massive backups when trains are passing.

Fact 6. Someone from Planning and Zoning needs to come out and drive around to see the situation for themselves.

Please do not allow this development to change our landscape forever.

Regards,

Pam and Bernie Burrier
1155 N. Chesire Ct.
Cooper Estates

From: [Beth Carroll](#)
To: Zoning@springfieldmo.gov
Cc: wjfarley@gmail.com
Subject: Proposed Development at 3830 E Division Street
Date: Friday, June 20, 2025 10:16:20 AM

This is the first time you received an email from this sender (homecarroll@att.net). Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

Secured by Check Point

To Bob Hosmer, AICP Planning Manager
City of Springfield Development Review Office
840 Boonville Avenue
Springfield, MO 65801

I am writing in response to a notice I received regarding a neighborhood meeting on June 26 about a proposed development at 3830 E Division Street. My name is Beth Wannemacher Carroll, and I live at 3739 E Cromwell Lane in the Cooper Estates neighborhood. My house is located along the fence, close to the corner of Division and LeCompte. Any development will directly impact me, but I understand that land development is inevitable. However, it should be the right development for the city and for all those who already enjoy living in this area. It is important that developers consider the negative impact their current extensive development plan will have on the neighbors on all sides.

It is already difficult to exit the back gate of Cooper Estates or navigate the Division/LeCompte intersection during peak times. With the proposed Springfield Underground development traffic, and hundreds more vehicles with this development, I do not see how it will be manageable.

The current mixed development plan that includes a multi-family apartment complex will directly affect property values, overburden roadways that are already congested, create road and traffic hazards, and will inevitably lead to overly crowded classrooms at Hickory Hills elementary and junior high schools.

Please weigh all of these considerations carefully before approving the current plan.

Thank you for the opportunity to comment.

Beth W Carroll
417-849-4556

From: [Gayla Flyod](#)
To: Zoning@springfieldmo.gov
Subject: 3830 E Division Street
Date: Thursday, June 19, 2025 8:08:52 AM

Please before allowing more housing developments out east Division Street the city / MODOT needs to look at Division and LaCompte road first.

There is no left turn lane or signal light and with all the cars and semi truck traffic it's not a safe intersection. It has a hard time now carry the

Traffic we have out here with out 500 hundred plus new homes. Living out east division and trying to get out of our neighborhood can be very difficult at times. All we ask is please address that intersection first then look at more housing development. Its for safety of all out East Division. Thank you,

RE: Strong Opposition to Proposed Development at Division & Le Compte

June 20th, 2025

Dear Planning & Zoning Commission / City Council Members / Commissioners,

I am writing as a concerned resident of Windsmore, located near the site of the proposed residential development at the southeast corner of Division Street and Le Compte Road. I **strongly oppose** this development in its current form and urge the Planning & Zoning Commission to **DENY** its approval due to the serious and lasting consequences it may pose to our community.

The scale and density of the proposal—550 residential units, including over 400 apartments—are fundamentally incompatible with the existing character of our neighborhood and raise significant concerns in the following areas:

1. Traffic and Safety

This project would substantially increase traffic along Division Street and Le Compte Road, neither of which is designed to accommodate such a volume. Multiple planned entrances and exits only heighten the risk of congestion, accidents, and delayed emergency response times. A full, publicly reviewed traffic impact study is necessary before any approval is granted.

2. Infrastructure and Public Services

Hundreds of new households would place considerable strain on water, sewer, waste management, and other city services. It remains unclear whether the current infrastructure can support such expansion without significant upgrades, costs that may ultimately fall on taxpayers.

3. School Overcrowding

Local schools are already operating near or at full capacity. The additional student population generated by this development—particularly from the high number of apartment units—will further strain educational resources, enlarge class sizes, and compromise educational quality.

4. Neighborhood Character and Property Values

The introduction of high-density apartment buildings is out of alignment with the low-density, single-family character of the surrounding community. Such a shift risks permanently altering the neighborhood's identity, reducing privacy, and lowering surrounding property values.

5. Environmental and Drainage Concerns

The removal of green space and increase in impervious surfaces will exacerbate stormwater runoff, potentially leading to long-term drainage and flooding problems for nearby residents, issues that are often underestimated and difficult to reverse.

6. Transparency and Accountability

This proposal comes from an out-of-state developer (East Division Development, LLC, based in California). This raises concerns about long-term accountability, responsiveness to community issues, and ongoing property maintenance. The developer has no stake in our schools, our infrastructure, or the long-term well-being of this community.

This development, as currently presented, is not in the best interest of our community.

Sincerely,



Jason Gaynor

3965 E Windsmore Drive

Springfield, MO 65802

Jason.gaynor@lpl.com

417-766-2210

July 2, 2025

City of Springfield

Dept of Planning and Development

PO Box 8368

Springfield MO 65801-8368

Re: Planned Development 392 located at 3830 E Division St

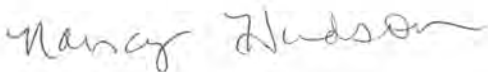
To Whom It May Concern:

I am writing to express my concerns about the planned development 392 located at 3830 E Division Street. My home is located at 1360 N Cooper Boulevard in Cooper Estates. I am concerned about the total number of units proposed (530) for the approximately 48 acres. That is an extreme number of units in an area that has very few rental units. I understand that the City is striving to have mixed developments, but I feel if this number of units is built, Hickory Hills School will be overcrowded, and the Springfield Fire Department and Springfield Police Department will be stretched even thinner than they are now (since they do not even currently have the number of employees they need for the existing city limits). It is not wise to create a large number of units without having the infrastructure to handle it in place beforehand.

I understand that the developer may want to rent all the units, so that does not help citizens buy their first home.

Please do not approve the plans as they were presented to the neighborhood meeting on June 26. I am not opposed to the property being developed, I just believe the current plans will cause more problems than they will solve.

Sincerely,



Nancy Hudson

1360 N Cooper Blvd

Springfield MO 65802

Phil Jones
1405 N. Bristol Ave.
Springfield, MO. 65802

July 5, 2025

City of Springfield
Dept. of Planning and Development]
P.O. Box 8368
Springfield, Mo 65801-8368

Reference: Planned Development 392 located at 3830 E. Division St.

Dear Springfield Planning and Development,

I just spent over an hour on the internet trying to understand the specific guidelines for zoning requirements related to new housing projects. After attempting to understand this information from The Top 10 Initiatives, in the Forward SGF Comprehensive Plan, I gave up. The detailed information and graphs are written in such small print I could not understand them, even after using a magnifying glass. It appears more effort was spent trying to convince the public about the need/value of such a plan, than trying to define **HOW** the plan is to be accomplished. It would seem it is not too much to ask for all of that verbiage to be distilled into the major expectations.

I then reread a couple of the News Leader's articles recently written by Marta Mize. She seems to have made an effort to define the **major HOWs** that define the standards/expectations of the City for new housing developments. I have listed here the major ones she mentioned in the articles:

1. Provide **missing middle housing** that **falls between** single family homes and multi-level apartment complexes.
2. The City will be identifying places that are a **good fit** for this development.
3. **Focus** will be **largely** on duplexes, townhouses and multi-unit homes **limited to 4 units**.
4. The housing types will **match the character** of the neighborhood
5. Housing types are to **create confidence in the neighbors** and encourage reinvestment.

When I compare these 5 guidelines to the Planned Development 392 at 3830 E. Division Street it appears this Proposal **violates all 5 of these guidelines**. The question has to be raised "How can the City of Springfield justify this proposal when it violates the SGF Forward Plan guidelines"?

Further analysis of the Proposal indicates some concerning facts:

Of the 530 units there are **428 rental apartments**

These **9 apartment buildings are 3 and 4 stories high**, containing 36 floors.

There are **787** paved parking spaces.

The housing density is **11**, which is **4 times the density of the adjoining subdivision**.

It is **7 times the density of the next-closest major subdivision**.

The car traffic from this subdivision could easily be 750 cars. Huge overload for Division.

Continued on page 2

Please notice I am **not** complaining about the number of **single family, duplex, villa, townhouses**. I understand and support the need in our City for more of these housing units.

The **cluster** of 9 apartments in this small area is absolutely unique and inappropriate

The apartments result in a major change to the **Character** of the surrounding homes.

These homes in the current subdivisions represent major investments for the owners.

These owners chose the homes because of the unique, quiet, and low density environments.

The proposed apartments certainly **damage** the Character of our neighborhoods.

I **am suggesting** that this Proposal, **in present design**, needs to be **relocated** to the right area.

With a new Mayor and a new City Manager beginning July 7th, I am hoping there will be **more** attention to neighborhood Character and **less** priority on yielding to developer desires. The Forward SGF Plan can and should be a better balance of determining **HOW** the Plan is accomplished. Mr. Cameron claims he is "pro-process" and I am hoping he will lead the efforts to implement the Plan in a way that improves the bureaucratic process. **Much could be gained** for **both** the City and the citizens if the "HOWs" considered the existing neighborhoods and the supporting facilities. **Unless this is done** the initial developments, (if they are like the current Proposal) will (quoting Ms. Mize's article) be extremely unfortunate and lead to a lot of strife, unhappiness and problems for everyone.

In summary, several conclusions can be made **if** the City approves this Proposal:

1. They will **continue to ignore** neighborhood input before Proposals are designed.
2. They do not care about the property values and preserving the **character** of neighborhoods.
3. They ignore the positive values of the guidelines defining WHAT implementation is done.
4. They have decided It is not an important priority to focus on **redevelopment** and **infilling** of **existing** corridors and **supporting local businesses** that are already in place.
5. They endorse **extreme** "high density housing". Reasonable "high density" is acceptable;
6. They put more priority on **developer "wants"** vs those of the impacted neighborhoods.
7. They will "flex" the Plan's guidelines to match what **they** want to be done.
8. They have **a strange definition** of "affordable housing". We were told that the cheapest housing in this Proposal will be a 1 bedroom apartment for \$1350/month + HOA fees.
9. They endorse **the opposite** of "Revitalization" of the surrounding housing.
10. They are not concerned about spending public money providing **additional** schooling, fire protection, security, road widening and traffic control.
11. They are **encouraging investors** to spend \$Millions on a plot of land, proceed to design a development without neighborhood input, and then "**force feed**" approval of the Proposal.

Bottom Line: The City is running the risk of approving a Proposal that does not fit **this** location. There must be **other locations** that are more appropriate and have better **existing infrastructure**. The **redesign** of the Proposal by **eliminating** the apartments and **adding** more of the same types of **other** housing in the Proposal would be a more acceptable fit for this location. The City needs a "**Showcase**" to promote additional development without neighborhood animosity. **The City needs to show more good faith effort. Would the Commissioners and City Council members be willing to live near this Proposal? if not, then why are they expecting us to be happy about this Proposal?**

Phil Jones

From: [Connie Keiser](#)
To: [Neal, Daniel](#); zonin@springfieldmo.gov; jeffschrag@springfieldmo.gov; [Connie Keiser](#)
Subject: Rezoning & Proposed Olsson Development of property @ East Division & LaCompte Road at July 17, 2025 meeting
Date: Wednesday, July 9, 2025 11:14:21 AM

This email is to formally state my objection and concerns regarding the Olsson planned development and rezoning of the property located at East Division and LaCompte Road.

Upon receipt of this email, please forward it to all members of the Planning and Zoning Council as well as including it in the packet of information being prepared for the above July 17, 2025 meeting.

I am the owner of 3893 East Windsmore Drive, located in Windsmore Addition, off LeCompte Road. This development consists of 55 single residences on 30 acres with one entrance onto LeCompte Road. There are no townhouses or apartments in this development.

I am concerned about what appears to be the City's lack of attention and concern to major issues/concerns regarding this development and its effect on the surrounding communities; Bristol Park, Wild Horses, Cooper Estates, Windsmore and others.

These concerns became apparent at the developer's "neighborhood meeting" on June 26, 2025.

Several concerned residents tried to attend, however the room was too small to hold all who were there, which resulted in several people in the hallway unable to hear the presentation or ask questions.

No handouts were available for distribution; there were 4 easels at the front of the room which were difficult to see.

Ricky Haase, PE. representing the developer Olsson, responded to several of the attendees questions with the comment "...that will be answered in the packet of information available @ the Planning and Zoning meeting on the 17th".

That was the same response given when several asked about obtaining the information displayed on the 4 easels.

That is "way too late" as several attendees remarked.

MAJOR ISSUES

DENSITY

- Site is 48 acres
- 530 new doors consisting of
 - 12 single residences with garages
 - 14 townhouses with garages
 - Apartment buildings

- 5 four story buildings
- 7 three story buildings
- 630 parking spaces
 - The single residences and townhouses (with their garage spaces adds an additional 52 spaces; not counting vehicles parked in driveways.)
 - A possible total of 682 vehicles if all spaces are occupied.
 - For comparison the nearby Menards parking lot has +/- 400 parking spaces.
- Planned amenities; pool, paddle racket courts, basketball courts

INFRASTRUCTURE (roads, utilities etc)

- There was no discussion of the effects/or the plans regarding City Utilities, internet carriers, First Responders, City of Springfield road/street maintenance and additional costs etc. for this development.

If this proposed development is approved what is the additional cost to the City of Springfield's annual/ongoing budget for the additional first responders; Fire, Police, EMT, the additional street maintenance workers and their salaries, benefits and stations and additional vehicles?

TRAFFIC

- I was advised by two Planning and Zoning employees on June 27, 2025, the MODOT study/report for this development had not yet been completed/released as of that date.

At the very minimum this study/report would need to be completed, reviewed and discussed internally regarding its recommendations and proposed plans in order to address issues that come with this additional traffic prior to Planning and Zoning approval of this development let alone before recommending it to the City Council.

Was this report completed and distributed? If so when and to whom?

- This development has 3 planned entrances; 2 on Division of which one is a one-way, ie no left turn to Division allowed and one on LeCompte Road just north of the Bristol Park community.
- LeCompte Road is a narrow 2 lane paved County Road which was never intended to bear the amount of traffic resulting from the Hickory Hills addition, the Menards complex, Costco and the additional commercial developments.

Let alone the issue of the increasing frequency of 18 wheelers now utilizing the road making deliveries to the commercial businesses.

Let alone the additional new traffic as a result of the new entrances being built for Springfield Underground on Division and LeCompte Road.

SPRINGFIELD PUBLIC SCHOOLS

- Hickory Hills Elementary is already in an overcrowded situation.
- This proposed development is within the 1.1 miles guidelines of the "no busing available".
- There are no existing sidewalks to the school and no plans for new sidewalks to be constructed along Division.
- That means "private transportation" for the school children in this proposed development, a minimum of twice a day plus additional traffic re after school activities and special events.

ACTION REQUESTED

I am asking that this proposed rezoning and proposed development be denied and sent back to "the drawing board" to address these issues.

I am asking for common sense to prevail and have a single question:

If this affected you personally, ie your residence, your family and friends, your children's school, your commute to work, would you want this to go forward as currently proposed?

Thank you for your time, attention to this matter.

From: [Irv Miller](#)
To: Zoning@springfieldmo.gov
Subject: Zoning of property at corner of Le Compte road and Division
Date: Wednesday, July 2, 2025 11:59:16 AM

I'm very concerned about rezoning this property
There is inadequate and limited access for so many multifamily units to be built there!
Also, surrounding area is single family homes
And this high density development will adversely effect the surrounding property owners.

Also, I'm not sure how this will affect Hickory Hills school!
With the potential increase in children with such a high a density of families moving into apartments in the proposed development!

Thank you for considering my concerns

Respectfully
Irv Miller
743 n Fallbrooke Terr
Springfield MO 65802

Sent from my iPhone

From: [Connie Keiser](#)
To: [Neal, Daniel](#)
Subject: Re: Rezoning & Proposed Olsson Development of property @ East Division & LaCompte Road at July 17, 2025 meeting
Date: Friday, July 11, 2025 8:36:08 AM

Here are pictures taken Friday morning July 11, 2025 about 8:15 am, just South of the Windsmore Estates entrance.

This is a clear example of one of the many traffic issues with LaCompte Road.

And these are work trucks NOT 18 wheelers.

Please add this to [the report being prepared](#) for the upcoming July 17, 2025 meeting.





RE: Strong Opposition to Proposed Development at Division & Le Compte

June 20th, 2025

Dear Planning & Zoning Commission / City Council Members / Commissioners,

I am writing as a concerned resident of Windsmore, located near the site of the proposed residential development at the southeast corner of Division Street and Le Compte Road. I **strongly oppose** this development in its current form and urge the Planning & Zoning Commission to **DENY** its approval due to the serious and lasting consequences it may pose to our community. I WAS NOT INITIALLY OPPOSED TO THIS PROJECT UNTIL I SAW THE CHEAPLY DESIGNED AND POORLY PLANNED COMMUNITY.

The scale and density of the proposal—550 residential units, including over 400 apartments—are fundamentally incompatible with the existing character of our neighborhood and raise significant concerns in the following areas:

1. Traffic and Safety

This project would substantially increase traffic along Division Street and Le Compte Road, neither of which is designed to accommodate such a volume. Multiple planned entrances and exits only heighten the risk of congestion, accidents, and delayed emergency response times. A full, publicly reviewed traffic impact study is necessary before any approval is granted.

2. Infrastructure and Public Services

Hundreds of new households would place considerable strain on water, sewer, waste management, and other city services. It remains unclear whether the current infrastructure can support such expansion without significant upgrades, costs that may ultimately fall on taxpayers.

3. School Overcrowding

Local schools are already operating near or at full capacity. The additional student population generated by this development—particularly from the high number of apartment units—will further strain educational resources, enlarge class sizes, and compromise educational quality.

4. Neighborhood Character and Property Values

The introduction of high-density apartment buildings is out of alignment with the low-density, single-family character of the surrounding community. Such a shift risks permanently altering the neighborhood's identity, reducing privacy, and lowering surrounding property values.

Shouldn't Springfield strive to preserve opportunities for upscale housing that are not diminished by high-density rental developments? New projects should be held to a standard that elevates the quality of our community, not lowers it. The house next door to the acreage is currently listed for 2.7 million dollars!

5. Environmental and Drainage Concerns

The removal of green space and increase in impervious surfaces will exacerbate stormwater runoff, potentially leading to long-term drainage and flooding problems for nearby residents, issues that are often underestimated and difficult to reverse.

6. Transparency and Accountability

This proposal comes from an out-of-state developer (East Division Development, LLC, based in California). This raises concerns about long-term accountability, responsiveness to community issues, and ongoing property maintenance. The developer has no stake in our schools, our infrastructure, or the long-term well-being of this community.

This development, as currently presented, is not in the best interest of our community.

Sincerely,



Tyler Padgett
826 N Fallbrooke Terrace
Springfield, MO 65802

*Elizabeth V. Parker
3989 E. Windsmore Drive
Springfield, MO. 65802
Cell: 816-812-4699
elizabethparker.notary@aol.com*

June 21, 2025

City of Springfield
Dept of Planning and Development
P.O. Box 8368
Springfield, MO 65801-8368

RE: **Proposed Development at Division & Le Compte**

Dear Sir/Madam –

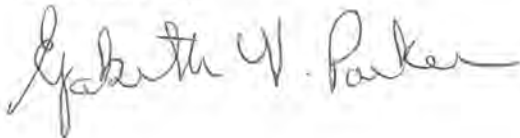
I am writing today to **discourage** you from approving and implementing the current proposed development at Division and Le Compte in east Springfield. I drive this intersection daily and it is already NOT SAFE. Traffic to and from Strafford on Division, as well as trucks to and from the underground on Le Compte, have already made this specific stretch of Springfield roads hazardous. Adding high density housing at this intersection will undoubtedly lead to further **DANGEROUS ROAD CONDITIONS.**

We must invest in road infrastructure in this area before allowing residential development. Our Farm Roads, Le Compte being a simple gully-sided farm road, cannot handle the stress of the proposed additional thousands of drivers daily. We MUST have curbs, sidewalks, turning lanes, traffic lights, and proper water runoff management in place before we simply invite over a thousand new residents to this corner of Springfield.

I come from the Kansas City area and I witnessed Lee's Summit, Missouri, FAIL to plan for growth by building huge subdivisions on farm roads creating traffic havoc. Conversely, I also witnessed Leawood, Kansas, PERFECTLY plan for growth by putting in all city infrastructure prior to approving the building of subdivisions. Your jobs are to PLAN for growth and prevent our city from catching up after growth has been approved. I strongly suggest you emulate the city planning our neighbors adopted in south Leawood, Kansas, rather than Lee's Summit, Missouri! I would be happy to take you on a driving tour if it would help open your eyes to both the right and the wrong way to grow a city.

Thank you for keeping our roads safe and managing our growth BEFORE it becomes treacherous.

Most sincerely,

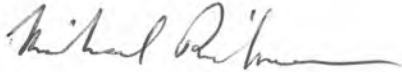


June 23, 2025

City of Springfield
Dept of Planning & Development
PO Box 8368
Springfield, MO 65801-8368

Board members:

As a resident of Cooper Estates I am writing to express my opinion on the proposed development to the East of Cooper Estates. The proposed development plans approximately 550 units on 47 acres. That is a much higher density than near by residential neighborhoods. That would increase traffic and traffic noise on area streets. Division, Le Compte and Eastgate are two lane streets in this area. Recent developments have already increased traffic and traffic noise in this area. This tends to create congestion, delays, and increased chance of traffic accidents. The city of Springfield needs to do more to protect people's investment in their homes. The development should not be allowed with the planned density. Any development should be compatible with nearby residential neighborhoods.



Michael Richerson
1045 N Newcastle Ave
Springfield, MO 65802

From: [ROBERT SCHNEIDER](#)
To: Zoning@springfieldmo.gov
Subject: Re: 3830 E Division (plan 392)
Date: Saturday, June 28, 2025 12:30:56 PM

This is the first time you received an email from this sender (schneiders1959@sbcglobal.net). Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

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After attending the recent meeting with the rep from Olsson, we have several concerns for the plans presented.

We object to the plan of the entire area to be marketed as rental properties.

This will have an extreme effect on properties in our adjoining area.

The plan to use Danvers as an exit will cut through the middle of our subdivision with up to 500 cars daily.

The addition of that many apartments will also increase noise, crime and vandalism.

We hope the city planners will consider our concerns and make the the correct decision regarding this issue.

Robert Schneider

3827 E. Brookdale Terrace

417-343-8554

[Sent from AT&T Yahoo Mail on Android](#)

7/3/2025

Dear Sir,

I oppose the development of the property for Planned development, at 392 located at 3830 E. Division St, It would lower our property value.

Traffic would be a big problem. Crime would increase and people rented usually don't take care of your property.

Besides the noise it would create, Please put villas, duplexes and townhouses that are maximum two story.

Please take this in consideration.

Thank you!

Laurenne Zimmer
Home owner in Cooper Estates

July 13, 2025

Springfield MO

Planning & Zoning Commission/City Council

I am writing regarding Planned Development 392 located at 3830 E Division Street, Springfield, MO. These are the following issues.

Traffic: This area is highly congested already with large trucks coming from the Underground, Associated Groceries, and area businesses who can no longer use I-44 due to road construction. During the year, the area is even more congested with vehicular traffic and school buses. With no light installed at the intersection the traffic situation is deadly. (We have had two bicycle deaths just in the last two years in this area as well) Adding 500+ apartment dwellers to this already congested area is not necessary.

School Overcrowding: Hickory Hills School is already full. Between apartment dwellers and homes planned in this development, the school is not capable of handling additional students. Many teachers could be forced to give up their classroom to teach on a cart going from one classroom to another. This is unfair to the educators and school administrators as well as the students involved in those subjects.

Zoning: This area is zoned as Single Family. Why not keep the current zoning instead of developing a community that is so dense in population? The surrounding neighborhoods would be more inclined towards single home development of the property. There would be less traffic and overcrowding in the eastern half of the city.

City Protection: When investigating Fire Protection, there are no stations located east of Highway 65. With increasing numbers of people, structures, and roads incapable of handling large numbers, our fire protection for existing homeowners is at risk. The nearest Police Department is 3.5 to 7.9 miles away from the east location. This also places potential response time problems for the City Police.

Construction: This planned development will also take 3-5 years to complete. The neighborhoods around the Underground development have already endured a year's worth of blasting for Eastgate road expansion. As neighbors, we have been very tolerant of development. We are "done" with the mud on Division, the traffic congestion, the water runoff, and the constant sound of heavy equipment.

Please do what is best for the neighborhood surrounding the above property! Allow only single house development!



Carol Barr

1165 N New Castle Ave

Springfield MO 65802

July 13, 2025

Springfield MO

Planning & Zoning Commission/City Council

I am writing regarding Planned Development 392 located at 3830 E Division Street, Springfield, MO. These are the following Issues.

Traffic: This area is highly congested already with large trucks coming from the Underground, Associated Groceries, and area businesses who can no longer use I-44 due to road construction. During the year, the area is even more congested with vehicular traffic and school buses. With no light installed at the intersection the traffic situation is deadly. (We have had two bicycle deaths just in the last two years in this area as well) Adding 500+ apartment dwellers to this already congested area is not necessary.

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Please do what is best for the neighborhood surrounding the above property! Allow only single house development!

A handwritten signature in black ink, appearing to read 'Pat Barr', written in a cursive style.

Pat Barr

1165 N New Castle Ave

Springfield MO 65802

City of Springfield
Dept. of Planning and Development
Attn. Daniel Neal, Senior Planner
P.O. Box 8368
Springfield, MO 65801-8368

July 15, 2025

RE: Planned Development No. 392
3830 East Division

Dear Mr. Neal,

I am writing regarding a sink hole located on the property to be developed that has not been addressed. For many years, residents in the area have recognized the presence of a sink hole in the Northwest corner of the property to be developed. In the architectural plot of this proposed development this area is consistently labeled "existing farm pond." One of our residents in Cooper Estates was born and raised just across Division Street from this property. She does not remember the area in question ever holding water.

Water drains along LeCompte Road ending up in the area in question. The hillside of the property to be developed drains to the same area. It has been observed the longest this area will hold water is one to two days. The water then disappears into a large sinkhole.

This same area previously opened up under and on our side of LeCompte Road. This resulted in fill material being placed, bridging placed, and repair of the road surface. Advanced Geosciences Inc. has published an article titled "The 7 Most Common Signs of Sinkholes and How To Test For Them." I have included a copy of the article with this letter.

This area meets five of the seven criteria.

We are requesting this development not be allowed to proceed until there has been proper geological evaluation of this area both for our safety and the safety of future residents of the proposed development.

Sincerely,



Joe Farley MD, president
Cooper Estates property Owners Association

Office Hours: M-F 8:30 AM - 5:00 PM



The 7 Most Common Signs Of Sinkholes & How To Test For Them

Submitted by markus on Mon, 09/12/2016 - 09:35



One way that sinkholes form is when water in the atmosphere reacts with carbon dioxide and forms a weak carbonic acid. As the slightly acidic rainwater moves through fissures in the limestone, it begins to dissolve and widens the fissures—which eventually creates air or water filled pockets. When those pockets become expansive, they're called "caves" or "voids." This is a common natural phenomenon in limestone or dolomite known as karstification can be dangerous, expensive, and life-threatening when the ceiling of a void weakens and caves in. This is a "sinkhole."



At large developments and building sites, knowing whether or not you're sitting on a **karst** area—an area with a high density of fractures, solution channels, and caves formed in limestone and thus, possible sinkholes—is critical and can greatly affect the value of the land. In this article, we'll discuss how to identify a sinkhole (including sinkhole detection and the most common signs of sinkholes), sinkhole inspection, and what to do once you've discovered a sinkhole.

Sinkhole Detection: The 7 Most Common Signs Of Sinkholes

Not all sinkholes provide surface expressions before opening up—but many do. And it pays to be aware of the most common indicators that your property may be situated right above a sinkhole!

Here are the most common seven signs of sinkholes:

1. A round circular depression in the earth.
2. Localized subsidence or depression anywhere on the property. In other words, an area that has dropped down relative to the surrounding land.
3. A circular lake, as this can be indicative of a sinkhole that has opened up and been filled with water.
4. A foundation settling—if part of the structure starts dropping down and cracking, this could be a sign of a sinkhole forming under a house or building.
5. Cracking on roads or pavement.
6. A sudden drop of well levels on a site, as this could be indicative of a sinkhole opening up and changing the water table beneath the site with no surface expression.
7. A small opening in the ground that rainwater seems to disappear into.

Note: If you know that you are building in an area with karst terrain that is sinkhole-prone—for example, if you're in Florida, Texas, Alabama, Missouri, Kentucky, Tennessee, or Pennsylvania—there is a far greater likelihood that you may have to deal with this issue in the future. Thus, it is wise to take a look around your property and the area in general for one of the seven signs of sinkholes listed above.

Sinkhole Inspection: How To Test For Sinkholes

If you identify signs of a sinkhole at your site, you'll have to test the area to see what kind of karst area or sinkhole you're dealing with. To do so, you'd set up several electrical resistivity survey lines over the site, image the target area, and look for high resistivity areas. These areas could indicate an air-filled void that hasn't yet caved in but will likely continue to subside.

If you find a void during your geophysical survey, you can also dramatically cut down on the cost of drilling, as it provides a more precise drilling target with a much higher success rate. If the area you image has a soil layer over the limestone—both of which that show up well in the data—and then a pocket with very high resistivity, you'd certainly want to drill into that and see what you're dealing with.

Do you need to conduct an electrical resistivity survey?

If you're trying to determine whether or not there's a sinkhole beneath your future construction site, conducting a resistivity survey is an effective way to determine the best course of action.

Advanced Geosciences Inc. (AGI) is the leading developer and manufacturer of geophysical imaging systems. Since 1989, we've been producing state-of-the-art electrical resistivity meters and products for resistivity and induced

polarization (IP) imaging. If you conduct your electrical resistivity survey using an AGI imaging system, our staff will be there to help you from start to finish with free technical support.

Ready to discuss your project?

Find out the best method and equipment for your geophysical survey.

Before you buy expensive equipment you may not need, get an expert's opinion on how to approach your project.

Let's Talk

CONTACT US

+1.512.335.3338

2121 Geoscience Drive

Austin, Texas 78726

Hours: 8:30a - 5p CST (M-F)

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From: [Matt Hartfield](#)
To: Zoning@springfieldmo.gov
Subject: Plan 392 - 3830 E Division
Date: Wednesday, July 16, 2025 5:18:04 PM

This is the first time you received an email from this sender (hartfield@gmail.com). Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

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City of Springfield - Dept of Planning & Development,

I am writing to formally express my opposition to the proposed changes outlined in Plan 392.

After reviewing the plan linked on the [civic clerk portal](#), I have concerns regarding its potential impact on traffic flow in the surrounding areas.

Specifically, Le Compte Rd would need to become a major feeder for supporting approximately 700 parking spaces. Considering the already overloaded traffic at Mill/Chestnut Expressway crossing MO-65 as fed from N Eastgate Ave, I believe these changes are not in the best interest of the local community and may conflict with the long-term planning goals of the City of Springfield.

I respectfully urge the Department to **reject** this proposal and to prioritize community input and sustainable development in any future revisions.

Please include this correspondence as part of the public record for Plan 392.

Sincerely,

Matthew Hartfield
823 N Grapevine Rd,
Springfield, MO 65802

To Whom it May Concern,

I am writing as a concerned resident of the Bristol Park community that is located directly south of the proposed development at the southeast corner of Division and Le Compte Street. I am writing to urge the Planning and Zoning Commission to carefully reconsider approving this due to lasting consequences it will have on my family and other surrounding neighborhoods.

The density of the proposed development having 550 residential units which would include 400+ apartments raises multiple concerns for the existing residential homes that currently reside in the area.

1. Strain on Infrastructure:

Rezoning often lead to a rapid influx of people. This puts a strain on existing roads that are already overcrowded, utilities and makes it harder for public and safety services.

2. Changes to Neighborhood Character:

Rezoning will significantly alter the aesthetic of and functionality of our neighborhood. Many residents built or purchased their homes here due to the large lot sizes, country feel for our lack of street lights and sidewalks, isolation and quiet, as well as being outside the city limits where we are not near large complexes. Rezoning will disrupt the uniformity of architecture and open spaces that are very much cherished by our residents.

3. Environmental Concerns: Rezoning can and will compromise green spaces and contribute to our neighborhoods environmental health and stormwater runoff. Without proper planning and accountability it could result in losing term drainage issues as well as:

- *decreases biodiversity

- *Increased greenhouse gas immersions from increased car usage and higher energy consumption from heating and cooling

- *loss of natural ecosystems

4. Traffic and Safety:

The Development will drastically increase traffic flow along Division and Le Compte. These roads are not designed or equipped to handle the volume we would see with a new Development. With the multiple entrances and exits proposed, current residents are at the risk for major congestions, accidents and delays for emergency response vehicles. A comprehensive traffic study must be conducted and reviewed publicly.

5. School Overcrowding:

Springfield Public Schools are already operating at or near capacity. The influx of new students to Hickory Hills would gain particularly from the large number of apartments would put a massive strain on their educational resources, affect their class sizes and diminish the quality of instruction current students are receiving.

6. Lack of Transparency and Local Accountability:

The Developer is an out of state entity which raises concerns of long term accountability, response times to resident concerns, as well as their commitment to quality and upkeep to the proposed development.

I urge you to take further consideration for approvals until there is very clear transparency , impact analysis as well as public input. The voice of each of the surrounding neighborhoods that would be directly affected by this must be heard and have input in this process. The Proposed Development is not in the best interest of the community.

Sincerely,
Jessica Ingram

Joe D. Johnson
3912 E. Windsmore Dr.
Springfield, MO 65802
417-840-7754
jdjohnson753@gmail.com

July 12, 2025

City of Springfield
Dept of Planning and Development
P.O. Box 8368
Springfield, MO 65801-8368

In reference to Planned Development 392 located at 3830 E Division St.

Please be advised that we **OPPOSE** the new development. The proposal includes over 550 residential units, with more than 400 being high-density apartments. Our roads weren't built for this kind of traffic. Our schools can't absorb the overcrowding. Our community shouldn't be forced to bear the long-term consequences of short-sighted development.

Sincerely,



Joe & Sue Johnson

To: **City of Springfield**
Dept of Planning and Development
P.O. Box 8368
Springfield, MO
65801-8368

July 13, 2025

Concerning: **Planned Development 392 located at 3830 E Division St.**

To the City of Springfield,

As you know the residents of the neighborhoods surrounding this planned developments are deeply concerned by the lack of consideration of a number of issues that would be caused by such a large apartment complex in such a small area. We were told we should have been notified before this area was annexed into the city, but no one from any neighborhood knew this had happened. It is currently zoned by the city as a traditional single-family neighborhood and the developers are seeking to get it zoned for multifamily housing.

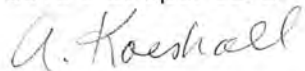
Traffic on Division is one of my biggest concerns. I go to work between 7:30 and 8:30 in the morning and entering Division from Cooper Estates is always difficult. Before any large housing development is put in, Division must be turned into a proper 4 lane road. And the congestion caused by the train just past 65 heading into town must be considered. Since the train passes frequently over Division, and often during rush hours, an overpass will be required to prevent a long wait.

A long time of construction will also obstruct traffic.

I request that this property remains zoned as single family housing!

Thank you for making wise decisions.

Anita Koeshall
3510 E Cooper BLVD



July 12, 2025

To: Planning and Zoning Commission

I am writing as a concerned resident of Windsmore, located within ½ mile of the proposed residential development at the southeast corner of Division St and Le Compte Rd. I strongly oppose this development in its current form and urge the Planning and Zoning Commission to DENY its approval due to the serious and lasting consequences it may pose to our community.

The scale and density of the proposal with over 500 residential units brings up significant concerns for this area of Springfield.

1. Traffic and safety

This project is dramatically going to increase traffic along Division St. and Le Compte Rd. This intersection is already a major problem with traffic and I believe even with the proposed improvements in the intersection and 3rd lanes it will continue to be a major safety issue.

2. Infrastructure and Public Services

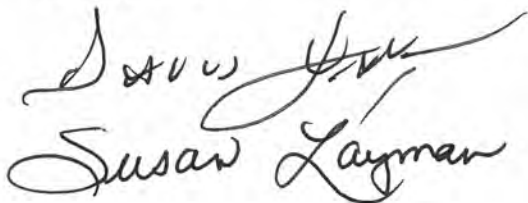
Hundreds of new households would place considerable strain on water, sewer, waste management and other city services.

3. School Overcrowding

Local schools are already near or at full capacity. With the high number of apartment units located less than two miles from a middle school, this project would place a severe strain on the resources at this school.

This development, as presented, is too densely populated for this area. Please sincerely consider my objections to this proposed development.

Sincerely,
David and Susan Layman
779 N. Fallbrooke Ter
Springfield, Mo 65802
417 693-0313

A handwritten signature in cursive script, appearing to read "Susan Layman". The signature is written in dark ink and is positioned below the typed name and address.

From: [Ryan McCormick](#)
To: Zoning@springfieldmo.gov
Cc: [Greg Box](#); [Strausie Stephens](#); [Gale Clithero](#)
Subject: 3830 E Division (plan 392)
Date: Tuesday, July 15, 2025 5:04:17 PM

This is the first time you received an email from this sender (crmccormick@outlook.com). Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

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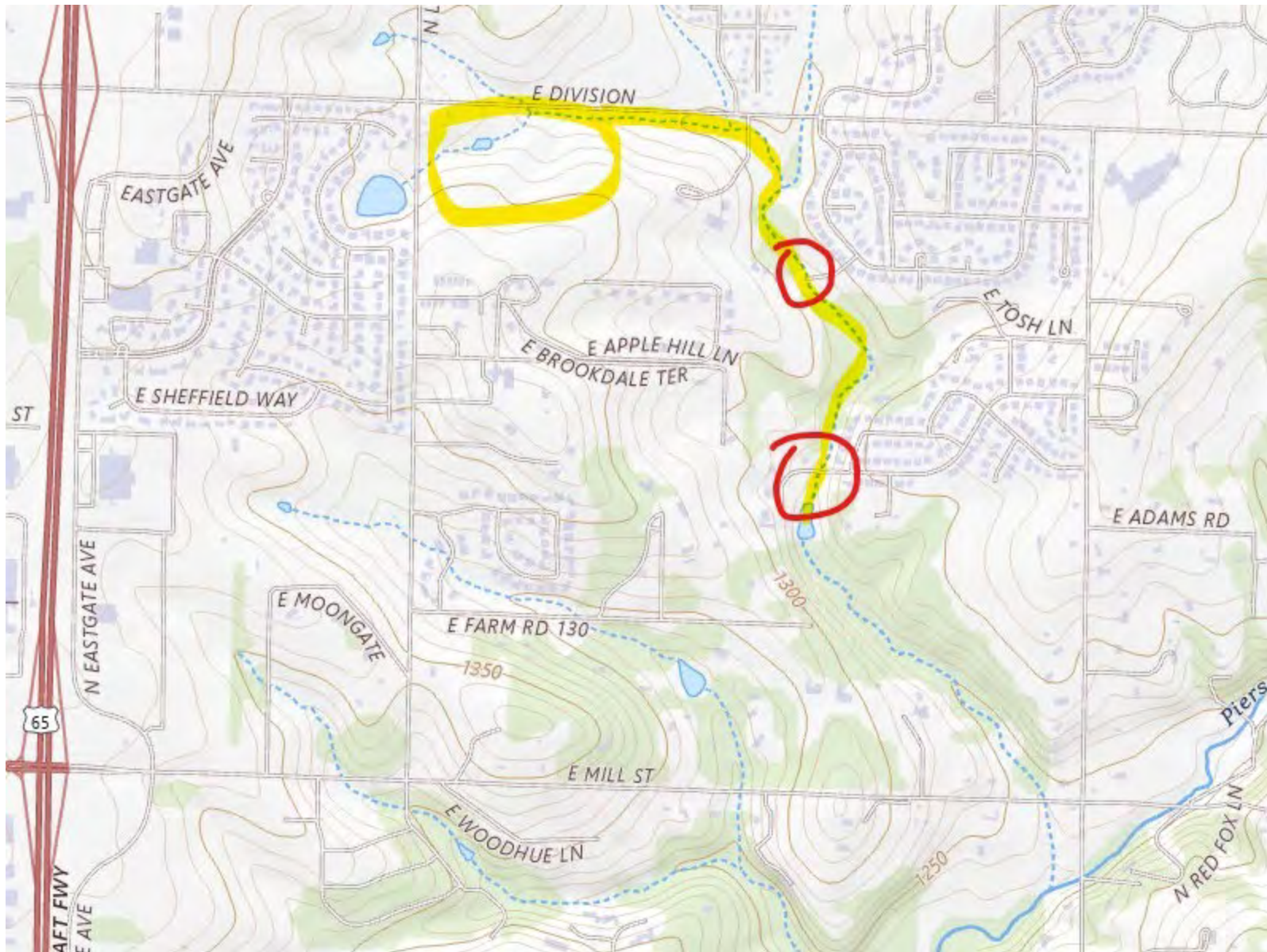
To City of Springfield Planning & Zoning,

Writing on behalf of the Pearson Meadows HOA in regards to the development proposal for the 48 acres at 3830 E Division. Our residents have similar concerns as others in the area, traffic, school crowding, and diminished property values.

However, we also have a concern about storm water runoff, as our HOA has 3 homes and a common area that are accessed via a bridge over a concrete culvert. The water from this development will follow the stream path East along Division, to the Wild Horse ponds and their culvert, then to ours and finally to Pearson Creek. Twice this year we have had significant rainfall that has put the water level to the bottom of our neighborhood bridge. I would imagine Wild Horse has had a similar experience as their ponds are regularly at the top of their available pool and cannot really capture very much stormwater.

Our concern is that adding to this could overwhelm the current infrastructure downstream of the development unless significantly more capacity and management is planned for upstream.

Thanks,
-Ryan McCormick
Pearson Meadows HOA



From: [Rajesh Bande](#)
To: Zoning@springfieldmo.gov
Subject: Comment on upcoming zoning @ 3830 E Division Street
Date: Saturday, July 19, 2025 5:32:11 PM

Hello City of Springfield Development review team,

We are writing in regards to the new proposed project at 3830 E Division Street Springfield MO by Olsson, Inc. We live within 185 feet of this land at address 4092 E High Ridge Ln, Springfield, MO 65802.

We believe the proposed zoning change to 392 with multifamily homes, apartments would cause a lot of negative impact on our neighborhood. It would increase air pollution, noise pollution, increased traffic, crime that would impact our safety, health and peace. Our school would be overcrowded which would impact our children's education and prosperity.

We strongly believe that this area can accommodate single family home neighborhoods only. We strongly oppose changing to such zoning.

We truly appreciate the city development team for providing us the opportunity to comment on this matter. We have strong faith in the city council that this proposed zoning change will not be allowed.

Regards,

Rajesh Banderudrappagari and Mamatha Nallacharu
4092 E High Ridge Ln, Springfield, MO 65802
Ph:501-529-8841

Maksim & Yelena Popov

3538 E Cooper Blvd
Springfield, MO 65802
417-983-3506
maks77im@gmail.com

July 9, 2025

City of Springfield
Department of Planning and Development
PO Box 8368
Springfield, MO 65801-8368

RE: Planned Development 392 located at 3830 E Division St

Dear Department of Planning & Development,

As current residents of Cooper Estates we are very concerned regarding the above mention planned development on E Division St. We attended the first meeting that was done by the engineering firm, studying the plans provided and are very concerned on how this development will negatively affect the surrounding neighborhoods and all of our property values that just received a tax hike. Having such a large apartment complex as you drive on Division would change the character of the area as well as lower the SF property values of surrounding neighborhoods. The traffic from this development will NOT be well absorbed on any surrounding streets, the MDOT study should have shown that. The apartments and houses in the planned development will NOT be affordable, starting price for a one bedroom as stated at the meeting will be \$1300, that doesn't help with providing affordable housing in the area. The infrastructure: schools, roads, traffic, water run off, etc. in the area are not sufficient to support additional 530 units. We would love to see this site get a single family neighborhood built, what it's currently zoned for, that will bring up surrounding property values, get adequate support from infrastructure and keep everyone happy.

Thank you for your consideration.

Sincerely,


Maksim & Yelena Popov





SpencerFane

Ben Shantz
Direct Dial: 417-888-1022
bshantz@spencerfane.com

File No. 5526813.0001

July 17, 2025

VIA EMAIL

Randall Doennig c/o City Clerk Anita Cotter
Chairman, Springfield Planning and Zoning Commission
1010 N. Booneville
Springfield, Missouri

RE: Planned Development No. 392

Mr. Doennig,

My firm Spencer Fane LLP represents the Bristol Park Community Association, Inc. (“Bristol Park”). Bristol Park is an association of neighbors who have deep ties to Springfield and are integrated into our city. Bristol Park has considered the information provided to date, and the information that has not been provided, and respectfully urges the Planning and Zoning Commission (“P&Z”) to table the request to rezone 3830 E. Division Street property to a planned development No. 392 consisting of 532 housing units (the “Proposal”), or, in the alternative, Bristol Park requests that P&Z deny the Proposal.

The Proposal does not comport with the comprehensive plan. The Forward SGF comprehensive plan calls for the city to strengthen and support existing neighborhoods. As part of that principle, the comprehensive plan recognizes that while new housing is needed there should be a *gradual* transition from higher-density development to single family homes. *See Forward SGF, Ch. 7* at p.70. The plan further states: “[a]dditional appropriate locations for higher density housing may be identified during the neighborhood planning process. The location of higher density residential development should be targeted to enhance and support existing transit and economic centers rather than drawing activity and investment away towards new centers.” *See id.* Chapter 5: Land Use reinforces this idea by restricting “[r]edevelopment 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*.” *See Forward SGF, Ch. 5* at p.36 (emphasis added). Recognizing the Proposal seeks to develop newly-annexed land, Chapter 6: Growth identifies areas immediately surrounding Springfield for growth and developments within certain place types. This area is identified in the Forward SGF as a traditional residential neighborhood which includes “predominantly single-family detached dwellings with uniform setbacks.” *See Forward SGF, Ch. 6*, at p.58.

The Proposal seeks to develop 530 housing units on 48 acres on what is presently open pasture. Until 2025, the property was zoned agricultural. The property is bordered on three sides (East, South, and

West) by single-family detached residential neighborhoods. The area to the north is presently zoned industry and logistics, it is effectively an open field with partially-wooded areas along Division Street. The Proposal does not take into account the important development and land use principles applicable to east Springfield. For this reason alone, the Proposal should be at least tabled to give the developer adequate time to rework the Proposal into something that comports with Forward SGF. If a reworked proposal is not possible, then denial of the application is appropriate.

Failure to follow the comprehensive plan is just one of the many issues with the Proposal, as written. Below is a summary of several of the issues that have been identified with the Proposal. Each of these issues need to at least be further investigated in order for this commission to have sufficient information to assess the information it is legally required to review prior to making a determination on the Proposal.

- Inadequacy of MoDOT traffic study

Bristol Park has learned that MoDOT performed a traffic study along YY to assess the Proposal. While Bristol Park requested a copy of the traffic study from MoDOT, one has not yet been provided. However, we have recently learned that the MoDOT traffic study does not evaluate the entire corridor from Hwy 65 to Hickory Hills school taking into account future developments north of Division and east of the property. These material limitations on the scope of the study severely limit its usefulness in evaluating the actual future traffic conditions on Division and Le Compte should the Proposal (and other neighboring developments) move forward. As many members of this Commission already know, the intersection of Le Compte and Division is a one-way stop with poor visibility. Le Compte northbound is already severely congested at peak travel times. The Proposal does not address the traffic issues at the intersection. It is clear that a traffic signal is needed at the intersection of Division and Le Compte in order to address both existing traffic and life safety issues and to mitigate future issues that will arise from increased traffic.

- Sinkhole Identification and Issues

This commission is being presented with contradictory and incorrect information regarding the existence of a sinkhole on the property covered by the Proposal. The application states that there is not a sinkhole present on the Property, however residents, neighbors, and the developer representatives all know and acknowledge that a substantial sinkhole exists on the northwest corner of the property. When asked about the plans to deal with the sinkhole, the developer representative indicated that the sinkhole area would be left as greenspace. First, this commission needs to be presented clear and consistent information regarding the existence, size, and potential issues with construction in close proximity to the sinkhole on the property. Second, the sinkhole needs to be adequately considered in light of its adjacency to Pierson Creek and the anticipated construction activity. Pierson Creek traverses the property and often floods in high rain like we have repeatedly experienced this year. Analysis and thought should be given to whether the Proposal adequately protects water resources and poses any danger to expanding the existing sinkhole.

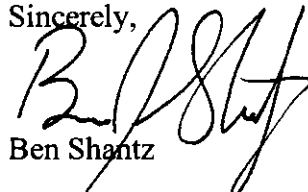
- School Busing

This Proposal contains 530 housing units, undoubtedly a number of those units will house school-age children who would fall within Hickory Hills elementary and middle school districts. Presently, Springfield Public Schools bussing policy states that free transportation is provided to children who live more than 1.0 miles from school. Exception is made if children living within 1.0 miles of school have to cross a barrier road. The Proposal seeks to develop land that is within 1.0 miles of Hickory Hills. While Division is a barrier road, the children in the development would not be required to cross Division to walk to Hickory Hills which sits on the south side of the street. There is no sidewalk running along the south side of Division from Le Compte to Hickory Hills. Unless changes are made, children without access to other forms of transportation and residing on the property would be forced to walk alongside Division street for at least 0.7 miles in order to get to school. Such a setup is dangerous and unnecessary. This life-safety issue must be further scrutinized before the Proposal can be considered.

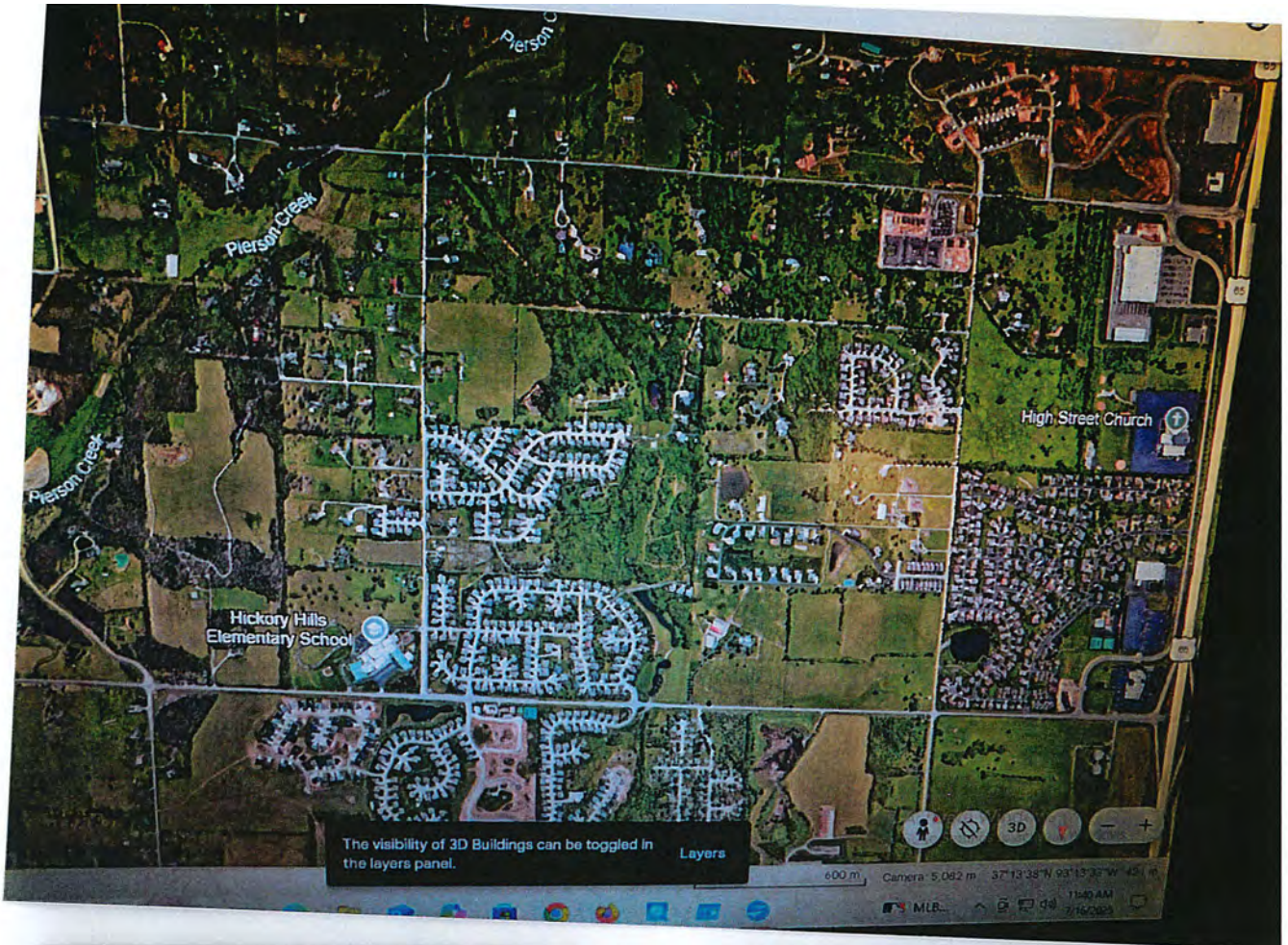
The neighbors of Bristol Park are not anti-development. They merely want to see responsible, safe development that accounts for the actual conditions of the existing property. The issues raised in this letter are just a few of the many issues that have already been raised by neighbors and concerned citizens. Bristol Park respectfully urges this Commission to table the Proposal, order a new neighborhood meeting be had, and obtain additional information from the applicable sufficient to evaluate the criteria set forth in the code and Forward SGF.

Should you have any questions about the contents of this letter or wish to speak with me or Bristol Park, please do not hesitate to call me. Thank you for your consideration on this topic.

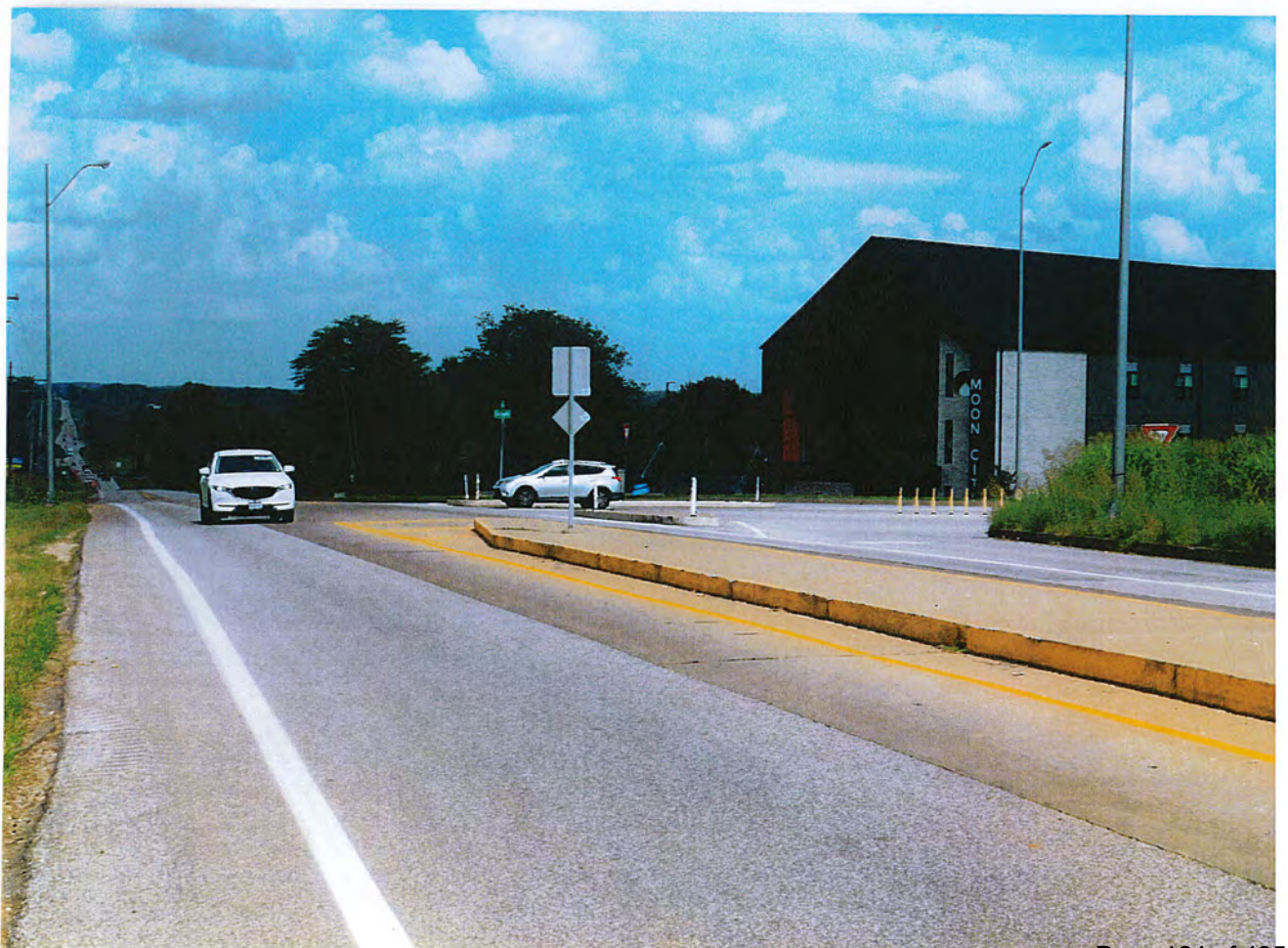
Sincerely,


Ben Shantz

cc: Bristol Park Community Association, Inc.
Jordan Paul, City Attorney, (jpaul@springfieldmo.gov)











EXPLANATION TO COUNCIL BILL 2025-171 (JENSON)

FILED: 07/24/2025

ORIGINATING DEPARTMENT: Planning and Development

TITLE: 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 10.13 acres of private property generally located in the 4000 block of South Jonathan Avenue into the City of Springfield as Annexation A-6-2025.(By: Boehm Family Trust; 4000 block South Jonathan Avenue; A-6-2025.)

PURPOSE: To adopt an ordinance to annex approximately 10.13 acres of private property generally located in the 4000 block of South Jonathan Avenue into the city of Springfield as Annexation A-6-2025. (Staff recommends approval.)

BACKGROUND INFORMATION: The owner(s) of the private property generally located in the 4000 block South Jonathan Avenue are requesting annexation into the city of Springfield. The owner(s) of the private property have signed a petition to request annexation of approximately 10.13 acres into the city of Springfield. The owner of the private property is proposing to annex, rezone, and subdivide for residential development.

City Council is required to hold a public hearing to determine whether the annexation is reasonable and necessary for the proper development of the city and whether the City can furnish normal City services within a reasonable period. If no written objection is filed within fourteen (14) days of the public hearing, the City may annex the property by ordinance without further action.

REMARKS: The area to be annexed is contiguous to the city of Springfield. See "Exhibit B" for the location of the private property and right-of-way to be annexed.

RECOMMENDATIONS:

1. The area to be annexed is within the City's Urban Service Area and is consistent with its policies.
2. The area to be annexed is contiguous and compact to the city of Springfield.
3. The Forward SGF Comprehensive Plan supports this annexation request.
4. The property owner(s) have petitioned the City for annexation.



5. All City services can be provided to the property.
6. The City will receive property tax revenue upon annexation of the private property.

Based on the subject property's location in proximity to the existing city limits and the recommendations of Chapter 6, Growth Areas, and Annexation, of the Forward SGF Comprehensive Plan, staff supports this request.

Submitted By: Alana Owen, Senior City Planner

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

Maurice S. Jones, Deputy City Manager 08/01/2025

Attachments:

1. A-6-2025 - 4000 Block of Jonathan Avenue
2. A-6-2025_ExhA
3. A-6-2025_ExhB

One-rdg. _____
P. Hrngs. X
Pgs. 15
Filed: 08-05-25

Sponsored by: Jenson

First Reading: _____

Second Reading: _____

COUNCIL BILL 2025-171

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING Section 1-9 of the Springfield City Code, 'City Limits,' and Section 46-1
2 of the Springfield City Code, 'Boundaries of wards, precincts and
3 council zones,' for the purpose of annexing approximately 10.13 acres
4 of private property generally located in the 4000 block of South
5 Jonathan Avenue into the City of Springfield as Annexation A-6-2025.
6
7

8 WHEREAS, a verified petition requesting annexation was filed by the owners of
9 all fee interest of record in all tracts of real property located within the area proposed to
10 be annexed, as described in "Exhibit A," attached hereto and incorporated herein by this
11 reference, said area being generally located in the 4000 block of South Jonathan
12 Avenue; and
13

14 WHEREAS, the subject property is within the City of Springfield's Urban Service
15 Area and is compact and contiguous to the City, as shown in "Exhibit B," attached
16 hereto and incorporated herein by this reference; and
17

18 WHEREAS, proper notice was published at least seven (7) days prior to the
19 public hearing; and
20

21 WHEREAS, City Council does find and determine that: (1) said annexation is
22 reasonable and necessary to the proper development of the City; (2) the City either
23 already furnishes normal municipal services to the area annexes, or is able to furnish
24 such services within a reasonable time after annexation; and (3) the area annexed
25 herein is contiguous and compact to the existing corporate boundaries of the City.
26

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

30 Section 1 – City Council, after holding a public hearing, hereby determines that
31 annexation of the property described in "Exhibit A" is reasonable and necessary to the
32 proper development of the City; the City either already furnishes normal municipal
33 services to the area annexes, or is able to furnish such services within a reasonable
34 time after annexation; and the area is contiguous and compact to the existing

boundaries of the City as shown in "Exhibit B."

Section 2 – Pursuant to the provisions of Section 71.012 RSMo., the property described in "Exhibit A" is hereby annexed into the City of Springfield, Missouri.

Section 3 – Section 1-9 of the Springfield City Code, 'City Limits,' is hereby amended by adding thereto the land described in "Exhibit A."

Section 4 – Section 46-1 of the Springfield City Code, 'Boundaries of wards, precincts and council zones,' is hereby amended by placing the property described in "Exhibit A" into the appropriate ward and precinct as determined by the County Clerk in accordance with the provisions of State law.

Section 5 – The City Clerk is directed to: (1) file certified copies of this Annexation Ordinance with the Clerk of Greene County; (2) file certified copies of this Annexation Ordinance with the Assessor of Greene County; and (3) forward to the Missouri Director of Revenue, by certified mail, certified copies of this Ordinance, and any other information that the Director of Revenue may require. The City Clerk is further authorized and empowered to perform any other administrative acts which are consistent with the intent of this Ordinance.

Section 6 – This Ordinance shall be in full force and effect from and after passage.

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Laura Vales Assistant City Attorney

Approved for Council action: [Signature], City Manager

EXHIBIT A
ANNEXATION A-6-2025
LEGAL DESCRIPTION

A TRACT OF LAND BEING A PART OF LOT 2 OF SILVERLEAF SUBDIVISION AS DESCRIBED IN THE GREENE COUNTY, MISSOURI RECORDER'S OFFICE IN PLAT BOOK AAA, PAGE 613 AND SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

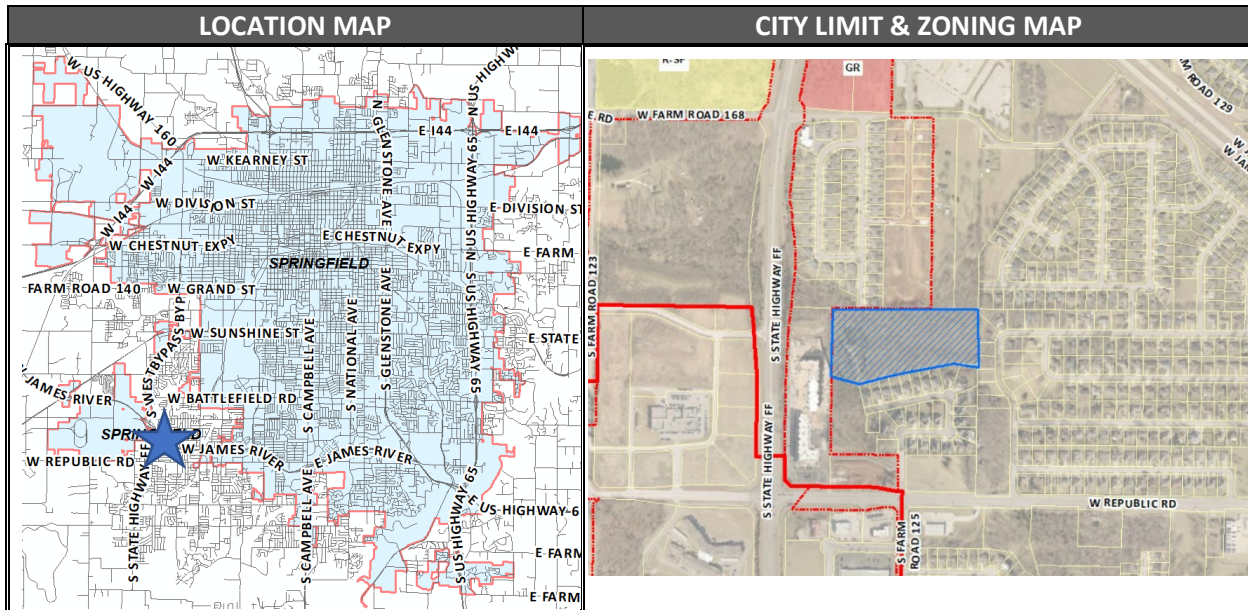
BEGINNING AT THE NORTHWEST CORNER OF LOT 2 OF SILVERLEAF SUBDIVISION; THENCE ALONG THE NORTH LINE OF SAID LOT 2, SOUTH 87°46'53" EAST, 343.97 FEET; THENCE SOUTH 88°50'16" EAST, 647.62 FEET TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE ALONG THE EAST LINE OF LOT 2, SOUTH 01°16'36" WEST, 383.85 FEET TO THE NORTHEAST CORNER OF BATTLEFIELD RIDGE SUBDIVISION RECORDED IN PLAT BOOK VV, PAGE 40 IN THE GREENE COUNTY, MISSOURI RECORDER'S OFFICE; THENCE ALONG THE NORTH LINE OF SAID BATTLEFIELD RIDGE SUBDIVISION THE FOLLOWING COURSES, NORTH 88°49'56" WEST, 183.35 FEET; THENCE SOUTH 79°05'19" WEST, 643.10 FEET TO THE NORTHWEST CORNER OF SAID BATTLEFIELD RIDGE SUBDIVISION; THENCE NORTH 62°24'48" WEST, 205.50 FEET TO A POINT LYING ON THE WEST LINE OF THE AFORMENTIONED LOT TWO OF SILVERLEAF SUBDIVISION, THENCE ALONG SAID WEST LINE NORTH 01°52'38" EAST, 433.25 FEET TO THE POINT OF BEGINNING. CONTAINING 441,083 SQUARE FEET OR 10.13 ACRES, MORE OR LESS. ALL LYING IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 28 NORTH, RANGE 22, GREENE COUNTY, MISSOURI.

DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION	
Case Number:	A-6-2025
Location:	4000 block South Jonathan Avenue
Total Acres:	10.13 acres
Applicant:	Boehm Family Trust
Existing Land Use:	Undeveloped
City Council:	August 11, 2025
Public Notification:	Mail and legal in Springfield News Leader
Staff:	Alana Owen, AICP, Principal Planner
Staff recommendation:	Staff recommends approval

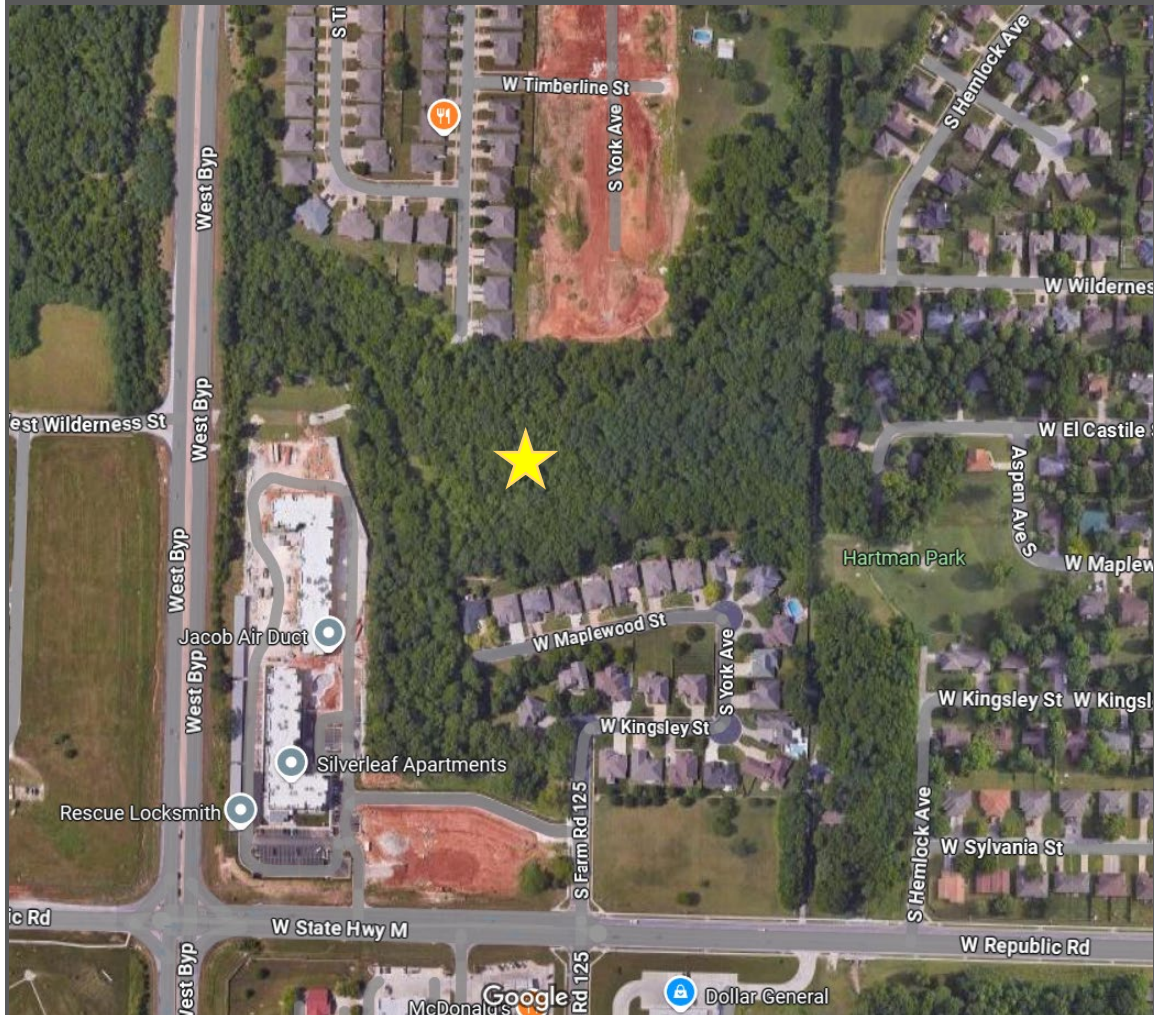
PROJECT SUMMARY:

Request to annex approximately 10.13 acres of private property generally located in the 4000 block South Jonathan Avenue into the city of Springfield.

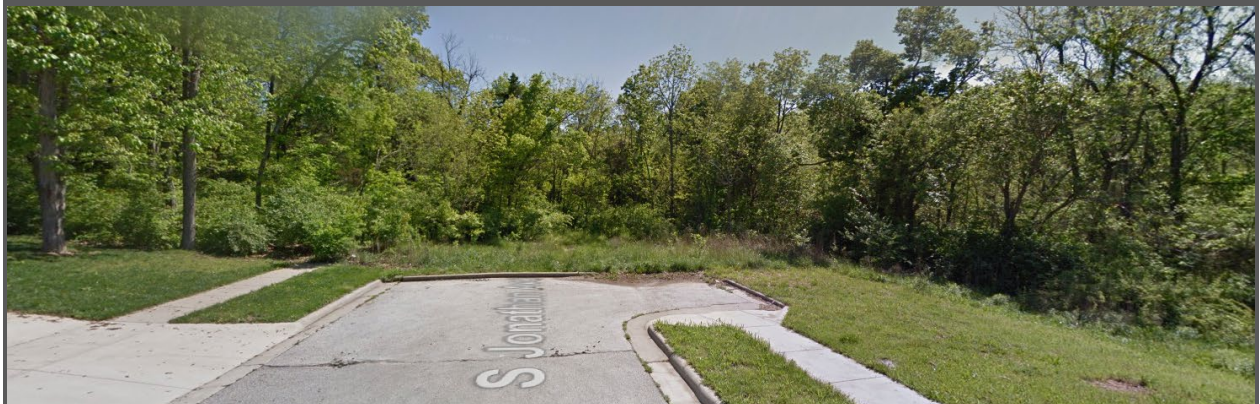


DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property is outside the city limits in unincorporated Greene County. The subject property is zoned as a Plot Assignment District (PAD) in Greene County. The annexation is being processed with the intent to rezone and subdivide the property for residential development. This is an extension of the subdivision to the north, which was annexed, along with the property to the west, into the city in January 2025.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The subject property is in a Priority One strategic annexation area identified in Chapter 6, Growth Areas and Annexation, of the Forward SGF Comprehensive Plan. Priority One areas are short term growth areas. The City should consider the strategic value of each property and develop annexation proposals to promote new development, in combination with short-term infrastructure planning over the course of the next two to five years to take advantage of existing momentum and growth south and west of the City. The Plan indicates that the City should prioritize short-term and long-term areas for future annexation. While not every property identified in Priority One and Two areas can or should be annexed immediately, each represents areas where opportunities for economic and job growth are promising due to varying combinations of available infrastructure, city services, proximity to major transportation corridors, and advantageous land patterns

Annexation Considerations

The following strategies will help to further guide the prioritization of annexations:

1. The City should prioritize annexation of City, City Utilities, Park Board, and Ozark Greenways-owned properties.
2. The City should prioritize annexation of properties with an “Irrevocable Petition and Consent to Annexation Agreement” that are revenue-generating and located along major corridors and areas of potential economic activity.
3. The City should evaluate annexation proposals on a property-by-property or case-by-case basis but work to coordinate annexation of multiple properties simultaneously, when possible, to maximize the time and cost efficiency involved in processing.
4. The City should engage with area Fire Protection Districts in evaluation of potential impact resulting from annexation of property by the City.
5. The City should be conscious of impractical boundary configurations created when annexing properties on only one side of a street, skipping over properties, or creating islands of unincorporated properties.
6. The City should weigh the anticipated impact of annexation on the ability to provide timely and professional emergency services, including personnel requirements, capital requirements, necessary and available infrastructure, call volume, and standards of cover.
7. The City should evaluate the age and condition of existing infrastructure in areas desired for annexation, as well as future maintenance costs.

DEVELOPMENT REVIEW STAFF REPORT

8. The City should weigh the comprehensive advantages of both long-term revenue growth and population growth, including a variety of demographic considerations associated with providing services to new residents and property owners.
9. The City should weigh the fiscal impacts of annexation against the opportunity to grow the population base, increase resident participation in city elections, tax referendums, and expand the reach of citizens to serve on city advisory boards and committees.
10. The City should weigh the strategic value of incorporating geographic areas that facilitate growth in new areas.

The property involved in this annexation request is identified as being within the Traditional Neighborhood place in the Forward SGF Comprehensive Plan (see the Future Placetype Map on page 7).

FUTURE PLACETYPE MAP:



DEVELOPMENT REVIEW STAFF REPORT

SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	Greene County R-1	Greene County PAD and R-1	Greene County R-1	Greene County PAD
LAND USE	Single family homes and duplexes	Single family homes undeveloped land	Single family homes	Multi-family
PLACETYPES	Traditional Neighborhood	Traditional Neighborhood and City Corridor	Traditional Neighborhood	City Corridor

DEPARTMENT COMMENTS:

1. DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No issues with the proposed annexation.

2. CITY UTILITIES:

No issues with the proposed annexation. The property does not currently have access to CU Electric/Gas/Water but it could be extended from nearby along Jonathan Avenue.

3. DEPARTMENT OF ENVIRONMENTAL SERVICES CLEAN WATER SERVICES DIVISION:

No issues with annexation. Public sewer currently crosses the proposed annexation area although any new connections would require connecting into a manhole and additional public improvement plans.

4. EMERGENCY 911:

No comments.

5. GREENE COUNTY HIGHWAY DEPARTMENT:

No comments.

6. POLICE DEPARTMENT:

No comments.

DEVELOPMENT REVIEW STAFF REPORT

7. FIRE DEPARTMENT:

Service – The primary Fire Station responding to this area would be Station #6 located at 2620 W Battlefield, which is approximately 3.35 miles from the northwest corner of the property. Fire Station # 8, located at 1405 S Scenic is the secondary station responding to this location, which is 4.7 miles from the northwest corner of the property.

ISO area – The proposed annexation is currently outside the recommended ISO 1.5 road mile response distance by 1.8 miles for the 1st due unit. *This will negatively impact our ISO rating.*

Response times/Standards of Cover – Estimated response time was calculated mathematically with an assumed travel speed of 45 miles per hour by the fire apparatus. The 1st due company has an estimated total response time of 6 minutes, 48 seconds. The 2nd due company has an estimated total response time of 8 minutes, 46 seconds. It is likely the standard of coverage benchmark could be met for single company responses and unlikely the benchmark could be met for a full 1st alarm response which requires 3 engines, 2 Trucks, 1 Rescue and 1 Battalion Chief to arrive on scene within 11 minutes and 24 seconds. An automatic aid agreement for this area is in place with the Battlefield Fire Protection District. *The department expects that it will meet the initial unit but not the effective response force (ERF) benchmarks. This will negatively impact our agency accreditation.*

		Estimated Total Response Time	Benchmark*	Baseline**
1 st Due Company	Station 6	6-7 minutes	6 minutes 20 seconds	8 minutes 13 seconds
Total Effective Response Force	Station 6,8,9,13,1	13-14 minutes	10 minutes 20 seconds	13 minutes 18 seconds

Water Supply – Existing development in the area is served by multiple CU water mains. *The Fire Department does not have any concerns with the water supply for this proposed annexation. There is sufficient firefighting water supply adjacent to this parcel and would require application of the Fire Code requirements for any future development.*

Impact – The area of proposed annexation will likely contain single-family homes. The *Fire Department does not have any concerns regarding probable emergency incident volume or the impact to daily service requirements.*

Fire Department Recommendation: *Based upon all factors, the Fire Department is supportive of this annexation. This annexation represents an extension of on-going development. While concern exists for travel time for response by an ERF, this area is protected under an Automatic Aid Agreement with the Battlefield Fire Protection District.*

DEVELOPMENT REVIEW STAFF REPORT

8. DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

	Drainage Basin	Fee in Lieu for Flood Control	Fee in Lieu for Water Quality	Stream Buffer on Site	Sinkhole or Watershed	Floodplain and Floodway
3990 S Jonathan Avenue	Wilson's Creek	Dependent on Stormwater Analysis	No	Yes	Yes	Yes

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. For any Development to increase impervious area Flood Control is required. A fee in lieu of detention application requires a downstream analysis with capacity of the Wilsons Creek floodway volume.

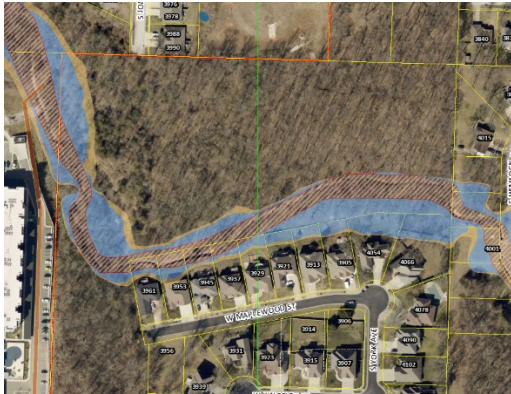
WATER QUALITY REQUIREMENTS

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 Bufferyard trees required by planning cannot be used for the water quality credits unless it is part of a SCM. Chapter 10, Section 3.1.

FLOODPLAIN

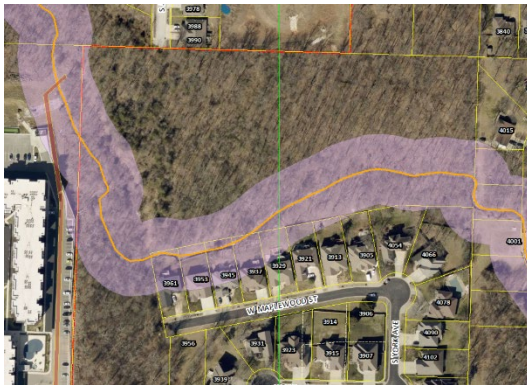
1. Wilsons Creek Floodway and Floodplain are present on the property. 2025 FEMA Maps decreased the floodplain area.

DEVELOPMENT REVIEW STAFF REPORT



NATURAL CHANNEL & STREAM BUFFERS

1. Wilsons Creek stream flows east to west through the south and west side of the property. The Stream is a Category B Small Stream. A Stream Buffer area of minimum 160 feet wide is required. The buffer is 80 feet wide from top-of-bank on both sides.



SINKHOLES & KARST FEATURES

1. There is a Cave located on the property. A geotechnical report is required for the development of site. The Cave requires a buffer and prevention protection during and after construction.

9. 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	Jonathan Ave	Local	City	25	25	NA	Yes	Yes	Yes

DEVELOPMENT REVIEW STAFF REPORT

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

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

IMPROVEMENTS – No improvements are required for this annexation. A traffic study is not required for this annexation.

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant has petitioned for the City of Springfield to annex approximately 10.13 acres of private property generally located in the 4000 block South Jonathan Avenue into the city. The applicant will request to rezone and subdivide the annexed property for residential development.
2. The *Growth Areas & Annexation* chapter of the *Comprehensive Plan* supports the annexation because it is located within a Priority One annexation area. Priority One areas represent short term growth areas. The Plan indicates that the City should prioritize short-term and long-term areas for future annexation.
3. The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as being located within the Traditional Neighborhood place type. The primary land-use within the Traditional Neighborhood place type is single-family detached dwellings and supporting uses include single-family attached dwellings such as duplexes or townhomes and low-intensity neighborhood commercial.
4. Approval of this annexation request is in conformance with the annexation and existing development of property to the north.
5. There are adequate utility and sewer and water facilities existing or that can be provided to serve the uses that would be permitted if the property was annexed.
6. The area to be annexed is within the City's Urban Service Area and is consistent with its policies.
7. The area to be annexed is contiguous and compact to the City of Springfield and is bounded on two sides by the city of Springfield.
8. The City will receive property tax revenue upon annexation of the private property.

STAFF RECOMMENDATION:

1. Staff recommends approval of the annexation request based on its compatibility with the *Comprehensive Plan's Annexation* policies.

DEVELOPMENT REVIEW STAFF REPORT

ATTACHMENT 1
Annexation Schedule

ANNEXATION:

City Council public hearing.....August 11, 2025

City Council voteAugust 25, 2025

EXPLANATION TO COUNCIL BILL 2025-172 (HORTON)

FILED: 07/23/2025

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A special ordinance granting Conditional Use Permit No. 482 for the purpose of permitting a daycare center as an adaptive use of a non-residential structure in a R-SF, Single-Family Residential District, generally located at 1212 North Broadway Avenue. (By: Czrina Moreno; 1212 North Broadway Avenue; Conditional Use Permit No. 482.)

PURPOSE: Request to allow a daycare care center as an adaptive use of a nonresidential structure in a R-SF district generally located at 1212 North Broadway Avenue. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION:

CONDITIONAL USE PERMIT NUMBER 482

The applicant has requested this Conditional Use Permit for operation of a daycare center as an adaptive use of a nonresidential structure in a R-SF district. The applicant intends to use the vacant commercial building as a day care center.

CONDITIONS:

1. 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 482 in a manner consistent with the attached site plan ("Exhibit D - Attachment 4").

FINDINGS FOR STAFF RECOMMENDATION:

1. The applicant has requested this Conditional Use Permit for operation of a daycare center as an adaptive use of a nonresidential structure in a R-SF district. The applicant intends to use the vacant commercial building as a day care center.
2. A site plan has been provided ("Exhibit D - Attachment 4") depicting the development of the site. The day center will utilize the existing commercial building without the need to expand the building. The existing asphalt parking lot within the public right-of-way must be completely removed and restored with grass, and curb and gutter.

3. The center city neighborhood placetype encourages the preservation and adaptive reuse of neighborhood schools and surplus buildings. This application is consistent with this recommendation.
4. 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* Center City neighborhood Placetype.

REMARKS: The Planning and Zoning Commission held a public hearing on July 17, 2025, and recommended approval, by a vote of 8 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: Michael Sparlin, Senior City Planner

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

Maurice S. Jones, Deputy City Manager 08/01/2025

Attachments:

1. Conditional Use Permit 482 - 1212 North Broadway Avenue
2. CUP 482_exhA
3. CUP 482_exhB
4. CUP 482_exhC
5. CUP 482_exhD

One-rdg. _____
P. Hrngs. X
Pgs. 27
Filed: 08-05-25

Sponsored by: Horton

First Reading: _____

Second Reading: _____

COUNCIL BILL 2025-172

SPECIAL ORDINANCE _____

AN ORDINANCE

1 GRANTING Conditional Use Permit No. 482 for the purpose of permitting a
2 daycare center as an adaptive use of a non-residential structure in a
3 R-SF, Single-Family Residential District, generally located at 1212
4 North Broadway Avenue.
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 July 17, 2025, a copy of the Record of Proceedings from said public
13 hearing being attached hereto and incorporated herein by this reference as "Exhibit C,"
14 and recommended approval of Conditional Use Permit No. 482 by a vote of 8 to 0; and
15

16 WHEREAS, City Council finds that sufficient evidence has been presented to
17 satisfy all applicable standards of the Land Development Code for issuance of
18 Conditional Use Permit No. 482; and
19

20 WHEREAS, the granting of such permit is deemed proper, and it is not found to
21 harm the community or injure the value, lawful use, and reasonable enjoyment of
22 properties in the vicinity of 1212 North Broadway Avenue.
23

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

27 Section 1 – City Council adopts the City staff's specific findings of fact on the
28 proposed conditional use as set forth in "Exhibit D – Attachment 2." "Exhibit D" is
29 attached hereto and incorporated herein by this reference in its entirety. Conditional Use
30 Permit No. 482 is hereby granted in accordance with and subject to the provisions of
31 Section 36-363 of the Land Development Code. Conditional Use Permit No. 482 is
32 granted for the purpose of permitting a daycare center as an adaptive use in a R-SF,
33 Single-Family Residential District, located at the property described in "Exhibit B," which

is attached hereto and incorporated herein by this reference, and which is generally located at 1212 North Broadway Avenue.

Section 2 – Building permits, certificates of occupancy, and any other required permits or approvals may be issued by the duly authorized officials of the City provided that such issuance is consistent with Section 36-363 of the Land Development Code, any other applicable City regulation or ordinance, and the “Requirements for Conditional Use Permit 482” described in “Exhibit D – Attachment 1” and “Exhibit A,” which is attached hereto and incorporated herein by this reference. Additionally, the provisions contained in “Exhibit D – Attachment 1” and “Exhibit A” shall govern and control the use and development of the land described in “Exhibit B,” in a manner consistent with the attached site plan depicted on “Exhibit D – Attachment 4.”

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

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

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Laura Vales, Assistant City Attorney

Approved for Council action: [Signature], City Manager

EXHIBIT A
REQUIREMENTS FOR CONDITIONAL USE PERMIT 482

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

EXHIBIT B
LEGAL DESCRIPTION
CONDITIONAL USE PERMIT 482

COMMENCING 110 FEET NORTH OF NORTHEAST CORNER OF BROADWAY & WEBSTER
BEGINNING NORTH 60 FEET, EAST 147 FEET, SOUTH 60 FEET, WEST TO BEGINNING.

EXHIBIT C
RECORD OF PROCEEDINGS
Planning and Zoning Commission – July 17, 2025

Conditional Use Permit 482
1212 North Broadway Avenue

Applicant: MC Thompson Holdings, LLC

Mr. Sparlin states that this is a request to allow a daycare care center as an adaptive use of a nonresidential structure in a R-SF district.

Mr. Doennig opened the public hearing.

Mr. Cameron Hole, 3213 S. West Bypass representing the owner and is for a child-care facility that once was a community center, the building will not change, but the parking lot will change by removing a portion of the driveway that is not in compliance.

Mr. Scott asked if they would have an out-door play area and Mr. Hole stated that they will not.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Scott moved to approve Conditional Use Permit 482; Commissioner Lebeck seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Doennig, Commissioner Ridge, Commissioner Scott, Commissioner Hunton, Commissioner Pauly, Commissioner Gunther, Commissioner Colony, and Commissioner Lebeck. Nays: None. Absent: Commissioner Knuckles. Abstain: None.



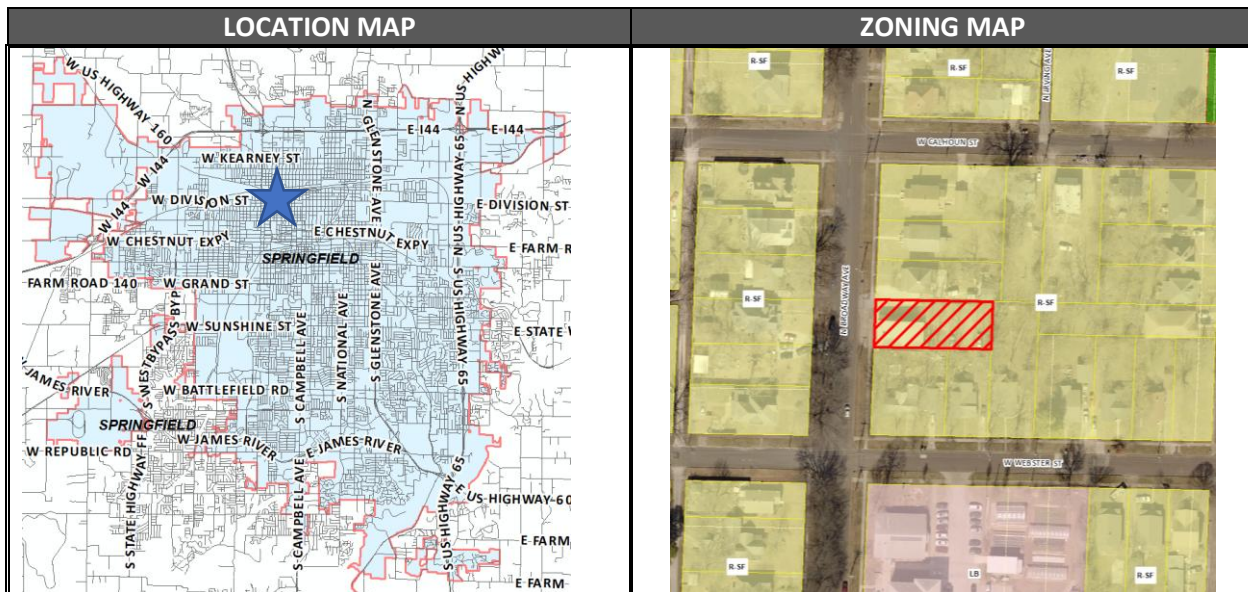
Bob Hosmer, AICP
Planning Manager

DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION	
Case Number:	Conditional Use Permit No. 482
Location:	1212 North Broadway Avenue
Total Acres:	0.20 acres
Applicant:	Czrina Moreno
Existing Land Use:	Vacant commercial building
Neighborhood Meeting:	May 22, 2025
Planning and Zoning Commission:	July 17, 2025
City Council:	August 11, 2025
Public Notification:	Mail, posted property, and legal Springfield News-Leader
Staff:	Michael Sparlin, Senior Planner, (417) 864-1091
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to adopt the staff's responses in Attachment 2 of the staff report as the findings of fact and recommend approval of CUP 482 subject to the conditions listed in Attachment 1 of the staff report. (All commission motions are made in the affirmative.)
Required Vote:	A majority of those present (5 members are a quorum).

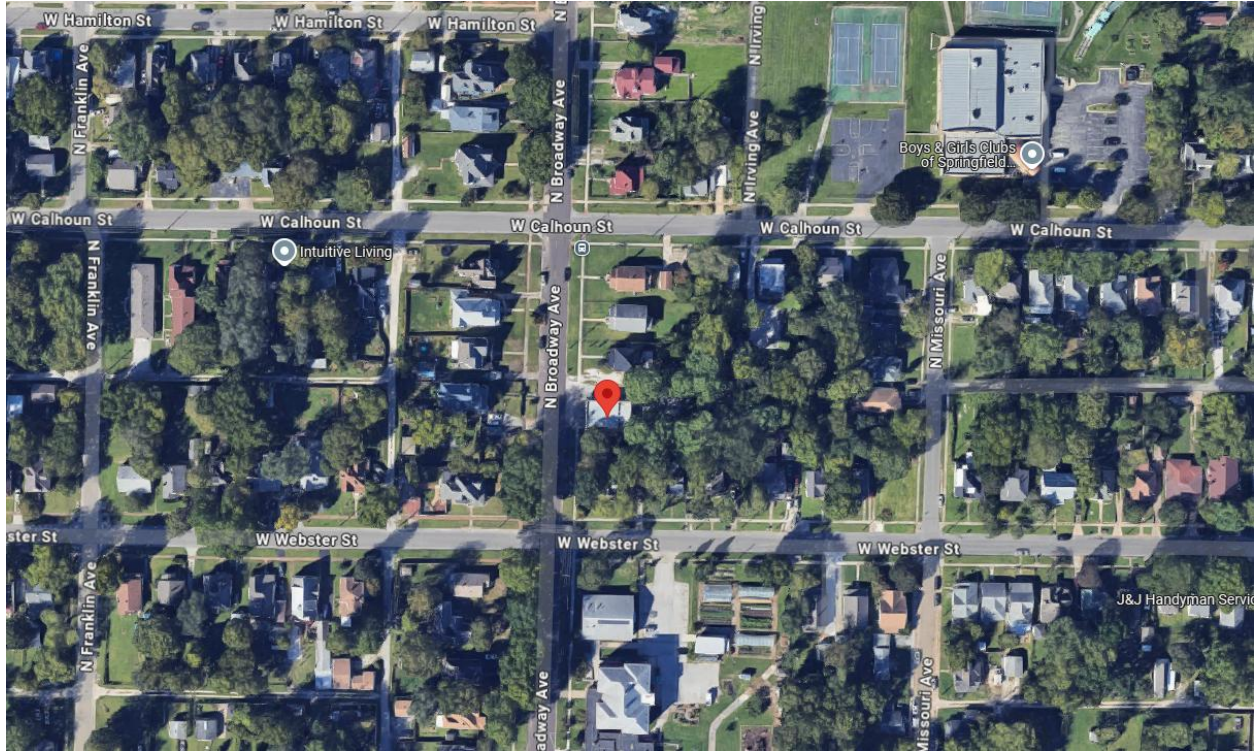
PROJECT SUMMARY:

Request to allow a daycare care center as an adaptive use of a nonresidential structure in a R-SF district generally located at 1212 North Broadway Avenue.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The property was rezoned to R-SF in 1995 by the city-wide remapping.

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

PRIMARY USES

1. Single-family detached

SUPPORTING USES

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

CHARACTERISTICS TRANSPORTATION & INFRASTRUCTURE

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

DEVELOPMENT REVIEW STAFF REPORT

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

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

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

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

1. Residential subdivisions are designed and platted in more conventional layouts with shorter blocks.
2. Lots have a variety of widths, depths, and setbacks creating unique identity from neighborhood to neighborhood.
3. While not as common, attached and detached garages provide limited parking options and create a greater demand for on-street parking.
4. Garages reflect the architectural style and scale of the primary buildings and are often setback well behind the front facade.
5. Driveways are often accessed from the rear alley and are shared or absent in exchange for sidewalks to the front door or porch, which provides increased on-street parking opportunities.

DEVELOPMENT REVIEW STAFF REPORT

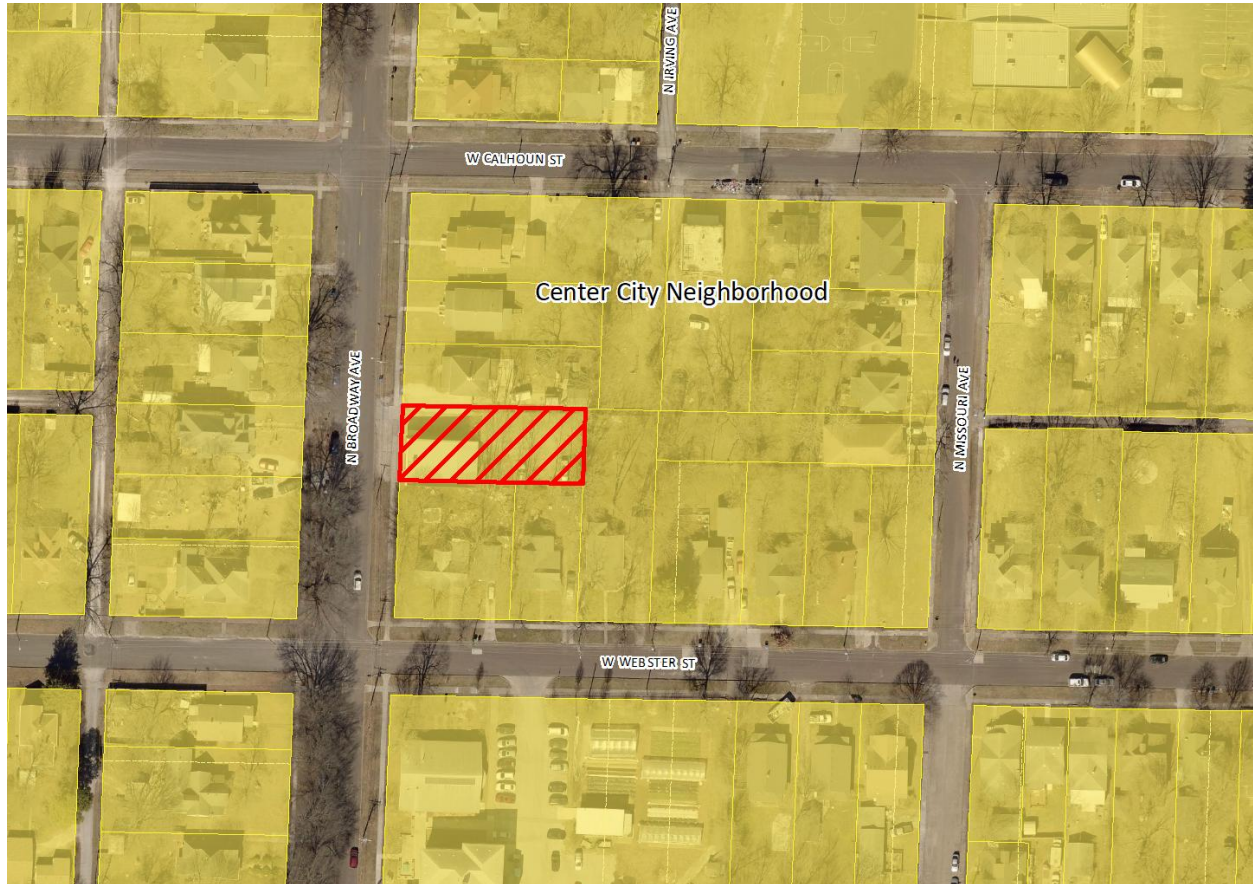
6. Properties and neighborhoods eligible for local historic designation are continually identified and preserved.
7. Key corridors that offer transit and other multimodal, trail, or greenway connections can be enhanced with increased housing and neighborhood scale services, shops, and dining.
8. Low-impact, neighborhood-scale commercial uses should be considered at locations where community facilities and amenities or other informal neighborhood hubs already exist, at former streetcar stops, along the edges of the neighborhood or at other significant neighborhood destinations.
9. Neighborhood parks, community centers, greenway or trailheads, museums, gardens, schools, and churches can serve as anchors for neighborhood commercial hubs.

Transitions:

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

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

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

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

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

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF	R-SF	R-SF	R-SF
LAND USE	Single-family residential	Single-family residential	Single-family residential	Single-family residential
PLACETYPES	Center City neighborhood	Center City neighborhood	Center City neighborhood	Center City neighborhood

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT COMMENTS:

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues with the proposed CUP.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No objection to the CUP.

FIRE DEPARTMENT:

No comments.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

No issues for stormwater.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

TRAFFIC REPORT

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	N. Broadway Avenue	Collector	City	30	36	NA	Yes	Yes	Yes

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

TRAILS, BUS STOPS, AND ADDITIONAL INFORMATION - There are no Greenway Trails near the property. There are two (2) bus stops on Broadway Avenue near the property.

IMPROVEMENTS - No improvements are required for this conditional use permit. A traffic study is not required for this conditional use permit. The existing asphalt parking lot within the public ROW must be completely removed and restored with grass, and curb and gutter.

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant has requested this Conditional Use Permit for operation of a daycare center as an adaptive use of a nonresidential structure in a R-SF district. The applicant intends to use the vacant commercial building as a day care center.

DEVELOPMENT REVIEW STAFF REPORT

A site plan has been provided (Attachment 4) depicting the development of the site. The day center will utilize the existing commercial building without the need to expand the building. The existing asphalt parking lot within the public right-of-way must be completely removed and restored with grass, and curb and gutter.

3. The center city neighborhood placetype encourages the preservation and adaptive reuse of neighborhood schools and surplus buildings. This application is consistent with this recommendation.
4. 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* Center City neighborhood Placetype.

STAFF RECOMMENDATION:

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

PLANNING AND ZONING OPTIONS:

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

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

DEVELOPMENT REVIEW STAFF REPORT

ATTACHMENT 1 CONDITIONAL USE PERMIT NO. 482

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

DEVELOPMENT REVIEW STAFF REPORT

ATTACHMENT 2 STANDARDS FOR CONDITIONAL USE PERMIT NO. 482

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 conditional use will not change the existing site and will only change the function of the existing building.	The Comprehensive Plan encourages the preservation and use of neighborhood buildings. Additionally, this application will allow for a neighborhood servicing use within a vacant building.
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 conditional use will not change the existing site and will only change the function of the existing building.	Public Works – Traffic has reviewed the proposed conditional use and has determined that it will not adversely affect the safety of the using the facility or passing by.
3. The proposed conditional use will adequately provide for safety from fire hazards and have effective measures of fire control.	There is an existing fire hydrant at the corner of Webster and Broadway withing 150 feet of the existing building.	The Fire Department has reviewed the proposed conditional use and has not noted any concerns regarding fire safety and fire control measures.
4. The proposed conditional use will not increase the hazard to adjacent property from flood or water damage.	There will not be an increase in impervious area or surface runoff.	Public Works – Stormwater has reviewed the proposed conditional use and has no issues with the proposed conditional use.
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 conditional use will not change the existing site and will only change the function of the existing building.	Staff does not have any concerns pertaining to the anticipated noise levels associated with the proposed day care center.

DEVELOPMENT REVIEW STAFF REPORT

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:
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 conditional use will not change the existing site and will only change the function of the existing building.	All future stationary lighting will be required to be meet the requirements and limitations of Section 36-484, Exterior lighting.
7. The location, lighting, and type of signs and the relationships of signs to traffic control is appropriate for the site.	The conditional use will not change the existing site and will only change the function of the existing building.	City staff does not have any concerns regarding future signage. Signage will be required to meet city code.
8. Such signs will not have an adverse effect on any adjacent properties.	The conditional use will not change the existing site and will only change the function of the existing building.	All future signage must comply with the requirements and limitations of Section 36-454, Signs.
9. The street right-of-way and pavement width in the vicinity is or will be adequate for traffic reasonably expected to be generated by the proposed use.	The conditional use will not change the existing site and will only change the function of the existing building.	As noted by Public Works – Traffic, there are no concerns at this time regarding the proposal's impact on traffic in the area; however, Traffic has noted that existing asphalt parking lot within the public right-of-way must be completely removed and restored with grass, and curb and gutter.

DEVELOPMENT REVIEW STAFF REPORT

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:
10. The proposed conditional use will not have any substantial or undue adverse effect upon, or will lack amenity or will be incompatible with, the use or enjoyment of adjacent and surrounding property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety and general welfare.	The conditional use will not change the existing site and will only change the function of the existing building.	Staff does not anticipate that the proposed development will adversely impact or be incompatible with the surrounding property. A 6-foot solid fence is located around the property's perimeter.
11. The proposed conditional use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. In determining whether the proposed conditional use will so dominate the immediate neighborhood, consideration shall be given to: a. The location, nature and height of buildings, structures, wall and fences on the site; and b. The nature and extent of landscaping and screening on the site.	The conditional use will not change the existing site and will only change the function of the existing building.	The standards of the Zoning Ordinance adequately address these issues. This application is consistent with the purpose of the adaptive use of nonresidential structures that could otherwise be a blight on the neighborhood if left vacant and are not maintained.

DEVELOPMENT REVIEW STAFF REPORT

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:
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 conditional use will not change the existing site and will only change the function of the existing building.	It is not expected that the proposed development will negatively affect any significant natural topography or physical features.
13. The proposed conditional use will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance.	The conditional use will not change the existing site and will only change the function of the existing building.	The applicant's response adequately addresses this condition.
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 conditional use will not change the existing site and will only change the function of the existing building.	The proposed use complies with applicable regulations regarding lot size, bulk regulations, use limitations and performance standards.
15. The proposed conditional use at the specified location will contribute to or promote the welfare or convenience of the public.	The proposed use will provide a childcare facility in an area of town that will be well served by that use.	The applicant's response adequately addresses this condition.

DEVELOPMENT REVIEW STAFF REPORT

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:
16. Off-street parking and loading areas will be provided in accordance with the standards set out in 36-455, 36-456 and 36-483 of this Article, and such areas will be screened from any adjoining residential uses and located so as to protect such residential uses from any injurious effect.	The existing parking lot will provide adequate parking for the proposed day care use as required by Sec. 36-455.	The development will be subject to these standards of the Zoning Ordinance.
17. Adequate access roads or entrance or exit drives will be provided and will be designed so as to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.	Access roads, entrances and exit drives are not changing as a result of the conditional use.	Public Works Traffic Division has reviewed the proposed site plan and has determined that it will not create these hazards.
18. The vehicular circulation elements of the proposed application will not create hazards to the safety of vehicular or pedestrian traffic on or off the site, disjointed vehicular or pedestrian circulation paths on or off the site, or undue interference and inconvenience to vehicular and pedestrian travel.	The vehicular circulation elements are not changing as a result of this conditional use. The existing vehicular circulation elements and pedestrian paths will remain.	Public Works Traffic Division has reviewed the proposed site plan and has determined that it will not create these hazards with the traffic access controls that are required with this Conditional Use.
19. The proposed use, as shown by the application, will not interfere with any easements, roadways, rail lines, utilities and public or private rights-of-way.	The conditional use will not change the existing site and will only change the function of the existing building.	No known interference with any public rights of way or easements are known

DEVELOPMENT REVIEW STAFF REPORT

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:
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 conditional use will not change the existing site or building and will only change the function of the existing building.	The development is required to adhere to all standards of the Zoning Ordinance and other applicable ordinances.
21. The proposed conditional use will be served adequately by essential public facilities and services such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services.	The conditional use will not change the existing site and will only change the function of the existing building.	This property is already served with public infrastructure and services.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Conditional Use Permit for: Operation of a Daycare Facility
2. Meeting Date & Time: 05/22/2025
3. Meeting Location: 1212 N Broadway Ave, Springfield, MO
4. Number of invitations that were sent: 190
5. How was the mailing list generated: City of Springfield
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 of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

Concerns of what will be allowed to happen with the facility if it is rezoned and the daycare closes. Explained that the residential zoning will remain and the conditional use permit will only allow for the daycare facility.

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

I, Amber Broyles (*print name*), attest that the neighborhood meeting was held on 05/22/2025 (*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."

Amber Broyles
Signature of person completing affidavit

Amber Broyles
Printed name of person completing affidavit

[illegible]

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

FORMERLY ANDERSON ENGINEERING

A licensed Missouri
Engineering Corporation
COA# 00062

**1212 N. BROADWAY
CONDITIONAL USE
PERMIT**

212 N. BROADWAY AVE
SPRINGFIELD, MO

REVISIONS

[illegible]

DRAWING INFORMATION

PROJECT NO: 25SP10052

DRAWN BY: CMH

CHECK BY: N/A

ISSUED DATE: 05/19/2025

ISSUED BY: N/A

LICENSE NO: N/A

SHEET TITLE

SITE EXHIBIT

SHEET NUMBER

C1



EXPLANATION TO COUNCIL BILL 2025-173 (HORTON)

FILED: 07/23/2025

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 1.22 acres of property generally located at 2800 North Kansas Expressway from GR – General retail district to HC – Highway commercial district; and adopting an updated Official Zoning Map. (By: Khan Family Properties, LLC; 2800 N. Kansas Expressway; Z-12-2025.)

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, Official zoning map and rules for interpretation,' by rezoning approximately 1.22 acres generally located on a portion of 2800 North Kansas Expressway from a GR, General Retail District to a HC, Highway Commercial District. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION:
ZONING CASE NUMBER Z-12-2025

The applicant is requesting to rezone approximately 1.22 acres generally located on a portion of 2800 North Kansas Expressway from a GR, General Retail District to a HC, Highway Commercial District. The applicant is rezoning for redevelopment of the subject property which may include outdoor sales and display.

REMARKS: The Planning and Zoning Commission held a public hearing on July 17, 2025, 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 City Corridor placetype.
2. The City Corridor placetype predominantly consists of commercial and service-related development varying in scale, ranging from standalone businesses to large retail centers. City Corridors are also key locations to support and

encourage multi-family developments that rely on proximity to retail, commercial services, and employment centers.

3. The range of uses in the proposed HC district is compatible with the uses permitted on other property in the immediate vicinity. The properties to the north and south have existing auto-oriented businesses.
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.
5. There are few changing conditions in the area affected that make the proposed rezoning necessary.
6. The range of uses in the proposed HC 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. The proposed rezoning does not require a traffic study.
9. The proposed zoning will not correct an error in the application of this article but rather will provide a viable use of the property subject to the provisions of the zoning district.
10. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

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

Submitted By: Daniel Neal, Senior City Planner

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

Maurice S. Jones, Deputy City Manager 08/01/2025

Attachments:

1. Z-12-2025 - 2800 N. Kansas Expressway
2. Z-12-2025_exhA
3. Z-12-2025_exhB

4. Z-12-2025_exhC

One-rdg. _____
P. Hrngs. X
Pgs. 18
Filed: 08-05-25

Sponsored by: Horton

First Reading: _____

Second Reading: _____

COUNCIL BILL 2025-173

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official
2 zoning map and rules for interpretation,' by rezoning approximately
3 1.22 acres of property generally located at 2800 North Kansas
4 Expressway from GR – General retail 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 property
9 generally located at 2800 North Kansas Expressway from GR – General retail district to
10 HC – Highway commercial district; and
11

12 WHEREAS, following proper notice, the Planning and Zoning Commission held a
13 public hearing on July 17, 2025, a copy of the Record of Proceedings from said public
14 hearing being attached hereto and incorporated herein by this reference as "Exhibit B,"
15 and said Commission made a recommendation of approval by a vote of 8 to 0; and
16

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

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

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

27 Section 1 – The property generally located at 2800 North Kansas Expressway
28 and described in "Exhibit A," which is attached hereto and incorporated herein by this
29 reference, is hereby rezoned from GR – General retail district to HC – Highway
30 commercial district. Springfield Land Development Code, Section 36-306, 'Official
31 zoning map and rules for interpretation,' is hereby amended, changed, and modified
32 consistent with this Ordinance.
33

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

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

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

45
46 Passed at meeting: _____

47
48 _____
49 Mayor

50
51 Attest: _____, City Clerk

52
53 Filed as Ordinance: _____

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

57
58 *[Signature]*
59 Approved for Council action: _____, City Manager

EXHIBIT A
LEGAL DESCRIPTION

COMMENCING AT A POINT 52 FEET NORTH OF THE SOUTHWEST CORNER OF LOT ONE (1) OF THE NORTHWEST FRACTIONAL QUARTER (NWFRL $\frac{1}{4}$) OF SECTION TWO (2), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-TWO (22); THENCE NORTH 116 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF A TRACT CONVEYED TO M.W. SPICKARD AND WIFE; THENCE EAST 462 FEET TO THE SOUTHEAST CORNER OF THE SPICKARD TRACT; THENCE SOUTH 116 FEET TO A POINT DUE EAST OF THE BEGINNING; THENCE WEST 462 FEET TO THE PLACE OF BEGINNING, ALL IN GREENE COUNTY, MISSOURI. AND BEGINNING 52 FEET NORTH OF THE SOUTHWEST CORNER OF LOT ONE (1) OF THE NORTHWEST FRACTIONAL QUARTER (NWFRL $\frac{1}{4}$) OF SECTION TWO (2), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-TWO (22), IN GREENE COUNTY, MISSOURI; THENCE SOUTH TEN (10) FEET; THENCE EAST FOUR HUNDRED SIXTY-TWO (462) FEET; THENCE NORTH TEN (10) FEET; THENCE WEST FOUR HUNDRED SIXTY-TWO (462) FEET TO THE PLACE OF BEGINNING.

EXHIBIT B
RECORD OF PROCEEDINGS
Planning and Zoning Commission – July 17, 2025

Z-12-2025

2800 North Kansas Expressway

Applicant: Khan Family Properties, LLC

Mr. Neal states that this is a request to rezone approximately 1.22 acres from a GR, General Retail District to a HC, Highway Commercial District.

Mr. Scott asked for clarification on the separation requirements or bufferyard between Highway Commercial and the traditional neighborhood to the east.

Mr. Neal noted that there is no bufferyard with General Retail, but for Single-Family that would have a 20- foot bufferyard F.

Mr. Doennig opened the public hearing.

Teresa Davison, 535 W. Battlefield Road and here to answer any questions.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Pauly moved to approve Z-12-2025; Commissioner Colony seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Doennig, Commissioner Ridge, Commissioner Scott, Commissioner Hunton, Commissioner Pauly, Commissioner Gunther, Commissioner Colony, and Commissioner Lebeck. Nays: None. Absent: Commissioner Knuckles. Abstain: None.



Bob Hosmer, AICP
Planning Manager



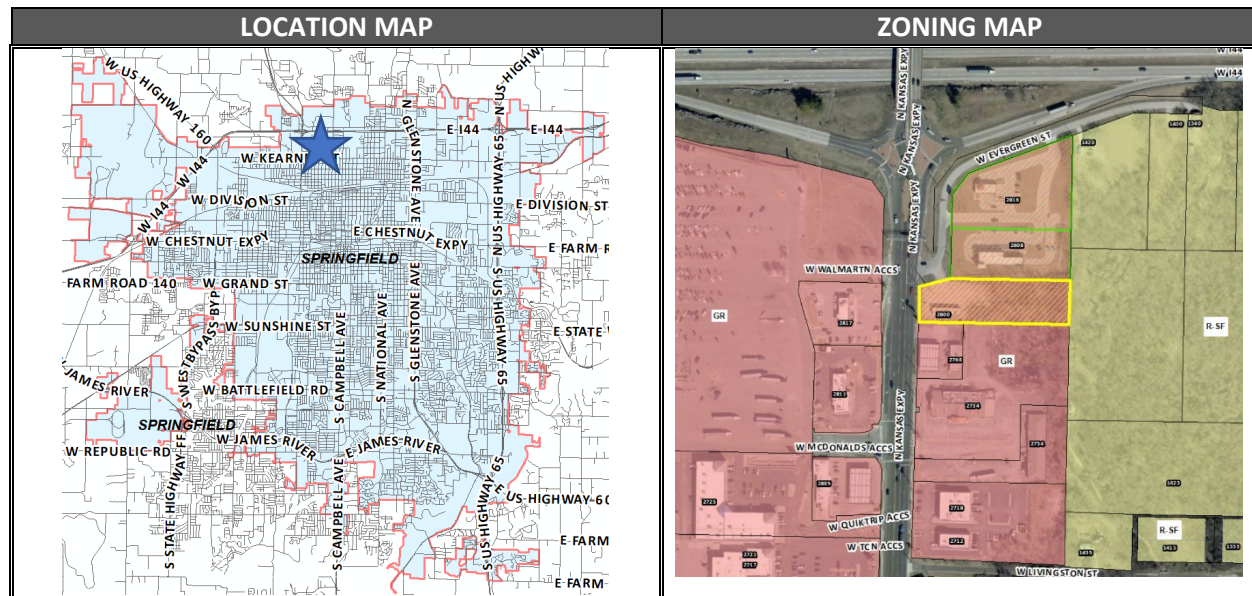
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-12-2025
Location:	2800 N. Kansas Expressway
Total Acres:	1.22 acres
Applicant:	Khan Family Properties, LLC
Existing Land Use:	Vacant retail establishment
Neighborhood Meeting:	June 26, 2025
Planning and Zoning Commission:	July 17, 2025
City Council:	August 11, 2025
Public Notification:	Mail, posted property, and legal in Springfield News-Leader
Staff:	Daniel Neal, Senior Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of rezoning case Z-31-2025 (All commission motions are made in the affirmative).
Required Vote:	A majority of those present (5 members are a quorum).

PROJECT SUMMARY:

Request to rezone approximately 1.22 acres generally located on a portion of 2800 North Kansas Expressway from a GR, General Retail District to a HC, Highway Commercial 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 GR 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 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:

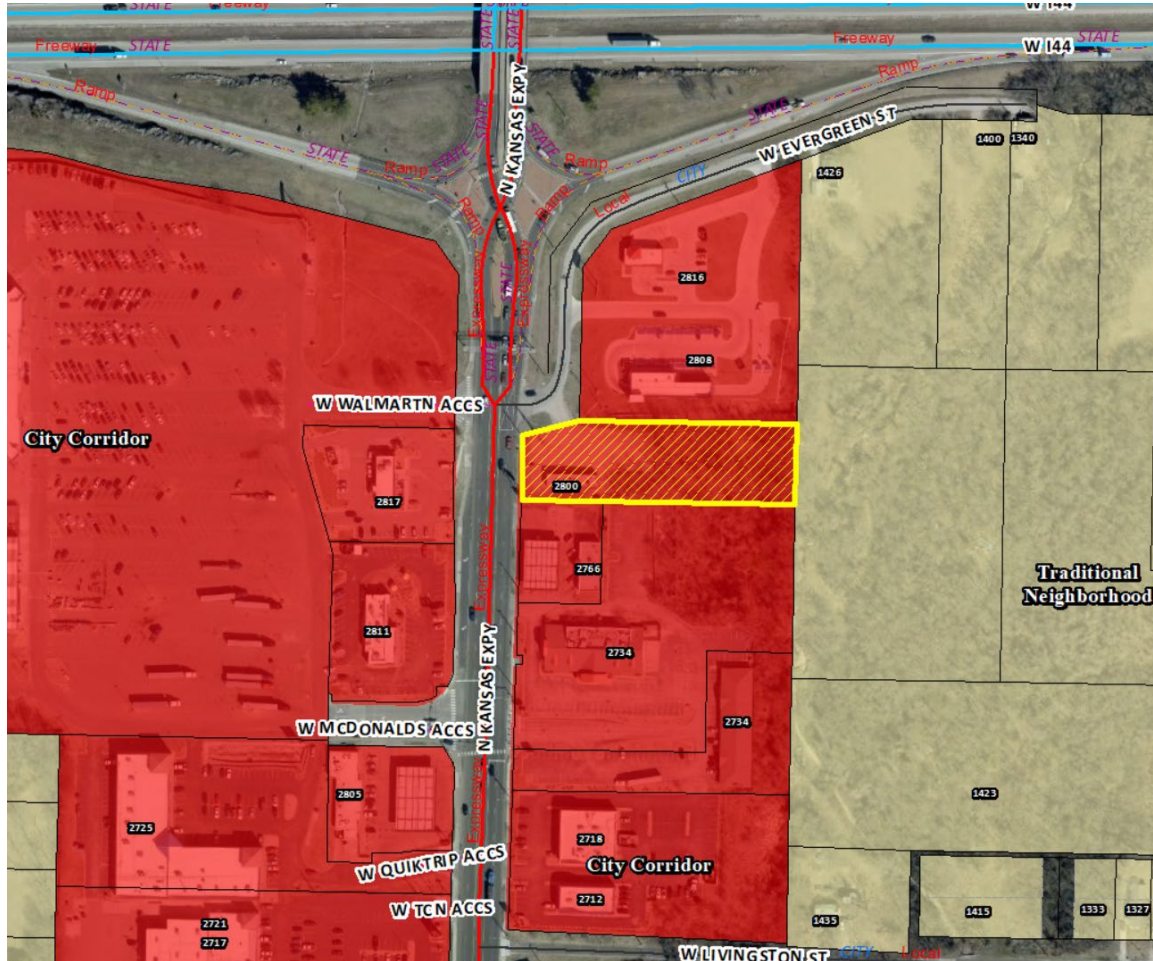
- Residential development and commercial buildings should be oriented to the street.
- Parking should be located behind or beside the primary buildings with abundant landscaping and screening to encourage greater interest and interaction between the adjoining street and the building, that contributes 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, Retail Sales & Service	Neighborhood Commercial	Maker, Artisan & Innovation Spaces	Public & Private Schools & Places of Worship	Universities, Colleges & Vocational Schools	Personal Services, Health Care & Institutional Facilities	Light Industry	Warehouse & Distribution Facilities
Residential Neighborhood	●	○	◇	○	◇	◇	○							
Mixed Residential	●	●	○	○	◇	◇	○							
Downtown			●	○	○	○	●	○	○	○				
Mixed-Use	○	○	●	○	○	○	●	○						
City Corridor			●	○	○	○	●	○	○	○				
Institutional & Employment Center			○	○	○	○	○	○	○	○				
Business Flex				○	○	○	○	○	○	○	○	○	○	○
Industry & Logistics				○	○	○	○	○	○	○	○	○	○	○
Urban Green Space & Recreation			●	●	○									

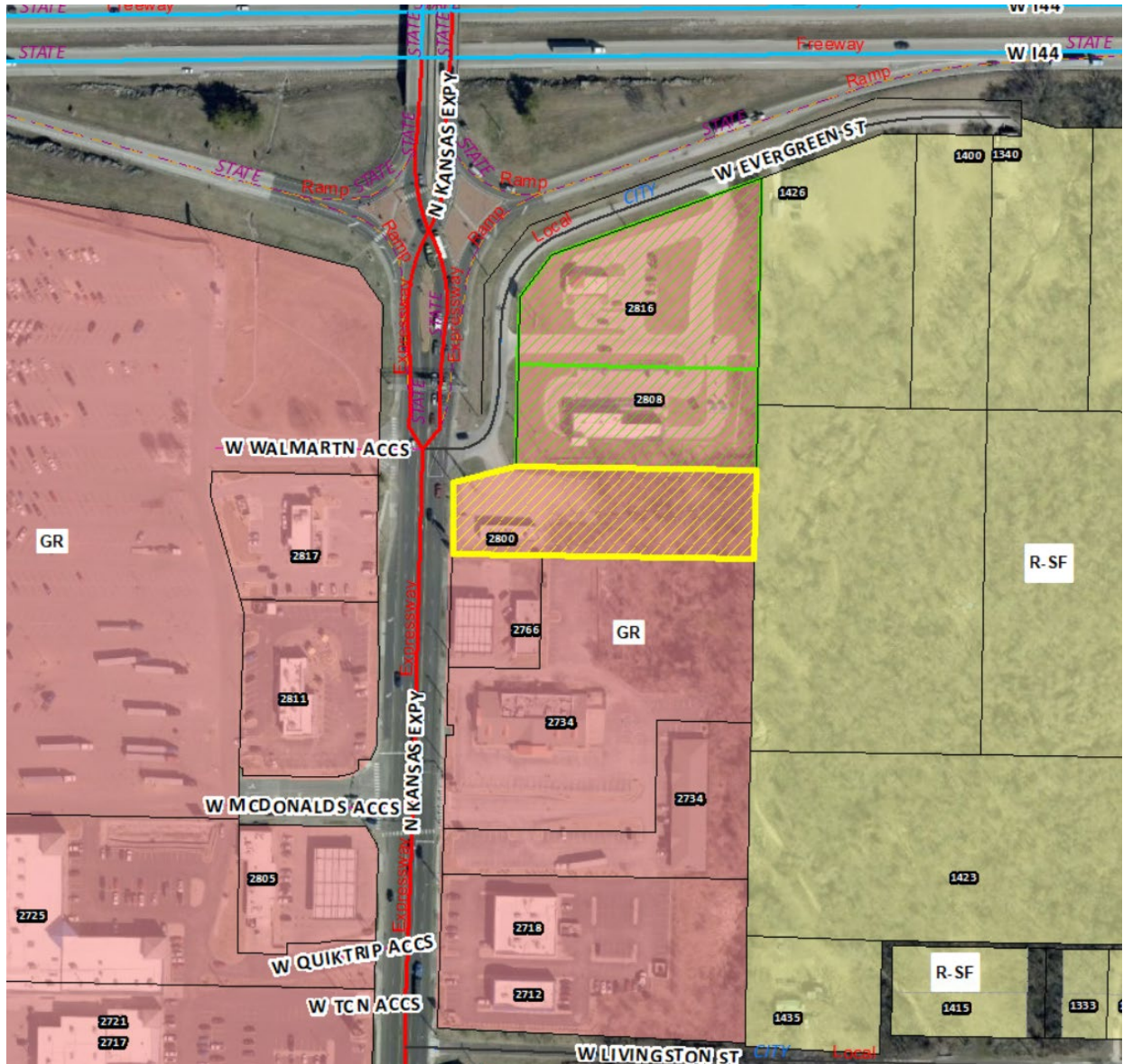
● **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype

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

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

DEVELOPMENT REVIEW STAFF REPORT

MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	GR	GR	R-SF	GR
LAND USE	Car wash and service station	Fueling station	Vacant/undeveloped	Retail establishment
PLACETYPES	City Corridor	City Corridor	City Corridor	City Corridor

DEVELOPMENT REVIEW STAFF REPORT

DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

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

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No objection to the rezoning. Tract has access to public sewer.

FIRE DEPARTMENT:

No comments.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

TRAFFIC REPORT

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	N. Kansas Expy.	Expressway	MoDOT	65	45	30,000	No	Yes	No
Street 2	W. Evergreen St.	Local	MoDOT	30	45	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 (1) bus stop on the west side of Kansas Expy. near this 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

	Drainage Basin	Fee in Lieu of for Flood Control	Fee in Lieu of Water Quality	Stream Buffer on Site	Sinkhole or Watershed	Floodplain and Floodway
2800 N Kansas Expy	Pea Ridge Creek	Dependent on Stormwater Analysis	No	No	No	Yes

DEVELOPMENT REVIEW STAFF REPORT

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. Flood Control is required for any expansion. A downstream stormwater analysis is required before any approval of a fee in lieu of detention application. The Pea Ridge Creek Floodway is present on the adjacent property and the flood plain extends to 2800 N Kansas Expy lot.

WATER QUALITY REQUIREMENTS

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

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

3. Water Quality Credits are available to use in design for preserved trees and new planted trees. Landscaping and Bufferyards trees required by planning cannot be used for the water quality credits unless it is part of a SCM. Chapter 10, Section 3.1.

FLOODPLAIN

1. Pea Ridge Creek floodplain extends onto the property from the east. The 2025 FEMA Maps has decreased the floodplain and floodway of the Pea Ridge Creek in this area.

NATURAL CHANNEL & STREAM BUFFERS

N/A

SINKHOLES & KARST FEATURES

N/A

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 1.22 acres generally located on a portion of 2800 North Kansas Expressway from a GR, General Retail District to a HC, Highway Commercial District. The applicant is proposing automotive sales which is a retail sales use group.
2. The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the City Corridor placetype.
3. 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.

DEVELOPMENT REVIEW STAFF REPORT

4. The range of uses in the proposed HC district is compatible with the uses permitted on other property in the immediate vicinity. The properties to the north and south have existing auto-oriented businesses.
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.
6. There are few changing conditions in the area affected that make the proposed rezoning necessary.
7. The range of uses in the proposed HC 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. The proposed rezoning does not require a traffic study.
10. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
11. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.
12. The proposed rezoning was reviewed by City departments and comments are contained in the staff report (above).
13. The applicant held a neighborhood meeting on June 26, 2025, regarding the rezoning request. A summary of the meeting is attached (Attachment 1).
14. The public notice was advertised in the Daily Events at least 15 days prior to the public hearing. The property was posted by the applicant at least 10 days prior to the public hearing. Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 185 feet.

STAFF RECOMMENDATION:

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



EXPLANATION TO COUNCIL BILL 2025-174 (MCGULL)

FILED: 07/23/2025

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 3.83 acres of property generally located at 1100 East Kearney Street, 1101 East Turner Street, 2303 and 2307 North Taylor Avenue, and 2306 North Howard Avenue from R-TH – Residential townhouse district and HC – Highway commercial district, to R-MD – Medium density multifamily residential district and HC – Highway commercial district with Conditional Overlay District No. 272; establishing Conditional Overlay District No. 272; and adopting an updated Official Zoning Map. (By: Elevate Lives; 1100 East Kearney Street, 1101 East Turner Street, 2303 & 2307 North Taylor Avenue, 2306 North Howard Avenue; Z-13-2025 with Conditional Overlay District No. 272.)

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 3.83 acres generally located at 1100 East Kearney Street, 1101 East Turner Street, 2303 & 2307 North Taylor Avenue, 2306 North Howard Avenue from R-TH, Residential Townhouse District and HC, Highway Commercial District to R-MD, Medium Density Multifamily Residential District and HC, Highway Commercial District with Conditional Overlay District 272. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-13-2025 CONDITIONAL OVERLAY DISTRICT NO. 272

The applicant is requesting to rezone approximately 3.83 acres generally located at 1100 East Kearney Street, 1101 East Turner Street, 2303 & 2307 North Taylor Avenue, 2306 North Howard Avenue from R-TH, Residential Townhouse District and HC, Highway Commercial District to R-MD, Medium Density Multifamily Residential District and HC, Highway Commercial District with Conditional Overlay District 272.

The applicant intends to develop a 2-acre multi-family development on the south portion of the subject property. The north portion of the subject property, approximately 1.83 acres in size, has a vacant school which the applicant does not have immediate plans currently.

REMARKS: The Planning and Zoning Commission held a public hearing on July 17, 2025, 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 3.83 acres generally located at 1100 East Kearney Street, 1101 East Turner Street, 2303 & 2307 North Taylor Avenue, 2306 North Howard Avenue from R-TH, Residential Townhouse District and HC, Highway Commercial District to R-MD, Medium Density Multifamily Residential District and HC, Highway Commercial District with Conditional Overlay District 272.
2. The applicant intends to develop a 2-acre multi-family development on the south portion of the subject property. The north portion of the subject property, approximately 1.83 acres in size, has a vacant school which the applicant does not have immediate plans currently.
3. The *Comprehensive Plan's Land Use & Development* chapter identifies the north portion of the subject property as the City Corridor placetype. The *Comprehensive Plan's Land Use & Development* chapter identifies the south portion of the subject property as the Center City neighborhood placetype.
4. The HC zoning is consistent with the City Corridor placetype. The expansion of the HC zoning will allow the existing former school building to redevelop with its own parking lot and open space that the HC district requires.
5. The COD prohibits uses that are more intense and could potentially have negative impacts of the surrounding properties.
6. The R-MD District is intended to accommodate multi-family developments at densities up to approximately twenty-nine (29) dwelling units per acre. The applicant is requesting a maximum of twenty-one (21) dwelling units per acre. This density has been determined to be appropriate for this area based on an assessment completed under the Revised Multi-Family Development Location and Design Guidelines. That assessment resulted in a density of 21 to 24 dwelling units per acre. Further analysis of the proposed development under the Revised Multi-Family Development Location and Design Guidelines is attached (Exhibit D - Attachment 2). The development must be in substantial conformance to the attached site plan (Exhibit D - Attachment 4).
7. 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.

8. Missing middle housing types provide opportunities for the city to increase the diversity of its housing stock through moderate increases in density, while maintaining the neighborhood character Springfield residents cherish. They range from low density duplexes to mid density multiplexes and triplexes, which can be integrated into the City's housing mix by using single-family lots to accommodate two to three units in a context-sensitive manner.
9. The *Plan* recommends a "stepped down" approach to be used to transition from higher density/intensity residential and non-residential uses to single-family residential homes and uses, with greater densities/intensities located on higher functioning roadways.
10. 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.
11. There are few changing conditions in the area affected that make the proposed rezoning necessary. Minor development of property within the vicinity has been occurring.
12. The range of uses in the proposed HC and R-MD district is compatible with the uses permitted on other property in the immediate vicinity.
13. 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.
14. 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.
15. 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.
16. 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 and Center City Neighborhood placetype and on the finding of facts above.



Submitted By: Councilmember Adib-Yazdi, Councilmember, Michael Sparlin, Senior City Planner

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

Maurice S. Jones, Deputy City Manager 08/01/2025

- Attachments:**
1. Z-13-2025 COD 272 - 1100 E. Kearney, 101 E. Turner, 2303 and 2307 N. Taylor Ave., 2306 N. Howard Ave.
 2. Z-13-2025 COD 272_exhA
 3. Z-13-2025 COD 272_exhB
 4. Z-13-2025 COD 272_exhC
 5. Z-13-2025 COD 272_exhD

One-rdg. _____
P. Hrngs. X
Pgs. 36
Filed: 08-05-25

Sponsored by: McGull

First Reading: _____

Second Reading: _____

COUNCIL BILL 2025-174

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, 'Official
2 zoning map and rules for interpretation,' by rezoning approximately
3 3.83 acres of property generally located at 1100 East Kearney
4 Street, 1101 East Turner Street, 2303 and 2307 North Taylor
5 Avenue, and 2306 North Howard Avenue from R-TH – Residential
6 townhouse district and HC – Highway commercial district, to R-MD
7 – Medium density multifamily residential district and HC – Highway
8 commercial district with Conditional Overlay District No. 272;
9 establishing Conditional Overlay District No. 272; and adopting an
10 updated Official Zoning Map.
11 _____
12

13 WHEREAS, an application has been filed for a zoning change of the property
14 generally located at 1100 East Kearney Street, 1101 East Turner Street, 2303 and 2307
15 North Taylor Avenue, and 2306 North Howard Avenue from R-TH – Residential
16 townhouse district and HC – Highway commercial district, to R-MD – Medium density
17 multifamily residential district and HC – Highway commercial district, and establishing
18 Conditional Overlay District No. 272; and
19

20 WHEREAS, Conditional Overlay District No. 272 shall modify the requirements of
21 the Springfield Land Development Code Sections 36-383, R-MD – Medium density
22 multifamily residential district, and 36-422, HC – Highway commercial district, by
23 requiring that the property described in "Exhibit B" comply with the requirements
24 described in "Exhibit A," both attached hereto and incorporated herein by this reference;
25 and
26

27 WHEREAS, following proper notice, the Planning and Zoning Commission held a
28 public hearing on July 17, 2025, a copy of the Record of Proceedings from said public
29 hearing being attached hereto and incorporated herein by this reference as "Exhibit C,"
30 and said Commission made its recommendation of approval with a vote of 8 to 0; and
31

32 WHEREAS, the City has reviewed the applicant's request and prepared a staff
33 report concerning the application, which is attached hereto and incorporated herein by

34 this reference as "Exhibit D"; and
35

36 WHEREAS, proper notice was given of a public hearing before City Council, and
37 said hearing was held in accordance with the law.
38

39 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
40 SPRINGFIELD, MISSOURI, as follows, that:
41

42 Section 1 – The property described in "Exhibit B" is hereby rezoned from R-TH –
43 Residential townhouse district and HC – Highway commercial district, to R-MD –
44 Medium density multifamily residential district and HC – Highway commercial district,
45 with Conditional Overlay District No. 272 Springfield Land Development Code, Section
46 36-306, 'Official zoning map and rules for interpretation,' is hereby amended, changed,
47 and modified consistent with this Ordinance.
48

49 Section 2 – City Council hereby establishes Conditional Overlay District No. 272,
50 which shall contain the requirements and standards provided in "Exhibit A." The
51 requirements of Conditional Overlay District No. 272 shall modify the requirements of
52 the Springfield Land Development Code Sections 36-383, R-MD – Medium density
53 multifamily residential district, and 36-422, HC – Highway commercial district, by
54 requiring the property described in "Exhibit B" to comply with the requirements
55 contained in "Exhibit A."
56

57 Section 3 – City Council hereby directs the City Manager, or designee, to update
58 the City's digital zoning map to reflect this rezoning, and City Council adopts the map
59 thereby amended as the Official Zoning Map of Springfield, Missouri, as provided for in
60 the Springfield Land Development Code, Section 36-306, 'Official zoning maps and
61 rules of interpretation.'
62

63 Section 4 – The Official Zoning Map herein adopted shall be maintained and
64 archived in the same digital form in which this Council has approved its adoption.
65

66 Section 5 – This Ordinance shall be in full force and effect from and after
67 passage.
68

69 Passed at meeting: _____
70

71 _____
72 Mayor
73

74 Attest: _____, City Clerk
75

76 Filed as Ordinance: _____
77

78 Approved as to form: Laura Vales
79 _____, Assistant City Attorney

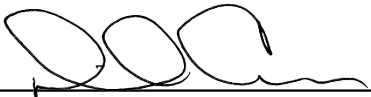
80 Approved for Council action: , City Manager

EXHIBIT A
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-13-2025 COD 272

The requirements of Section 36-383 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 twenty-two (22) dwelling units per acre.
2. The development of the subject property shall be in substantial conformance to the Revised Multi-Family Location and Design Guidelines and the attached site plan (Attachment 5).

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

1. The following uses shall be prohibited from the HC, Highway Commercial District:
 - a. Ambulance services.
 - b. Bus stations.
 - c. Cemeteries.
 - d. Household resource recovery collection centers
 - e. Manufactured housing (mobile home) and trailer sales, leasing and service.
 - f. Medical or comprehensive marijuana cultivation facility or microbusiness marijuana wholesale facility.
 - g. Medical, comprehensive or microbusiness marijuana dispensary facility.
 - h. Medical or comprehensive marijuana-infused products manufacturing type 2 post-extraction facility.
 - i. Public or private vehicle and boat storage garages, yards or lots.
 - j. Self-service storage facilities.
 - k. Taxi dispatch yards and offices.

EXHIBIT B
LEGAL DESCRIPTION

HC, Highway Commercial COD 272 - All of Lots five (5) and eight (8) except the south fifty (50) feet of lot eight (8), block 1, in Hobart's 3rd addition, Greene County Missouri.

R-MD COD 272 - All of lots thirty-one (31), thirty-two (32), thirty-three (33), thirty-four (34), thirty-five (35), thirty-six (36), thirty-seven (37), thirty-eight (38), thirty-nine (39), forty (40), forty-one (41), and forty-two (42), in Sperry and Kilham's Second subdivision in the city of Springfield, Greene County, Missouri, and the south fifty (50) feet of lot eight (8), block 1, in Hobart's 3rd addition, Greene County Missouri.

EXHIBIT C
RECORD OF PROCEEDING
Planning and Zoning Commission – July 17, 2025

Z-13-2025 COD 272

1100 East Kearney Street, 1101 East Turner Street, 2306 North Howard Avenue and 2303 & 2307 North Taylor Avenue

Applicant: Elevate Lives

Mr. Sparlin states that this is a request to rezone approximately 3.83 acres from R-TH, Residential Townhouse District and HC, Highway Commercial District to R-MD, Medium Density Multifamily Residential District and HC, Highway Commercial District with Conditional Overlay District 272.

Mr. Doennig opened the public hearing.

Mr. Billy Kimmons, 1722 S. Luster Avenue and representing the applicant stating that this rezoning is for Medium Density Multifamily Residential to support the development of the apartments (multi-family housing) and the rest is clean up split zoning.

Mr. Russell Gosselin, 2201 N. Jefferson Avenue and is adjacent to the proposed property. He stated that will be a hub for multiple organizations and non-profits to help low-income family. Elevate Lives focuses on the ones who are serious about changing their lives and becoming thriving members of society.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Scott moved to approve Z-13-2025 COD 272; Commissioner Lebeck seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Doennig, Commissioner Ridge, Commissioner Scott, Commissioner Hunton, Commissioner Pauly, Commissioner Gunther, Commissioner Colony, and Commissioner Lebeck. Nays: None. Absent: Commissioner Knuckles. Abstain: None.

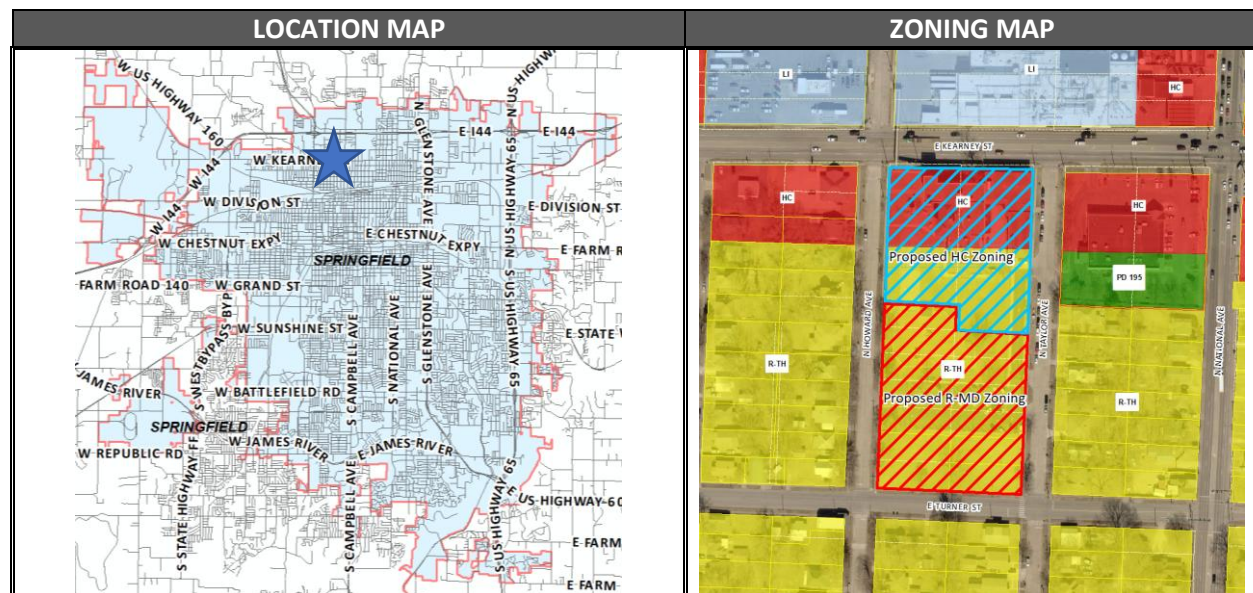


Bob Hosmer, AICP
Planning Manager

PROJECT INFORMATION:

Case Number:	Z-13-2025 with Conditional Overlay District No. 272
Location:	1100 East Kearney Street, 1101 East Turner Street, 2303 & 2307 North Taylor Avenue, 2306 North Howard Avenue
Total Acres:	3.83 acres
Applicant:	Elevate Lives
Existing Land Use:	Vacant school and undeveloped land
Neighborhood Meeting:	June 25, 2025
Planning and Zoning Commission:	July 17, 2025
City Council:	August 11, 2025
Public Notification:	Mail, posted property, and legal in the Springfield News-Leader
Staff:	Michael Sparlin, Senior Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of rezoning case Z-13-2025 with Conditional Overlay District No. 272 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 3.83 acres generally located at 1100 East Kearney Street, 1101 East Turner Street, 2303 & 2307 North Taylor Avenue, 2306 North Howard Avenue from R-TH, Residential Townhouse District and HC, Highway Commercial District to R-MD, Medium Density Multifamily Residential District and HC, Highway Commercial District with Conditional Overlay District 272.



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 and R-TH in the 1995 city-wide remapping.

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

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

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

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR R-MD
Minimum Yard Requirements	Front yard: 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.
Maximum Height	Thirty-five feet plus one additional foot for each additional two feet of setback provided on each side of the structure up to 75 feet. Above 75 feet, no additional setback is required.
Minimum Open Space	Not less than 20 percent.
Buffering and Landscaping	A Type C bufferyard is required adjacent to property zoned R-SF.

DEVELOPMENT REVIEW STAFF REPORT

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. (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.

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 as the City Corridor placetype.

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

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.

The *Comprehensive Plan's Land Use & Development* chapter identifies the south portion of the subject property as the Center City neighborhood placetype.

DEVELOPMENT REVIEW STAFF REPORT

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

PRIMARY USES

1. Single-family detached

SUPPORTING USES

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

CHARACTERISTICS TRANSPORTATION & INFRASTRUCTURE

1. Traffic-calming measures, such as speed-humps, bump-outs, roundabouts, landscaped chicanes with integrated stormwater management, and on-street parking are used to slow traffic.
2. Best management practices for stormwater management are required in development projects and within public rights-of-way, such as permeable paving, rain gardens, green roofs, native landscaping, and other low impact design strategies.

DEVELOPMENT REVIEW STAFF REPORT

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

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

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

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

1. Residential subdivisions are designed and platted in more conventional layouts with shorter blocks.
2. Lots have a variety of widths, depths, and setbacks creating unique identity from neighborhood to neighborhood.
3. While not as common, attached and detached garages provide limited parking options and create a greater demand for on-street parking.
4. Garages reflect the architectural style and scale of the primary buildings and are often setback well behind the front facade.
5. Driveways are often accessed from the rear alley and are shared or absent in exchange for sidewalks to the front door or porch, which provides increased on-street parking opportunities.
6. Properties and neighborhoods eligible for local historic designation are continually identified and preserved.

DEVELOPMENT REVIEW STAFF REPORT

7. Key corridors that offer transit and other multimodal, trail, or greenway connections can be enhanced with increased housing and neighborhood scale services, shops, and dining.
8. Low-impact, neighborhood-scale commercial uses should be considered at locations where community facilities and amenities or other informal neighborhood hubs already exist, at former streetcar stops, along the edges of the neighborhood or at other significant neighborhood destinations.
9. Neighborhood parks, community centers, greenway or trailheads, museums, gardens, schools, and churches can serve as anchors for neighborhood commercial hubs.

Transitions:

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

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 & Vocational Schools	Universities, Colleges & Institutional Facilities	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	LI	R-TH	HC, PD 195, R-TH	HC, R-TH
LAND USE	Milk processing plant	Single-family residential	Retail use and Single-family residential	Office use and Single-family residential
PLACETYPES	City Corridor	Center City neighborhood	City corridor, center city neighborhood	City corridor, center city neighborhood

DEVELOPMENT REVIEW STAFF REPORT

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.

FIRE DEPARTMENT:

No objections to rezoning.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	E. Kearney Street	Primary Arterial	City	50	40	NA	Yes	Yes	Yes
Street 2	N. Howard Avenue	Local	City	30	30	NA	Yes	Yes	Yes
Street 3	N. Taylor Avenue	Local	City	30	30	NA	Yes	Yes	Yes
Street 4	E. Turner Street	Local	City	30	30	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 (1) bus stop on Kearney 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

	Drainage Basin	Fee in Lieu of Flood Control	Fee in Lieu of Water Quality	Stream Buffer on Site	Sinkhole or Watershed	Floodplain and Floodway
1100 E Kearney St	Pea Ridge Creek	No	No	No	No	No

DEVELOPMENT REVIEW STAFF REPORT

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

DETENTION AND DISCHARGE REQUIREMENTS

1. The combined site(s) drains to N Howard Ave and E Kearney St. Detention for Flood Control is required at time of development. No Fee in lieu of detention would be allowed due E Kearney St is MODOT ROW. No increase to the street or storm sewer is allowed. Each site can have a separate SCM or a combined regional SCM can be designed through a Public Improvement.

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

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 3.83 acres generally located at 1100 East Kearney Street, 1101 East Turner Street, 2303 & 2307 North Taylor Avenue, 2306 North Howard Avenue from R-TH, Residential Townhouse District and HC, Highway Commercial District to R-MD, Medium Density Multifamily Residential District and HC, Highway Commercial District with Conditional Overlay District 272.
2. The applicant intends to develop a 2-acre multi-family development on the south portion of the subject property. The north portion of the subject property, approximately 1.83 acres in size, has a vacant school which the applicant does not have immediate plans currently.
3. The *Comprehensive Plan's Land Use & Development* chapter identifies the north portion of the subject property as the City Corridor placetype. The *Comprehensive Plan's Land Use & Development* chapter identifies the south portion of the subject property as the Center City neighborhood placetype.
4. The HC zoning is consistent with the City Corridor placetype. The expansion of the HC zoning will allow the existing former school building to redevelop with its own parking lot and open space that the HC district requires.

DEVELOPMENT REVIEW STAFF REPORT

5. The COD prohibits uses that are more intense and could potentially have negative impacts of the surrounding properties.
6. The R-MD District is intended to accommodate multi-family developments at densities up to approximately twenty-nine (29) dwelling units per acre. The applicant is requesting a maximum of twenty-one (21) dwelling units per acre. This density has been determined to be appropriate for this area based on an assessment completed under the Revised Multi-Family Development Location and Design Guidelines. That assessment resulted in a density of 21 to 24 dwelling units per acre. Further analysis of the proposed development under the Revised Multi-Family Development Location and Design Guidelines is attached (Attachment 2). The development must be in substantial conformance to the attached site plan (Attachment 4).
7. 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.
8. Missing middle housing types provide opportunities for the city to increase the diversity of its housing stock through moderate increases in density, while maintaining the neighborhood character Springfield residents cherish. They range from low density duplexes to mid density multiplexes and triplexes, which can be integrated into the City's housing mix by using single-family lots to accommodate two to three units in a context-sensitive manner.
9. The *Plan* recommends a "stepped down" approach to be used to transition from higher density/intensity residential and non-residential uses to single-family residential homes and uses, with greater densities/intensities located on higher functioning roadways.
10. 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.
11. There are few changing conditions in the area affected that make the proposed rezoning necessary. Minor development of property within the vicinity has been occurring.
12. The range of uses in the proposed HC and R-MD district is compatible with the uses permitted on other property in the immediate vicinity.
13. 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

14. 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.
15. 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.
16. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

STAFF RECOMMENDATION:

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

PLANNING AND ZONING OPTIONS:

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

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

DEVELOPMENT REVIEW STAFF REPORT**ATTACHMENT 1****CONDITIONAL OVERLAY DISTRICT PROVISIONS NO. 272**

The requirements of Section 36-383 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 twenty-two (22) dwelling units per acre.
2. The development of the subject property shall be in substantial conformance to the Revised Multi-Family Location and Design Guidelines and the attached site plan (Attachment 4).

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

1. The following uses shall be prohibited from the HC, Highway Commercial District:
 - a. Ambulance services.
 - b. Bus stations.
 - c. Cemeteries.
 - d. Household resource recovery collection centers
 - e. Manufactured housing (mobile home) and trailer sales, leasing and service.
 - f. Medical or comprehensive marijuana cultivation facility or microbusiness marijuana wholesale facility.
 - g. Medical, comprehensive or microbusiness marijuana dispensary facility.
 - h. Medical or comprehensive marijuana-infused products manufacturing type 2 post-extraction facility.
 - i. Public or private vehicle and boat storage garages, yards or lots.
 - j. Self-service storage facilities.
 - k. Taxi dispatch yards and offices.

DEVELOPMENT REVIEW STAFF REPORT

ATTACHMENT 2

MULTI-FAMILY DEVELOPMENT LOCATION AND DESIGN GUIDELINE ASSESSMENT

ZONING CASE Z-13-2025 & CONDITIONAL OVERLAY DISTRICT NO. 272

The applicant is requesting approval of two, 21-unit multi-family apartments on 2 acres of property. According to the Multi-Family Location and Design Guideline Assessment Matrix, the proposed development has attained 12 points. This density increase would allow for 21-24 dwelling units per acre.

Below is an analysis of the four categories used to calculate the Matrix score.

- A. Land Use Accessibility (1/3 points)
One point was given for land use accessibility. There is neighborhood retail mixture within 1/4 mile.
- B. Connectivity Analysis (4/5 points)
Four out of a maximum of five points were given for connectivity. The proposed development received scores for its proximity to transit, sidewalks, and roadways.
- 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. Lighting sources or luminaries that do not have a cutoff and are used in parking lots and pedestrian ways shall not exceed a maximum of 15 feet in height. Pedestrian-scale lighting shall be provided within the development. Lighting sources or luminaries that do 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 follow the attached site plan and elevations.
 - 3. Building Orientation and Interior Landscaping – All building orientations will address adjacent streets to receive design points for this element. Landscaping and open spaces shown shall be provided with approved ground cover and/or plantings per required city ordinances and zoning requirements. Landscaping

DEVELOPMENT REVIEW STAFF REPORT

islands with plantings shall be located throughout the parking lot. A landscaping plan shall be submitted conforming to these requirements for building permits.

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; awnings (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 in accordance with the attached site plan.
6. Useable Recreational Area/Facility – Benches will be located throughout the common areas providing for useable tenant amenities in accordance with the attached site plan; however, a minimum of 20% usable open space is required.
7. Amenity Calculation – The development includes a playground as amenities for the residents.
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 attached site plan and the city ordinance.

DENSITY: The initial assessment criteria resulted in a total of 12 points for a maximum density of 21 to 24 dwelling units per acre. The applicant has requested a density of 22 dwelling units per acre.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: HC and R-TH to HC and R-MD

(existing zoning)
(proposed zoning)
2. Meeting Date & Time: June 25, 2025 4:00pm to 6:30pm
3. Meeting Location: 1100 E. Kearney Street
4. Number of invitations that were sent: approximately 215 (going by memory)
5. How the mailing list was generated: by city staff
6. Number of neighbors in attendance (attach a sign-in sheet): 13 in attendance (6 were 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).

We spoke to all neighbors in attendance, and each person expressed support for the project and was glad to see that someone was helping to make an improvement to the neighborhood.

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

None were received.

I, Billy Kimmons (*print name*), attest that the neighborhood meeting was held on June 25, 2025 (*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

Billy Kimmons

Printed name of person completing affidavit

ATTENDANCE LOG



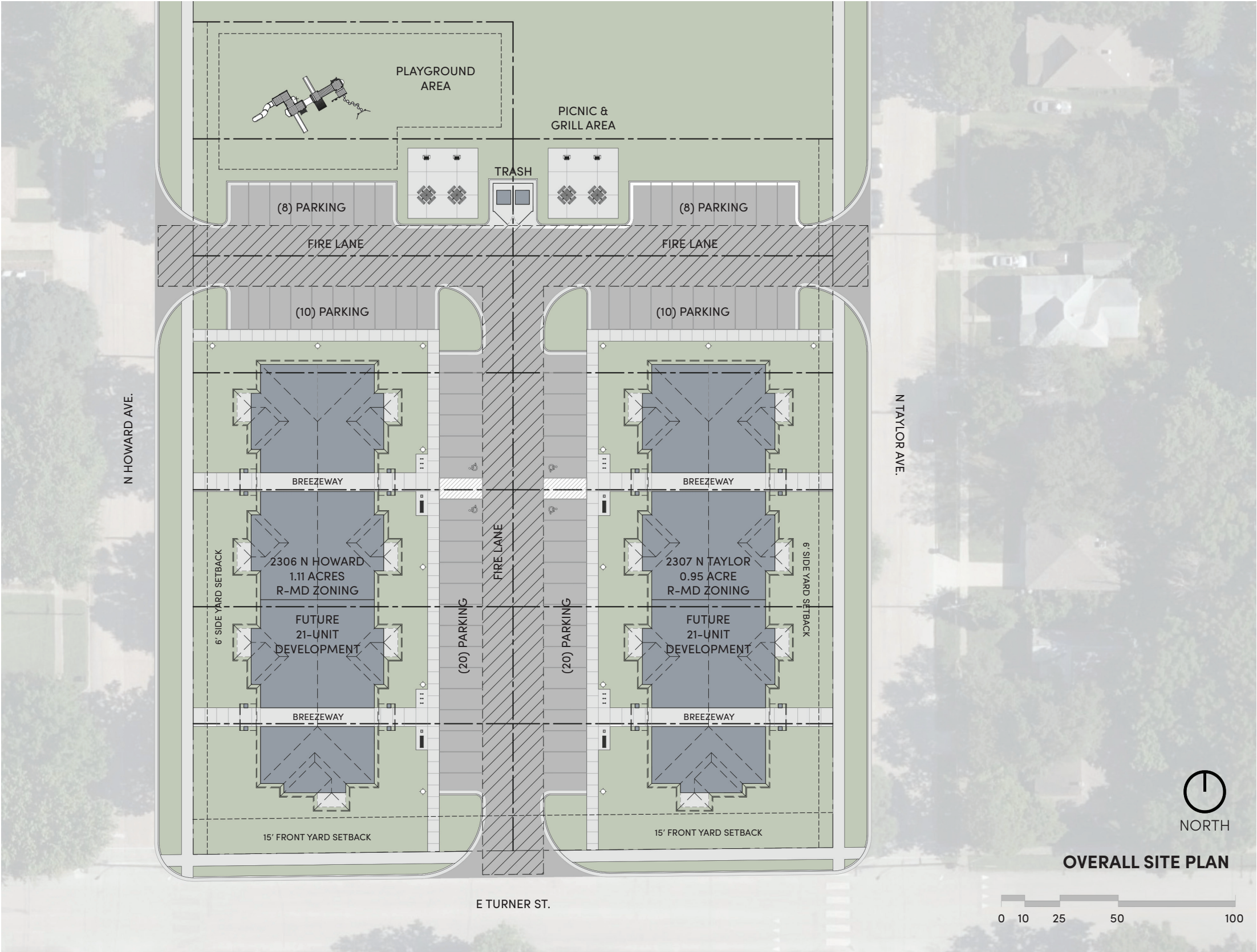
PROJECT	PROJECT #	MEETING DATE	MEETING PURPOSE	
Elevate Lives Rezoning: 1100 E. Kearney, 2306 N. Howard, 2307 N. Taylor	25-106	June 25, 2025	NEIGHBORHOOD MEETING	
NAME	ORGANIZATION	TYPE OF CONTRACTOR	PHONE	EMAIL
BILLY KIMMONS	HOOD-RICH ARCH.	ARCHITECT	417 862 4483	bkimmons@hoodriched
Russell Goosel, Jr.	Elevate Lives		719 491 1635	Russg@elevatelives
Joey Womack	Elevate Lives		719-313-6744	joevw@elevatelives.org
Kelsey Evans	Living Adventure		417-413-4246	kelsey@livingadventure
Jeremy Hahn	Living Adventure		"	"
Sarah Tinajero	Robberson Associates		417-319-7653	SarahTinajero@k
Becky Volz	NAC - WANA		417-880-4210	rsvolz25@gmail.com
Tim Knapik	Living Area		417-522-5126	
Wesley				
Dave Choate	private		417-880-5889	dchoate6761@
CARL HEARD	VOTER		417-234-7109	sbcglobal.net
Phyllis Evans	resident		417-693-4235	vmbroomrider@gmail
Peter Peterson	resident			
Rianne				

SITE INFORMATION

2307 N TAYLOR AVE	=	0.95 ACRE
2306 N HOWARD AVE	=	1.11 ACRES
R-MD ZONING	=	(28) UNITS / ACRE ALLOWED
APARTMENT UNIT COUNT	=	(42) UNITS OVER (2) BUILDINGS
UNIT MIX	=	100% - 3BR/2BA
BUILDING HEIGHT	=	3-STORY
UNIT SQUARE FOOTAGE	=	1,220 SF x (21)
BUILDING SQUARE FOOTAGE	=	25,620 SF x (2)
TOTAL SF	=	51,240 SF
PARKING CALCULATION	=	(84) INITIAL REQUIRED
		(-8) 10% BIKE REDUCTION
		(76) PROVIDED

SITE AMENITIES

PLAYGROUND AREA	=	(1) PLAY APPARATUS
PICNIC & GRILL AREAS	=	(2) AREAS
		(2-4) GRILLS & TABLES
BIKE RACKS	=	(4) BIKE RACK LOCATIONS
PARK BENCHES	=	(4) BENCH LOCATIONS
PEDESTRIAN LIGHTING	=	(14) LIGHT POLES (15' MAX)
TRASH RECEPTACLES	=	(4) TRASH RECEPTACLES
TRASH ENCLOSURE	=	(1) TRASH ENCLOSURE
SIDEWALK CONNECTIVITY		



ELEVATE LIVES “Homes with a Purpose - Pathway out of Poverty”
NEW APARTMENT DEVELOPMENT - SPRINGFIELD, MISSOURI
CONCEPTUAL SITE PLAN - 06.09.2025



EXTERIOR MATERIAL PALETTE

ARCHITECTURAL
ASPHALT SHINGLES



VERTICAL BOARD
& BATTEN SIDING



HORIZONTAL
LAP SIDING



BRICK VENEER
WAINSCOT



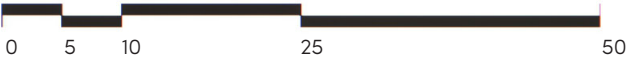
TIMBER
FRAME ACCENTS



SOUTH ELEVATION



EAST ELEVATION



ELEVATE LIVES *"Homes with a Purpose - Pathway out of Poverty"*
NEW APARTMENT DEVELOPMENT - SPRINGFIELD, MISSOURI
CONCEPTUAL EXTERIOR ELEVATIONS - 06.09.2025



EXTERIOR MATERIAL PALETTE

ARCHITECTURAL
ASPHALT SHINGLES



VERTICAL BOARD
& BATTEN SIDING



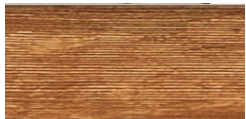
HORIZONTAL
LAP SIDING



BRICK VENEER
WAINSCOT



TIMBER
FRAME ACCENTS



NORTH ELEVATION



WEST ELEVATION



ELEVATE LIVES *“Homes with a Purpose - Pathway out of Poverty”*
NEW APARTMENT DEVELOPMENT - SPRINGFIELD, MISSOURI
CONCEPTUAL EXTERIOR ELEVATIONS - 06.09.2025





NORTHEAST VIEW



EAST/WEST BREEZEWAY

ELEVATE LIVES *"Homes with a Purpose - Pathway out of Poverty"*
NEW APARTMENT DEVELOPMENT - SPRINGFIELD, MISSOURI
CONCEPTUAL EXTERIOR ELEVATIONS - 06.09.2025





SOUTHWEST VIEW

EXPLANATION TO COUNCIL BILL 2025-175 (ADIB-YAZDI)

FILED: 07/23/2025

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 10 acres of property generally located at 2456 East Sunshine Street from R-SF – Single-family residential district, GR – General retail district, and HC – Highway commercial district, to GR – General retail district, with Conditional Overlay District No. 271; establishing Conditional Overlay District No. 271; and adopting an updated Official Zoning Map. (By: Schweitzer Church, Inc.; 2701 & 2747 E. Sunshine Street and 2662, 2702, 2710 & 2740 E. Stanford Street; Z-11-2025 with Conditional Overlay District No. 271.)

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 10 acres of property generally located at 2456 East Sunshine Street from R-SF, Single-Family Residential District, GR, General Retail District and HC, Highway Commercial District to GR, General Retail District with Conditional Overlay District No. 271. (Staff and Planning and Zoning Commission recommend approval.)

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-11-2025 CONDITIONAL OVERLAY DISTRICT NO. 271

The applicant is requesting to rezone approximately 10 acres of property generally located at 2456 East Sunshine Street from R-SF, Single-Family Residential District, GR, General Retail District and HC, Highway Commercial District to GR, General Retail District with Conditional Overlay District No. 271. Schweitzer Church intends to construct a new building addition and will need additional off-street parking for the church uses. This rezoning will move the more intense bufferyards adjacent to the existing single-family homes since the bufferyards are required to be between differing zoning district boundaries. Otherwise, the church will be placing the more intense bufferyards between their own properties. If all of the lots are combined, then the church will be allowed to construct additional off-street parking regardless of the zoning change.

REMARKS: The Planning and Zoning Commission held a public hearing on July 17, 2025, and recommended **approval** of the amended case, by a vote of 8 to 0. The Planning and Zoning Commission amended the Conditional Overlay District language to strike the permitted use of general office, which would be allowed as accessory use to the church.

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

FINDINGS FOR STAFF RECOMMENDATION:

1. Staff has determined that there are factors that would lend these properties to the City Corridor placetype. This property is on the edge of the Traditional Neighborhood placetype adjacent to City Corridor, which is adjacent to Sunshine Street, which is a primary arterial roadway. The property is commonly owned by Schweitzer Church, who has owned some of these properties since 1995. The Schweitzer properties along Sunshine Street are in the City Corridor placetype as well as other adjacent properties along Sunshine Street. The applicant is providing bufferyards adjacent to the R-SF properties and is only allowing lower impact uses.
2. The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property along Sunshine Street as City Corridor placetype and existing R-SF property along Stanford Street as Traditional Neighborhood placetype; however, this is considered a transition area.
3. This application is consistent with the step-down approach between City Corridor and the Traditional Neighborhood placetypes. The COD limits the uses of the property along Stanford that are compatible between the two placetypes.
4. This application is consistent with the recommended placetypes which lists public and private schools and places of worship as supporting uses.
5. The COD prohibits many of the GR uses for only the R-SF properties being rezoned. They will only allow for church and accessory off-street parking, community gardens, public and private parks and playgrounds and general office uses.
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. Redevelopment of property within the vicinity has been occurring.
8. The range of uses in the proposed GR district is compatible with the uses permitted on other property in 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 and Traditional Neighborhood placetypes 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 08/01/2025

Attachments:

1. Z-11-2025 COD 271 - 2456 E. Sunshine St.
2. Z-11-2025 COD 271_exhA
3. Z-11-2025 COD 271_exhB
4. Z-11-2025 COD 271_exhC
5. Z-11-2025 COD 271_exhD

One-rdg. _____
P. Hrngs. X
Pgs. 35
Filed: 08-05-25

Sponsored by: Adib-Yazdi

First Reading: _____

Second Reading: _____

COUNCIL BILL 2025-175

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 10 acres of property generally located at 2456 East Sunshine
4 Street from R-SF – Single-family residential district, GR – General
5 retail district, and HC – Highway commercial district, to GR –
6 General retail district, with Conditional Overlay District No. 271;
7 establishing Conditional Overlay District No. 271; and adopting an
8 updated Official Zoning Map.
9 _____

10
11 WHEREAS, an application has been filed for a zoning change of the property
12 generally located at 2456 East Sunshine Street from R-SF – Single-family residential
13 district, GR – General retail district, and HC – Highway commercial district, to GR –
14 General retail district, and establishing Conditional Overlay District No. 271; and
15

16 WHEREAS, Conditional Overlay District No. 271 shall modify the requirements of
17 the Springfield Land Development Code Section 36-421, GR – General retail district, by
18 requiring that the property described in "Exhibit B" comply with the requirements
19 described in "Exhibit A," both attached hereto and incorporated herein by this reference;
20 and
21

22 WHEREAS, following proper notice, the Planning and Zoning Commission held a
23 public hearing on July 17, 2025, a copy of the Record of Proceedings from said public
24 hearing being attached hereto and incorporated herein by this reference as "Exhibit C,"
25 and said Commission made its recommendation of approval with a vote of 8 to 0
26 following an amendment to strike the permitted use of general office; 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 R-SF –
38 Single-family residential district, GR – General retail district, and HC – Highway
39 commercial district, to GR – General retail district, with Conditional Overlay District No.
40 271. Springfield Land Development Code, Section 36-306, 'Official zoning map and
41 rules for interpretation,' is hereby amended, changed, and modified consistent with this
42 Ordinance.

43
44 Section 2 – City Council hereby establishes Conditional Overlay District No. 271,
45 which shall contain the requirements and standards provided in "Exhibit A." The
46 requirements of Conditional Overlay District No. 271 shall modify the requirements of
47 the Springfield Land Development Code Section 36-421, GR – General retail district, by
48 requiring the property described in "Exhibit B" to comply with the requirements
49 contained in "Exhibit A."

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

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

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

62
63 Passed at meeting: _____

64
65 _____
66 Mayor

67
68 Attest: _____, City Clerk

69
70 Filed as Ordinance: _____

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

73
74 Approved for Council action: [Signature], City Manager
75
76

EXHIBIT A
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-11-2025 COD 271

The requirements of Section 36-421 of the Springfield Zoning Ordinance shall be modified herein for development within this district – specifically Lots 9, 10, 11, 15, 16 and 17 Block C of Oakwood Park Addition including the adjacent 20-24 m/l feet of reserve area and Forest Hills Subdivision Lot 10 – to include the following:

1. All permitted and conditional uses are prohibited except for
 - i. Church and accessory uses including off-street parking and general office uses
 - ii. Community gardens
 - iii. Public and private parks and playgrounds

EXHIBIT B
LEGAL DESCRIPTION

THAT CERTAIN PARCEL OR TRACT OF LAND BEING LOCATED IN THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 29 NORTH, RANGE 21 WEST, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SOUTHWEST 1/4; THENCE, N01°28'49"E, A DISTANCE OF 44.50 FEET TO A POINT ON THE APPARENT NORTH RIGHT-OF-WAY LINE OF SUNSHINE STREET, AND THE POINT OF BEGINNING; THENCE, ALONG SAID APPARENT NORTH RIGHT-OF-WAY LINE FOR THE FOLLOWING TWO (2) DESCRIBED COURSES: THENCE, N87°08'10"W, A DISTANCE OF 494.75 FEET; THENCE, N87°10'21"W, A DISTANCE OF 214.57 FEET; THENCE, N01°14'49"E, A DISTANCE OF 184.05 FEET; THENCE, N87°12'30"W, A DISTANCE OF 139.45 FEET; THENCE, N01°20'28"E, A DISTANCE OF 212.65 FEET; THENCE, S87°19'18"E, A DISTANCE OF 138.90 FEET; THENCE, N02°33'45"E, A DISTANCE OF 215.82 FEET TO A POINT ON THE APPARENT SOUTH RIGHT-OF-WAY LINE OF STANFORD STREET; THENCE, ALONG SAID APPARENT SOUTH RIGHT-OF-WAY LINE FOR THE FOLLOWING THREE (3) DESCRIBED COURSES: THENCE, S87°11'34"E, A DISTANCE OF 76.03 FEET; THENCE, S87°10'36"E, A DISTANCE OF 75.99 FEET; THENCE, S87°21'35"E, A DISTANCE OF 75.98 FEET; THENCE, S02°33'38"W, A DISTANCE OF 215.38 FEET; THENCE, S87°15'23"E, A DISTANCE OF 228.00 FEET; THENCE, N02°32'14"E, A DISTANCE OF 215.56 FEET TO A POINT ON THE AFORESAID APPARENT SOUTH RIGHT-OF-WAY LINE; THENCE, ALONG SAID APPARENT SOUTH RIGHT-OF-WAY LINE FOR THE FOLLOWING THREE (3) DESCRIBED COURSES: THENCE, S87°18'08"E, A DISTANCE OF 251.06 FEET; THENCE, S01°27'55"W, A DISTANCE OF 4.81 FEET; THENCE, S87°14'28"E, A DISTANCE OF 165.96 FEET TO A POINT ON THE APPARENT WEST RIGHT-OF-WAY LINE OF MEADOWVIEW AVENUE; THENCE, S01°25'53"W, ALONG SAID APPARENT WEST RIGHT-OF-WAY LINE, A DISTANCE OF 220.09 FEET; THENCE, N87°14'28"W, A DISTANCE OF 166.09 FEET; THENCE, S01°28'49"W, A DISTANCE OF 389.61 FEET TO THE POINT OF BEGINNING.

CONTAINING 10.4 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

EXHIBIT C
RECORD OF PROCEEDINGS
Planning and Zoning Commission – July 17, 2025

Z-11-2025 COD 271

2701 & 2747 East Sunshine Street and 2662, 2702, 2710 & 2740 East Stanford Street

Applicant: Schweitzer Church

Mr. Neal states that this is a request to rezone approximately 10 acres from GR, General Retail District, HC, Highway Commercial District and R-SF, Single-Family Residential District to GR, General Retail District and establishing Conditional Overlay District No. 271.

Mr. Doennig opened the public hearing.

Mr. Chris Ball, 650 N. Boonville Avenue representing the church and noted that the church is going through a new addition and new entries would better utilize their parking and remodeling within the existing facilities. He stated that he is aware about the residential properties being rezoned to General Retail, but noted it is only intended for church use such as parking lot as parking can go in any zoning, but this provides more intense bufferyard and believes this will also improve the stormwater problems and will add sidewalks on Stanford.

Mr. Scott questioned the permitted uses in the Conditional Overlay District (COD) and if the church would have any concern if the second line item said general office uses is eliminated, just in case the property is sold it would allow denser development under the new zoning.

Mr. Ball noted that he would have no problem taking that out if the church can guarantee related uses includes church offices.

Mr. William Phillips, 2717 E. Stanford Street and oppose the proposed rezoning from single family to general retail as they are significant for the immediate neighborhood. He stated that the rezoning would permit a driveway entrance mid-block on Stanford and there is no buffer zone between pedestrians, vehicles, and no infrastructure to absorb the rise in traffic. He also noted concerns for stormwater and believes without engineering plans presented upfront that it could worsen and also stated that the lighting will allow ambient spillover and illuminate adjacent yards.

Ms. Meghan Page, 2717 E. Stanford Street and opposes the rezoning and states that this is a private parking expansion to serve a private institution and does not provide any benefit to the residents on Stanford. She noted that the staff report used step-down transition language from commercial to retail and this rezoning brings general retail directly into a residential street when the use is an institutional scale parking lot that borders directly single-family homes. She stated noise, lighting, and traffic as main concerns and if the organization has outgrown its footprint, then it is their responsibility to find a solution that does not burden an established residential street.

Mr. Lebeck asked for her home location on the map and noted that she is basically caddy-corner to the parking lot.

Ms. Collette Freeman, 2245 S. Lone Pine and is the COO of the church and stated that they want to be good neighbors and gave examples of activities that the church does and noted that they will meet whatever lighting requirements are needed.

Ms. Tracy Brown, 2654 E. Stanford Street noting that she agrees with what the previous neighbors have stated and that there is a drainage problem and since she is in the lowest area she floods significantly and is concerned about the amount of water coming from the parking lots and hopes it will be addressed. She also stated she has concerns for security that when police are called the church does not allow the police to do their job, i.e., parking, using drugs or throwing things into their backyards and wants to see who enforces the automated gates and said that the traffic from the preschool is a concern and that there is no regard for any speed limit and that she cannot walk her pet without having to get off to the side of the street.

Mr. Spencer Smith, 2805 S. Cobblestone Drive and is the pastor of the church and wants to be good neighbors stating that they want to add an egress to Stanford and will put a gate on that access point will be limited. We are doing a large addition to our church and seek to remain in our location and believes that the adding the egress and parking will not impact the current families who are using it for the preschool.

Mr. Lebeck as about clarification on the parking lots that go into Stanford and what are the planned uses.

Mr. Smith noted that of the three lots, one is empty, one was a community garden, but now located to Oak Grove and the other has been used for transitional and will be torn down and the three lots will become parking lots with access on Wednesday's and Sunday's.

Mr. Pauly asked about the gate and how it will be activated and who will have access.

Mr. Smith stated that he does not have the answers right now.

Mr. Doennig closed the public hearing.

Mr. Lebeck has questions regarding the Conditional Overlay District for the church and accessory uses are defined.

Mr. Hosmer stated that churches and accessory uses are defined.

Mr. Lebeck also asked about the three lots being turned into parking lots in the middle of a residential street and how this is a step-down development.

Mr. Crighton stated that in terms of the staff analysis comes from the buffering and there is enough of a screen around it to make it compatible with the surrounding uses.

Discussion on what if the zoning change is not approved and it was stated that the bufferyard amount would change for each zoning district.

COMMISSION ACTION: (amendment)

Planning and Zoning Commissioner Scott moved to modify Attachment 1 of Z-11-2025 COD 271, eliminating Section 1 Line ii. General Office uses, with the understanding that the first line that says church and accessory uses, including off street parking, also includes general office uses for the church specifically; Commissioner Lebeck seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Doennig, Commissioner Ridge, Commissioner Scott, Commissioner Hunton, Commissioner Pauly, Commissioner Gunther, Commissioner Colony, and Commissioner Lebeck. Nays: None. Absent: Commissioner Knuckles. Abstain: None.

COMMISSION ACTION:

Planning and Zoning Commissioner Scott moved to approve Z-11-2025 COD 271; Commissioner Lebeck seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Doennig, Commissioner Ridge, Commissioner Scott, Commissioner Hunton, Commissioner Pauly, Commissioner Gunther, Commissioner Colony, and Commissioner Lebeck. Nays: None. Absent: Commissioner Knuckles. Abstain: None.



Bob Hosmer, AICP
Planning Manager



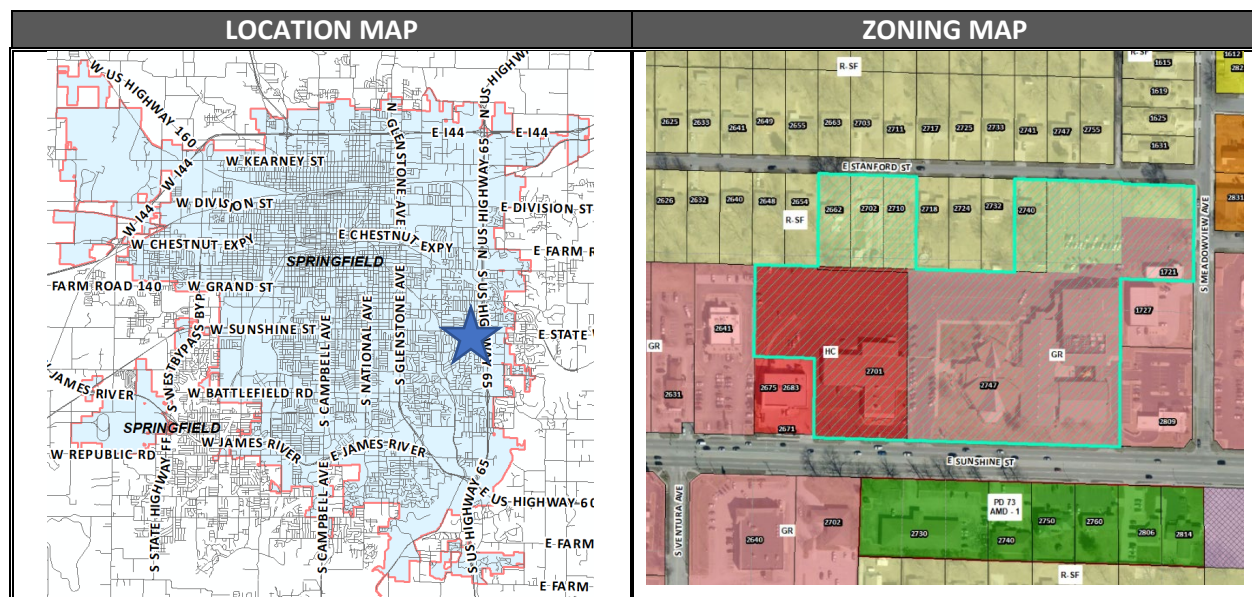
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PROJECT INFORMATION

Case Number:	Z-11-2025 with Conditional Overlay District No. 271
Location:	2701 & 2747 E. Sunshine Street and 2662, 2702, 2710 & 2740 E. Stanford Street
Total Acres:	10 acres
Applicant:	Schweitzer Church, Inc.
Existing Land Use:	Church, parking and existing single-family houses
Neighborhood Meeting:	June 26, 2025
Planning and Zoning Commission:	July 17, 2025
City Council:	August 11, 2025
Public Notification:	Mail, posted property, and legal in Springfield News Leader
Staff:	Daniel Neal, Senior Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of rezoning case Z-11-2025 with Conditional Overlay District No. 271 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).

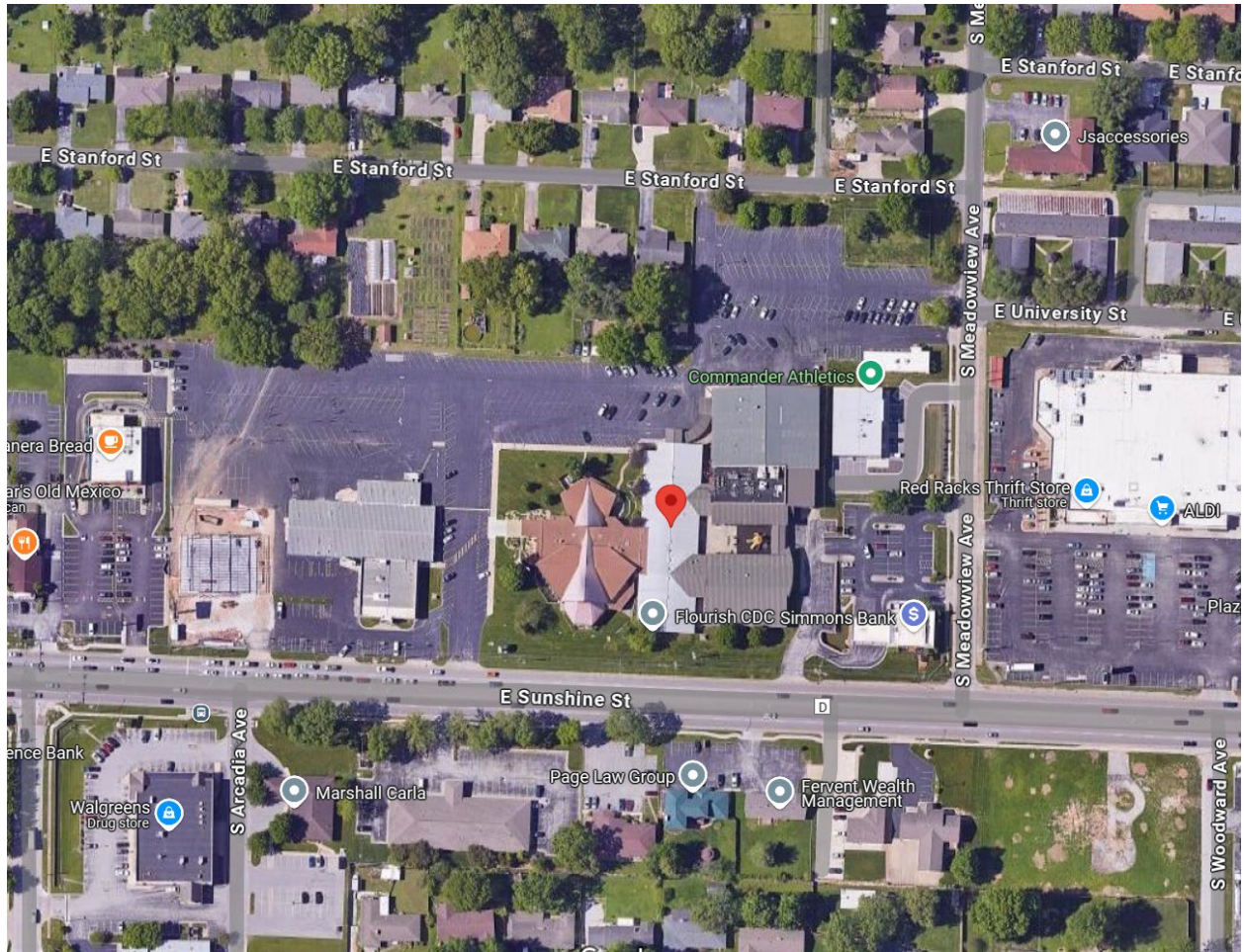
PROJECT SUMMARY:

Request to rezone approximately 10 acres of property generally located at 2456 East Sunshine Street from R-SF, Single-Family Residential District, GR, General Retail District and HC, Highway Commercial District to GR, General Retail District with Conditional Overlay District No. 271.

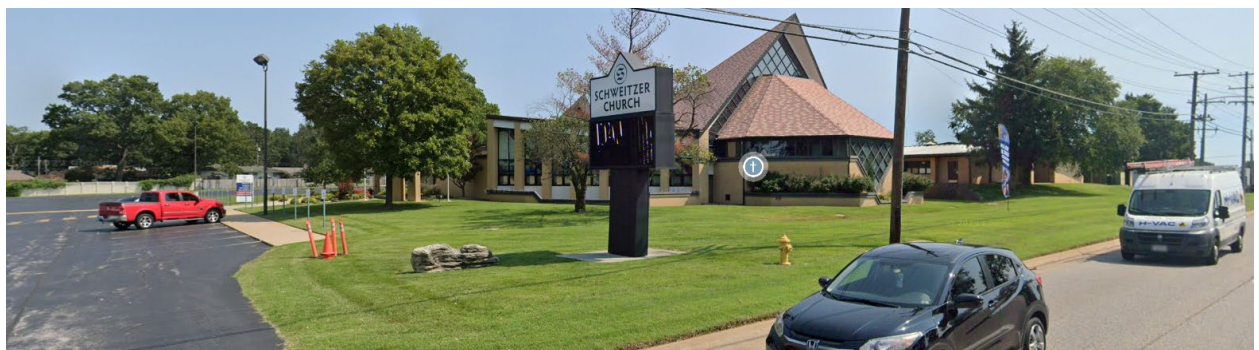


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GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:



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PROPERTY HISTORY:

The subject properties have been zoned as is since 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 GR DISTRICT
Use Limitations	(a) All outdoor automobile parking areas used for the purpose of retail or wholesale storage or sale of motorized or commercial vehicles shall be prohibited. Other outdoor activities that are not specifically permitted may only be allowed as an accessory use to the permitted uses as provided in subsection 36-421(2), permitted uses, as follows: 1. If any portion of the premises abuts any residential zoning district, the outdoor activities may be permitted, provided they meet the provisions of, and a conditional use permit is issued pursuant to Section 36-363, conditional use permits, of this article. A building permit(s) showing compliance with all applicable codes and ordinances may be

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	required as determined by the director of building development services. 2. If the premises abuts only nonresidential zoning districts, the outdoor activities may be permitted. A conditional use permit will not be required. A building permit(s) showing compliance with all applicable codes and ordinances may be required as determined by the director of building development services. (b) No outdoor storage except as provided in subsection 36-421(2), permitted uses, and subsection 36-421(3), conditional uses. (c) All uses shall operate in accordance with the noise standards contained in section 36-485, noise standards. (d) No use shall emit an odor that creates a nuisance as determined by Springfield City Code. (e) Uses on parcels not served by public water and public sewer shall meet the requirements of subsection 36-303(22). (f) Streets through an adjacent residential area shall not be used to provide principal access for truck traffic to any nonresidential use in this district except on streets classified as expressways, arterials, or collectors.
Minimum Lot Size	Not applicable to the GR, General Retail District
Maximum Height	Not applicable to the GR, General Retail District
Bulk Plane	All structures shall remain below a 30-degree bulk plane as measured from the boundaries of R-SF or R-TH districts.
Minimum Yard Requirements	Front yards – 25 feet when fronting on a street classified as collector or higher, or as required by Section 36-453, Supplemental open space, and yard regulations. 15 feet when fronting a street classified as local, or as required by Section 36-453. The front yard setback may be reduced below the minimum required above if a Conditional Use Permit is approved in accordance with Section 36-363, Conditional use permits, or if a preliminary plat is approved in accordance with the City's subdivision regulations. Side yards – None, except as required by Section 36-453 and the bufferyard requirements contained in Section 36-482, Landscaping and bufferyards. Rear yards – None, except as required by the bufferyard requirements contained in Section 36-482.
Minimum Open Space	Not less than 20 percent of the gross site area shall be devoted to open space, including required yards and

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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, storage, loading and other paved areas and internal streets or areas containing plants for display and sale. Open space shall contain living ground cover and other landscaping materials.
Design Requirements	(a) A site plan, meeting the requirements of Section 36-360, Site plan review, shall be submitted and approved. (b) A landscape plan, meeting the requirements of Sections 36-482 and 36-483, Off-street parking and loading design standards, shall be submitted, and approved. (c) Off-street parking and vehicular use areas shall be screened from all residential uses, in accordance with Section 36-480, Screening and fencing. (d) Refuse storage areas shall be screened from view in accordance with Section 36-480. (e) Mechanical and electrical equipment, including air conditioning units, shall be screened from view in accordance with Section 36-480. (f) Lighting shall be designed to reflect away from any adjacent residential area and in accordance with Section 36-484, Lighting standards. (g) Accessory buildings and structures shall meet the requirements of Section 36-450, Accessory structures and uses.
Buffering and Landscaping	Future development must comply with the interior and perimeter landscaping requirements, as applicable to a future site plan, per subsections 36-482 (9) (a) and (b), unless the property owner opts to utilize the point system described in subsection 36-482 (10) instead.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

PLACETYPE:

The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property within the City Corridor placetype and a northern portion within the Traditional Neighborhood placetype; however, this is considered a transition area that can also be a City Corridor placetype with the appropriate buffering (see Staff Analysis and Recommendations).

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

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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.
- 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.

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- 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.

PLACETYPE ASSIGNMENTS AND TRANSITIONS

Assignments

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

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

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

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

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

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

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

Other Considerations –

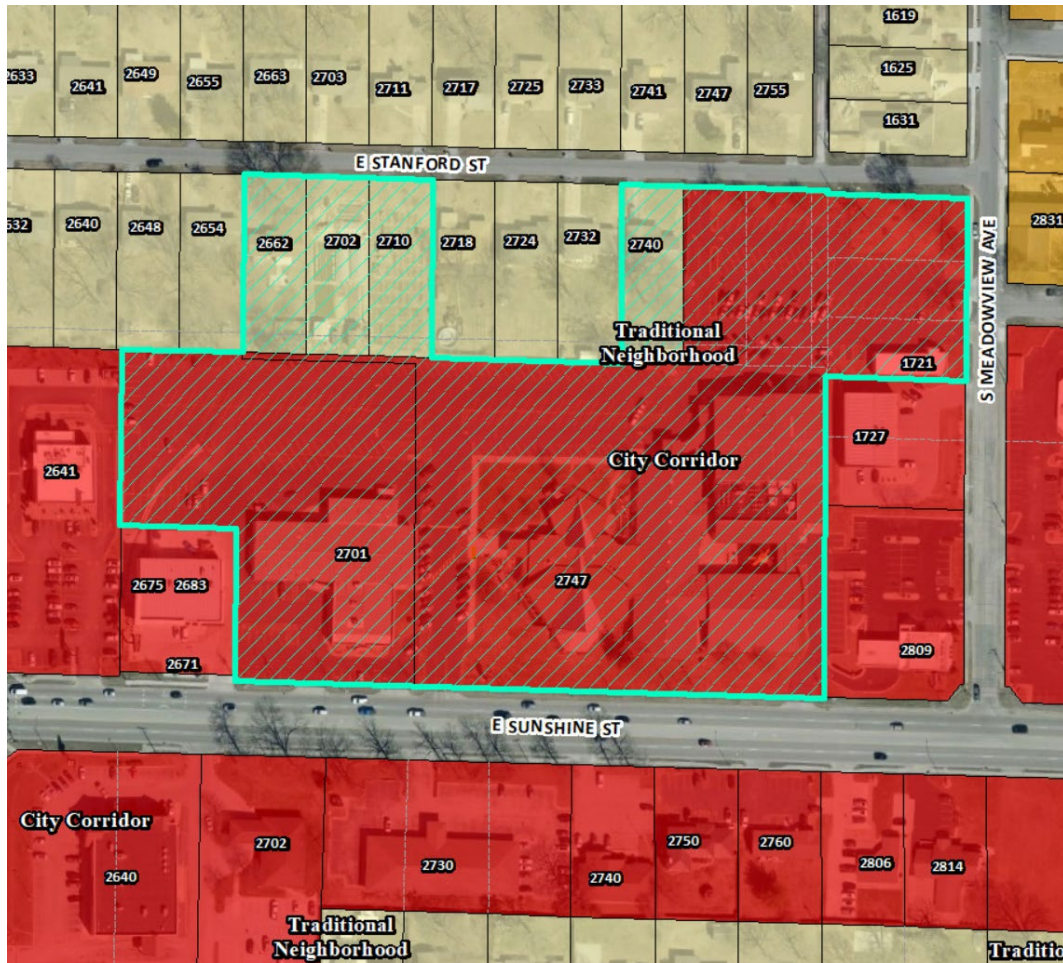
- Decreasing or increasing market demand for commercial or housing in non-traditional districts or corridors
- Greater focus on integrating diverse uses at the edges and areas of transition.
- Community expectations
- More walkable, livable integrated neighborhoods and districts
- Documented increases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

Transitions

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

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FUTURE PLACETYPE MAP:

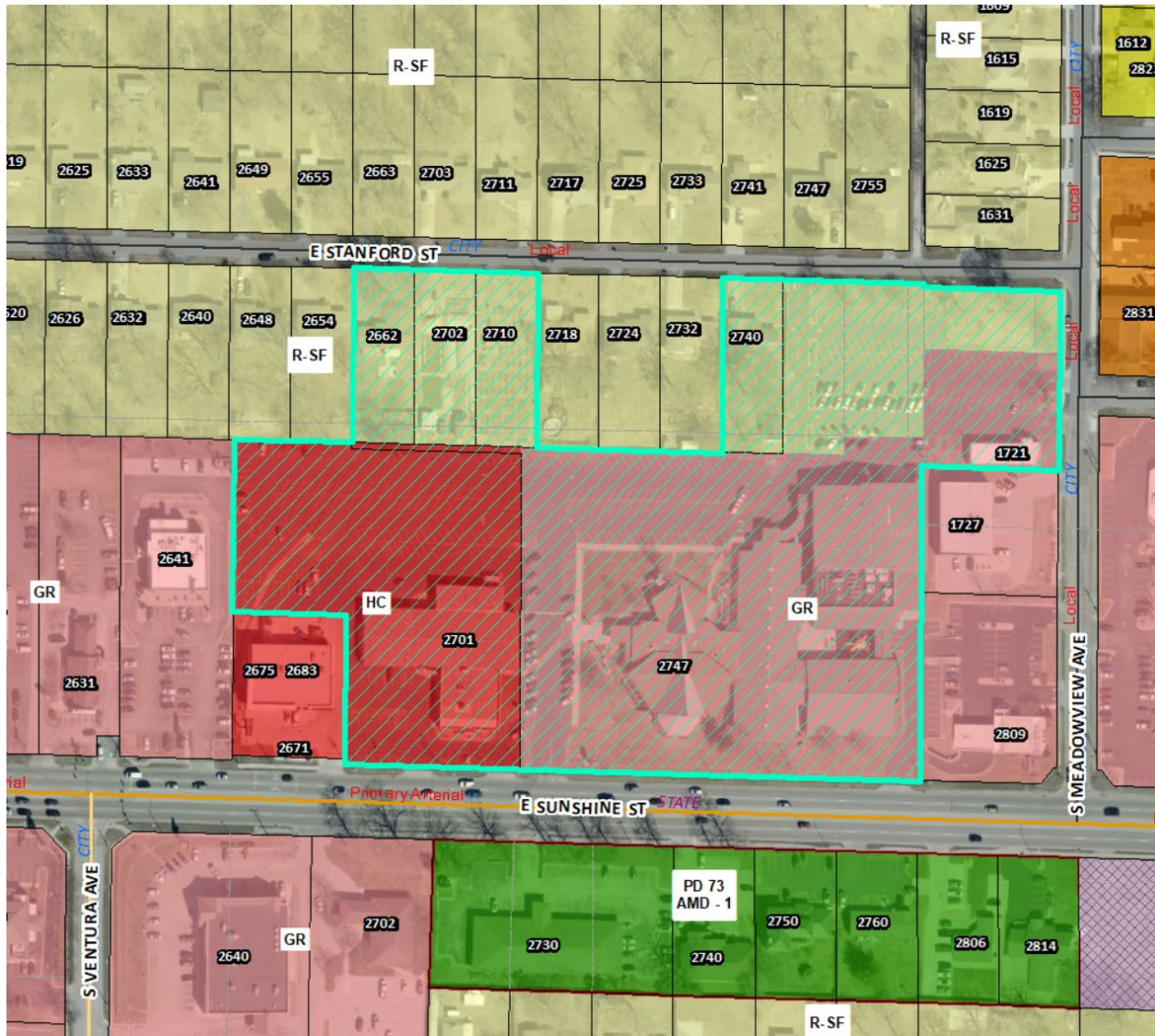


PLACETYPES	LAND USES													
	Single Family Detached	Single Family Attached	Multi-family	Parks & Open Space	Sports Complexes & Recreational Facilities	Office, Hospitality, Retail Sales & Service	Neighborhood Commercial	Maker, Artisan & Innovation Spaces	Public & Private Schools & Places of Worship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

- **Primary Land Use:**
More prominent and play a pivotal role in characterizing that placetype
- **Supporting Land Use:**
Less prevalent and serve to support the primary land use.
- ◇ **Low Intensity Supporting Land Use:**
Less prevalent and serve to support the primary use at neighborhood scale

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MAJOR THOROUGHFARE MAP:



SURROUNDING ZONING, LAND USES AND PLACETYPES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF	PD 73	GR	GR & HC
LAND USE	Residential	Office uses	Bank	Restaurant & Retail sales
PLACETYPES	Traditional Neighborhood	City Corridor	City Corridor	City Corridor

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DEPARTMENT OF BUILDING DEVELOPMENT SERVICES:

No comments.

CITY UTILITIES:

No issues with proposed re-zoning.

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues with rezoning.

FIRE DEPARTMENT:

No comments.

MODOT COMMENTS:

No issues with proposed rezoning.

DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

TRAFFIC REPORT

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	E Sunshine St	Primary Arterial	City	50	45	30,000	No	Yes	No
Street 2	S Meadowview Ave	Local	City	25	25	1,800	No	Yes	Yes
Street 3	E Stanford St	Local	City	25	20	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. The nearest bus stop is on the south side of Sunshine just to the west of 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

	Drainage Basin	Fee in Lieu for Flood Control	Fee in Lieu of Water Quality	Stream Buffer on Site	Sinkhole or Watershed	Floodplain and Floodway
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2747 E Sunshine St	Galloway Creek	No, Existing Impervious	No	No	No	No
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All chapter and section references below are to the City's Flood Control and Water Quality Protection Manual Version April 2022.

DETENTION AND DISCHARGE REQUIREMENTS

1. Existing site is primarily impervious area with parking and building. Several previous Fee in Lieu of Detention Applications have been approved for the site. No further fee in lieu of detention applications can be accepted. The site is draining to MODOT Right-of-way and is draining through adjacent property infrastructure.
 - a. Site expansion will require flood control to prevent flooding or surcharging of existing infrastructure.
 - b. MODOT prevents increased stormwater flow to the street right-of-way. Site stormwater needs captured and routed to the storm sewer.

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

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 10 acres of property generally located at 2456 East Sunshine Street from R-SF, Single-Family Residential District, GR, General Retail District and HC, Highway Commercial District to GR, General Retail District with Conditional Overlay District No. 271. The applicant intends to provide additional off-street parking for the existing church uses.

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2. Staff has determined that there are factors that would lend these properties to the City Corridor placetype. This property is on the edge of the Traditional Neighborhood placetype adjacent to City Corridor which is adjacent to Sunshine Street which is a primary arterial roadway. The property is commonly owned by Schweitzer Church who has owned some of these properties since 1995. The Schweitzer properties along Sunshine Street are in the City Corridor placetype as well as other adjacent properties along Sunshine Street. The applicant is providing bufferyards adjacent to the R-SF properties and is only allowing lower impact uses.
3. This application is consistent with the step-down approach between City Corridor and the Traditional Neighborhood placetypes. The COD limits the uses of the property along Stanford that are compatible between the two placetypes.
4. The COD prohibits many of the GR uses for only the R-SF properties being rezoned. They will only allow for church and accessory off-street parking, community gardens, public and private parks and playgrounds and general office uses.
5. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.
6. There are few changing conditions in the area affected that make the proposed rezoning necessary. Redevelopment of property within the vicinity has been occurring.
7. The range of uses in the proposed GR 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 City Corridor placetype and on the finding of facts above.

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PLANNING AND ZONING OPTIONS:

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

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

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ATTACHMENT 1

CONDITIONAL OVERLAY DISTRICT PROVISIONS NO. 271

The requirements of Section 36-421 of the Springfield Zoning Ordinance shall be modified herein for development within this district – specifically Lots 9, 10, 11, 15, 16 and 17 Block C of Oakwood Park Addition including the adjacent 20-24 m/l feet of reserve area and Forest Hills Subdivision Lot 10 – to include the following:

1. All permitted and conditional uses are prohibited except for
 - i. Church and accessory uses including off-street parking
 - ii. General office uses
 - iii. Community gardens
 - iv. Public and private parks and playgrounds

Attachment 2

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: R-SF, HC, & GR to GR
*(existing zoning)**(proposed zoning)*
2. Meeting Date & Time: 06/25/2025 3:58PM - 6:42PM
3. Meeting Location: PANERA BREAD, 2641 E SUNSHINE STREET, SPRINGFIELD, MO 65804
4. Number of invitations that were sent: 179 MAILED INVITATIONS ADDRESSES
5. How the mailing list was generated: PROPERTY OWNERS WITHIN 500' OF SCHWEITZER CHURCH PROPERTY
6. Number of neighbors in attendance (attach a sign-in sheet): 9 NEIGHBORS, SEE ATTACHED SIGN-IN SHEET
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

SEE THE ATTACHED VERBAL COMMENTS & RESPONSE.

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

NEIGHBORS WHO ATTENDED THE MEETING WERE RECOMMENDED TO FILL OUT THEIR COMMENT CARDS, ATTACHED TO THE REZONING NOTICE LETTER, AND SUBMIT TO THE CITY. NO WRITTEN COMMENTS WERE RECEIVED AT THE 06/25/2025 COMMUNITY MEETING.

I, CHRIS BALL (*print name*), attest that the neighborhood meeting was held on 06/25/2025 (*month/date/year*), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."

Signature of person completing affidavit

CHRIS BALL

Printed name of person completing affidavit

SIGN IN SHEET - REZONING

Project: Schweitzer Church

Date: 06/25/2025

Facilitator: Ball Architects

Place: Panera Bread Company,
2641 E Sunshine St, Springfield, MO 65804

[illegible]



SIGN IN SHEET - REZONING

Project: Schweitzer Church

Date: 06/25/2025

Facilitator: Ball Architects

Place: Panera Bread Company,
2641 E Sunshine St, Springfield, MO 65804

First Name	Last Name	Phone	E-Mail
James	Brown	417-840-9300	fishjimb@sbcglobal.net
Charles	Stroup	417-709-5178	
Betty	Johnson	417-343-8725	Bettjohnson5@gmail.com
Mark	McKnelly	417-429-8294	markmcknelly@gmail.com
Tracy Ross Brown/ Donna Hall		417-569-8842	Tracy.ross417@gmail.com
Nancy	Breshears	417-988-9056	nancybreshears@alt.net
Louise	Norcross	417-840-5620	jlnorcross@mchsi.com
Chris	Myers	417-496-1327	Chrism3205@yahoo.com
Alyson	Bellar	417-459-0744	abellar@hotmail.com



REZONING COMMUNITY MEETING NOTES

Project:	Schweitzer Church	Date:	06/25/2025
Facilitator:	Ball Architects	Place:	Panera Bread Company, 2641 E Sunshine St, Springfield, MO 65804

Comment	Response
Negative effects on Residential Property Value	F1 and S3 buffer yards are designed per ZO – and we agree to add berms or 48” wood fencing on the S3 buffer to block any headlights from residential property across the street. Rezoning the R property to GR with the Conditional Overlay moves the buffers to the area between the parking and the residential.
Current & Future effects of traffic on Stanford Street . Neighbors cited the abuse of Speed limit (people driving up to 60 mph), thru-traffic, and reckless driving on Stanford. There were also comments made citing Drivers using current Stanford driveways to cut through Schweitzer Church property to avoid traffic on E. Sunshine Street. Neighbors would like to see Speed bumps be installed on Stanford Street.	We are considering installing automated gates on the 2 Stanford Drives – and using those drives on Sunday mornings, and possibly Wednesday evenings. Keeping gates closed would require the use of Sunshine or Meadowview Ave. entrances. We would install signage on church property to remind exiting church visitors to be aware of the speed limit and encourage slow and safe driving due to the presence of children. We have no bearing on speed bumps but encouraged them to meet with their SPD PAR Officer and ask for more enforcement.
Drainage issue coming from Stanford Street . Currently, the City has underground piping going through Schweitzer’s Residential property that can be overrun during large rain events. This underground pipe is then daylighted & directs water across the current parking lot. Where it daylights can causing flooding in neighbors’ yards to the extent that they can’t use portions of their yard due. They had also mentioned that replacement of this drainage was slated to be repaired by the city in their long-range plans 3 years ago.	Our plans will have a significant impact on drainage. We are providing significant water quality and additional detention on site beyond what is currently in place. In addition, we would be open to working with the city to replace and/or repair the current drainage piping before the new parking lot is installed.
Poor management of Church Property . Poor management of current Fences & people throwing trash & needles into neighbor’s backyards. Issues at night with the use of the parking lot are causing noise issues.	The current wooden fences do not belong to the church – they are the residential property owners. Gating access to Stanford should reduce the usage of the parking lot for thru traffic, and the Church would agree to maintain the fences and landscaping required in the buffer yards. In addition, the Church is exploring the use of private security patrols or other methods to prevent unauthorized use of the parking lot. They have signed a letter-of-enforcement with SPD to assist in trespassing issues.
5 Neighbors that back-up to the church want access to their backyards to maintain their property & access their backyard garages. They also cited that the church purposely parks in front of their current backyard gates. They mentioned that there used to be an alleyway named “University Street” that allowed them access to their backyards.	If the city would agree to a variance or allow us to remove hedges/plantings in the F1 Buffer, this would provide access to the gates into the 5 backyards of the individuals who requested it.
In favor of keeping Driveway on the East of Schweitzer property, accessing E. Sunshine Street	All attendees were asked if they had any objection to the easternmost drive from the church to Sunshine remaining open – many were customers of the bank, and all stated they had no objection to the drive remaining.

From: [Aly Be](#)
To: Zoning@springfieldmo.gov
Subject: Schweitzer Church rezoning lots
Date: Wednesday, July 2, 2025 9:13:54 PM

Caution: The sender name (Aly Be) is different from their email address (albqpmz32@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.

Secured by Check Point

07-02-2025

Alyson Bellar---2711 E. Stanford St, Springfield MO, 65804, 417/459/0744
Project Address---2747 E. Sunshine Street

To whom it may concern:

I live on Stanford St (Stanford) behind Schweitzer Church (the church), and would like to voice my objections to the proposed rezoning of the residential lots on Stanford that the church would like to rezone to GR-general retail. As presented in the public neighborhood meeting, the church would like to rezone the R-SF lots to GR in order to expand their parking lots. This would not be an improvement in the neighborhood for several reasons and detrimental for many.

The proposed plans place a driveway midway down Stanford, diverting traffic from a primary arterial street (Sunshine) to a residential connector street (Stanford) that is about 21 feet wide. The street already receives ample traffic and will have trouble absorbing increased amounts. Many families enjoy walking their animals, walking with their children, and riding bicycles in the neighborhood. There are no sidewalks on our street, making increased traffic a danger to the neighborhood residents.

DIVISION 3. - DRIVEWAYS AND DRIVEWAY APPROACHES

Sec. 98-118. - Nonresidential driveway approaches.

(6) Minimum width. The minimum width for a two-way driveway approach shall be 26 feet. The minimum width of a one-way driveway approach shall be 14 feet.

So if the church created a two way approach, it would be a minimum of at least 5 feet more in width than our small street. Is it logical to have a driveway with a larger capacity for traffic than the residential street it feeds on/off of?

A gate was proposed at the neighborhood meeting, however on further consideration it must be asked:

—If there were to be a gate, who would enforce use of the driveway only on Sundays? Wouldn't the church also want to utilize "their" gate on holidays, Wednesdays, and special occasions? This would negatively impact the neighborhood use of Stanford Street.

Light pollution for the neighborhood was also not addressed in the presentation. Currently, the very large parking lot the church enjoys has many lights and this light does illuminate the

neighborhood and can be very noticeable. Increased parking lots closer to the residents on the South side of Stanford will increase the amount of light illuminating not only their properties, but the properties of the North side of Stanford.

According to Sec. 36-484. - Lighting standards.

A site lighting plan for uses requiring site plan review shall be submitted.

None of this was addressed at the neighborhood meeting.

Increased storm water runoff is also a concern due to increased paving of area to the current residential lots. There was talk of increased drainage, but the plan was not available at the neighborhood meeting.

There are 27 different uses as defined in the city code for the current residential lots the church owns. If rezoned that would increase to 44 different uses, and yes they say it would only be for "worship, offices, and parking", but in the future should the property change hands would this not mean those lots could be used for any of those 44 uses? And even with the current plans its for parking lots, not to improve or benefit the immediate surrounding neighborhood. Regardless of secular or religious entities wanting to rezone residential lots, it should not be for their accessory use (ie. comfort/convenience) at the detriment of an entire residential street.

Please give strong consideration to these concerns/objections to the rezoning along Stanford Street.

Thank you,

Alyson Bellar

Could you please inform me of the meeting at which this proposal will be presented at the planning and zoning commission public hearing?

From: [Chris Ball](#)
To: albqpmz32@gmail.com
Cc: [Dave Bodeen](#); [Neal, Daniel](#); [Colette Freeman](#)
Subject: RE: Schweitzer Church rezoning lots
Date: Thursday, July 3, 2025 3:35:57 PM

Please see clarification comments below in red...

J. Christopher Ball AIA NCARB
Principal Architect/President

cball@jbapc.com

PLEASE NOTE OUR NEW ADDRESS

Ball Architects PC

650 N. Boonville Ave., Suite 200, Springfield, MO 65806

p. 417.866.1904 c. 417.299.3450 www.jbapc.com

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[Please consider the environment before printing this e-mail.](#)

From: Neal, Daniel <dneal@springfieldmo.gov>

Sent: Thursday, July 3, 2025 12:27 PM

To: Chris Ball <cball@jbapc.com>; Dave Bodeen <bodeen@pinnacledc.com>

Subject: FW: Schweitzer Church rezoning lots

FYI

From: Aly Be <albqpmz32@gmail.com>

Sent: Wednesday, July 2, 2025 9:13 PM

To: Zoning@springfieldmo.gov

Subject: Schweitzer Church rezoning lots

07-02-2025

Alyson Bellar----2711 E. Stanford St, Springfield MO, 65804, 417/459/0744

Project Address---2747 E. Sunshine Street

To whom it may concern:

I live on Stanford St (Stanford) behind Schweitzer Church (the church), and would like to voice my objections to the proposed rezoning of the residential lots on Stanford that the church would like to rezone to GR-general retail. As presented in the public neighborhood meeting, the church would like to rezone the R-SF lots to GR in order to expand their parking lots. **The church is not obligated to rezone the lots to provide parking in them. By rezoning to GR the more intense buffer will move out between the parking and the adjacent residences – without a rezone the more intense buffers will reside internally between the GR and R zoned property in the middle of the church property.** This would not be an improvement in the neighborhood for several reasons and detrimental for many.

The proposed plans place a driveway midway down Stanford, diverting traffic from a primary arterial street (Sunshine) to a residential connector street (Stanford) that is about 21 feet wide. The street already receives ample traffic and will have trouble absorbing increased amounts. Many families enjoy walking their animals, walking with their children, and riding bicycles in the neighborhood. There are no sidewalks on our street, making increased traffic a danger to the neighborhood residents. **The church will be adding sidewalks all**

along the church owned property that adjoins Stanford.

DIVISION 3. - DRIVEWAYS AND DRIVEWAY APPROACHES

Sec. 98-118. - *Nonresidential driveway approaches.*

(6) Minimum width. The minimum width for a two-way driveway approach shall be 26 feet. The minimum width of a one-way driveway approach shall be 14 feet.

So if the church created a two way approach, it would be a minimum of at least 5 feet more in width than our small street. Is it logical to have a driveway with a larger capacity for traffic than the residential street it feeds on/off of?

A gate was proposed at the neighborhood meeting, however on further consideration it must be asked:

—If there were to be a gate, who would enforce use of the driveway only on Sundays? Wouldn't the church also want to utilize "their" gate on holidays, Wednesdays, and special occasions? This would negatively impact the neighborhood use of Stanford Street.

Light pollution for the neighborhood was also not addressed in the presentation. Currently, the very large parking lot the church enjoys has many lights and this light does illuminate the neighborhood and can be very noticeable. Increased parking lots closer to the residents on the South side of Stanford will increase the amount of light illuminating not only their properties, but the properties of the North side of Stanford. **No one asked about light pollution – but all the church parking lot lighting is being replaced with lighting that meets or exceeds all City standards for light pollution – this will be submitted with the construction documents for permitting.**

According to Sec. 36-484. - Lighting standards.

A site lighting plan for uses requiring site plan review shall be submitted.

None of this was addressed at the neighborhood meeting.

Increased storm water runoff is also a concern due to increased paving of area to the current residential lots. There was talk of increased drainage, but the plan was not available at the neighborhood meeting. **The stormwater plan cannot be finalized until the decision of zoning has been addressed as that will affect where we have available. That will also be submitted with the construction documents for permitting.**

There are 27 different uses as defined in the city code for the current residential lots the church owns. If rezoned that would increase to 44 different uses, and yes they say it would only be for "worship, offices, and parking", but in the future should the property change hands would this not mean those lots could be used for any of those 44 uses? **The property would be rezoned to GR, but with a conditional overlay that restricts the use to church use only – any entity other than a church would be required to go thru the rezoning process to remove that overlay – the same procedure we are going thru.** And even with the current plans its for parking lots, not to improve or benefit the immediate surrounding neighborhood. Regardless of secular or religious entities wanting to rezone residential lots, it should not be for their accessory use (ie. comfort/convenience) at the detriment of an entire residential street.

Please give strong consideration to these concerns/objections to the rezoning along Stanford Street.

Thank you,

Alyson Bellar

Could you please inform me of the meeting at which this proposal will be presented at the planning and zoning commission public hearing?

These items will be discussed at the Planning and Zoning Commission Hearing on July 17, the City Council Meeting on August 11, and then again at the City Council hearing on August 25,

assuming no delays or tables.

EXPLANATION TO COUNCIL BILL 2025-176 (ADIB-YAZDI)

FILED: 07/23/2025

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 0.45 acres of property generally located at 2961 East Republic Road and 4152 South Middleton Avenue from R-SF, Single-family residential district, to LB, Limited business district, with Conditional Overlay District No. 273; establishing Conditional Overlay District No. 273; and adopting an updated Official Zoning Map. (By: Windmill Holdings LLC; 2961 East Republic Road and 4152 South Middleton Avenue; Z-10-2025 with Conditional Overlay District No. 273.)

PURPOSE: Amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.45 acres generally located at 2961 East Republic Road and 4152 South Middleton Avenue from R-SF, Single-family Residential District to LB, Limited Business District with Conditional Overlay District No. 273 (Staff and Planning and Zoning Commission recommend approval).

BACKGROUND INFORMATION:**ZONING CASE NUMBER Z-10-2025 CONDITIONAL OVERLAY DISTRICT NO. 273**

The applicant is requesting to rezone approximately 0.45 acres generally located at 2961 East Republic Road and 4152 South Middleton Avenue from R-SF, Single-family Residential District to LB, Limited Business District with Conditional Overlay District No. 273. The applicant intends to utilize the existing building for a small event venue.

Planning and Zoning Commission approved an alley vacation between the subject properties so that the land can be utilized in the development of the property and provide adequate parking for the proposed small event venue.

REMARKS: The Planning and Zoning Commission held a public hearing on, July 17, 2025, 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 0.45 acres generally located at 2961 East Republic Road and 4152 South Middleton Avenue from R-SF, Single-family Residential District to LB, Limited Business District with Conditional Overlay District No. 273. The applicant intends to utilize the existing building for a small event venue.
2. The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Mixed-use placetype. Areas within the Mixed Use placetype function as activity centers that provide a mix of residential, shopping, services, office, entertainment, and dining options. These centers can also host small to moderate sized manufacturing, maker spaces, artisan shops, galleries, and music venues that contribute to innovation or themed entertainment districts. Depending on the existing character of the area and the vision identified, mixed use areas, districts, corridors, and developments can take on a very prescriptive or wide range of uses as well as design requirements.
3. This application is consistent with the Mixed-use recommendation to provide a mix of building types, including adaptive re-use of residential structures, with preference for preserving architecture and neighborhood fabric.
4. The proposed COD preserves the existing building as an adaptive use.
5. The Mixed-use placetype lists entertainment as a primary land use.
6. The LB district is intended for uses that provide convenience goods or personal services primarily to people residing in adjacent residential areas. It also includes selected retail, and service uses that are similar in land use intensity and physical impact to the neighborhood sales and service uses permitted in this district. This district is designed to accommodate compact, freestanding commercial centers or to function as a transition between more intense commercial uses and residential neighborhoods.
7. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.
8. There are few changing conditions in the area affected that make the proposed rezoning necessary. Minor development of property within the vicinity has been occurring.
9. The range of uses in the proposed LB district is compatible with the uses permitted on other property in the immediate vicinity.

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

STAFF RECOMMENDATION: Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Mixed-Use 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 08/01/2025

- Attachments:**
1. Z-10-2025 COD 273 - 2961 E. Republic Rd. and 4152 S. Middleton Ave.
 2. Z-10-2025 COD 273_exhA
 3. Z-10-2025 COD 273_exhB
 4. Z-10-2025 COD 273_exhC
 5. Z-10-2025 COD 273_exhD

One-rdg. _____
P. Hrngs. X
Pgs. 24
Filed: 08-05-25

Sponsored by: Adib-Yazdi

First Reading: _____

Second Reading: _____

COUNCIL BILL 2025-176

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 0.45 acres of property generally located at 2961 East Republic
4 Road and 4152 South Middleton Avenue from R-SF, Single-family
5 residential district, to LB, Limited business district, with Conditional
6 Overlay District No. 273; establishing Conditional Overlay District
7 No. 273; and adopting an updated Official Zoning Map.
8 _____
9

10 WHEREAS, an application has been filed for a zoning change of the property
11 generally located at 2961 East Republic Road and 4152 South Middleton Avenue from
12 R-SF, Single-family residential district, to LB, Limited business district, and establishing
13 Conditional Overlay District No. 273; and
14

15 WHEREAS, Conditional Overlay District No. 273 shall modify the requirements of
16 the Springfield Land Development Code Section 36-420, LB – Limited business district,
17 by requiring that the property described in "Exhibit B" comply with the requirements
18 described in "Exhibit A," both attached hereto and incorporated herein by this reference;
19 and
20

21 WHEREAS, following proper notice, the Planning and Zoning Commission held a
22 public hearing on July 17, 2025, a copy of the Record of Proceedings from said public
23 hearing being attached hereto and incorporated herein by this reference as "Exhibit C,"
24 and said Commission made its recommendation of approval with a vote of 8 to 0; and
25

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

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

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

34 SPRINGFIELD, MISSOURI, as follows, that:

35
36 Section 1 – The property described in "Exhibit B" is hereby rezoned from R-SF,
37 Single-family residential district, to LB, Limited business district, with Conditional
38 Overlay District No. 273. Springfield Land Development Code, Section 36-306, 'Official
39 zoning map and rules for interpretation,' is hereby amended, changed, and modified
40 consistent with this Ordinance.

41
42 Section 2 – City Council hereby establishes Conditional Overlay District No. 273,
43 which shall contain the requirements and standards provided in "Exhibit A." The
44 requirements of Conditional Overlay District No. 273 shall modify the requirements of
45 the Springfield Land Development Code Section 36-420, LB – Limited business district,
46 by requiring the property described in "Exhibit B" to comply with the requirements
47 contained in "Exhibit A."

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

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

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

60
61 Passed at meeting: _____

62
63 _____
64 Mayor

65
66 Attest: _____, City Clerk

67
68 Filed as Ordinance: _____

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

72
73 *[Signature]*
74 Approved for Council action: _____, City Manager

EXHIBIT A
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-10-2025 COD 273

The requirements of Section 36-420 of the Springfield Zoning Ordinance shall be modified herein for development within this district to include the following:

1. The existing building at 2961 East Republic Road shall be preserved as an adaptive use. A single expansion of the structure not to exceed 1,000 square feet will be approved, provided such expansion meets all applicable sections of the Code. In the event that the principal structure on the property is damaged or destroyed, the structure can be replaced with a similarly sized structure.

EXHIBIT B
LEGAL DESCRIPTION

TRACT I:

ALL OF LOT FOUR (4), BLOCK ONE (1), IN THE TOWN PLAT OF GALLOWAY, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

TRACT II:

ALL OF LOT ONE (1), BLOCK ONE (1), IN THE TOWN PLAT OF GALLOWAY, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

EXHIBIT C
RECORD OF PROCEEDING
Planning and Zoning Commission – July 17, 2025

Z-10-2025 COD 273
2961 East Republic Road and 4152 South Middleton Avenue
Applicant: Windmill Holdings, LLC

Combined presentation for Z-10-2025 COD 273 and Vacation 842.

Mr. Sparlin states that this is a request to rezone approximately 0.45 acres from R-SF, Single-family Residential District to LB, Limited Business District with Conditional Overlay District No. 273.

Mr. Scott ask for clarification for maintaining the existing structure and if any reason to specify where that 1000 square foot additional can go.

Mr. Sparlin stated that they had placed a Conditional Overlay District (COD) to preserve the building, and the applicant may need to explain where the addition is planned.

Mr. Doennig opened the public hearing.

Mr. Chris Wynn, 5051 S. National Avenue representing the owner and developer. He noted that the owners imagine bring the church back to life and to be used for small events and the extra requested space will be to make it ADA compliant (bathrooms and adding small kitchen space).

Mr. Pauly asked about the hours of operation.

Mr. Wynn noted that it should be 10:00am to 10:00pm, same as his other venue.

Ms. Melanie Bach, 3734 S. Elmview, president of the Galloway Village Neighborhood Association and is thankful that we have a developer willing to try to bring back the building to life, however, did note a concern on the hours of operation and no have concern on the request for the vacation. She also noted that they would like specific hours listed in the Conditional Overlay District.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Scott moved to approve Z-10-2025 COD 273; Commissioner Lebeck seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Doennig, Commissioner Ridge, Commissioner Scott, Commissioner Hunton, Commissioner Pauly, Commissioner Gunther, Commissioner Colony, and Commissioner Lebeck. Nays: None. Absent: Commissioner Knuckles. Abstain: None.

A handwritten signature in black ink, appearing to read 'Bob Hosmer', with a long horizontal flourish extending to the right.

Bob Hosmer, AICP
Planning Manager



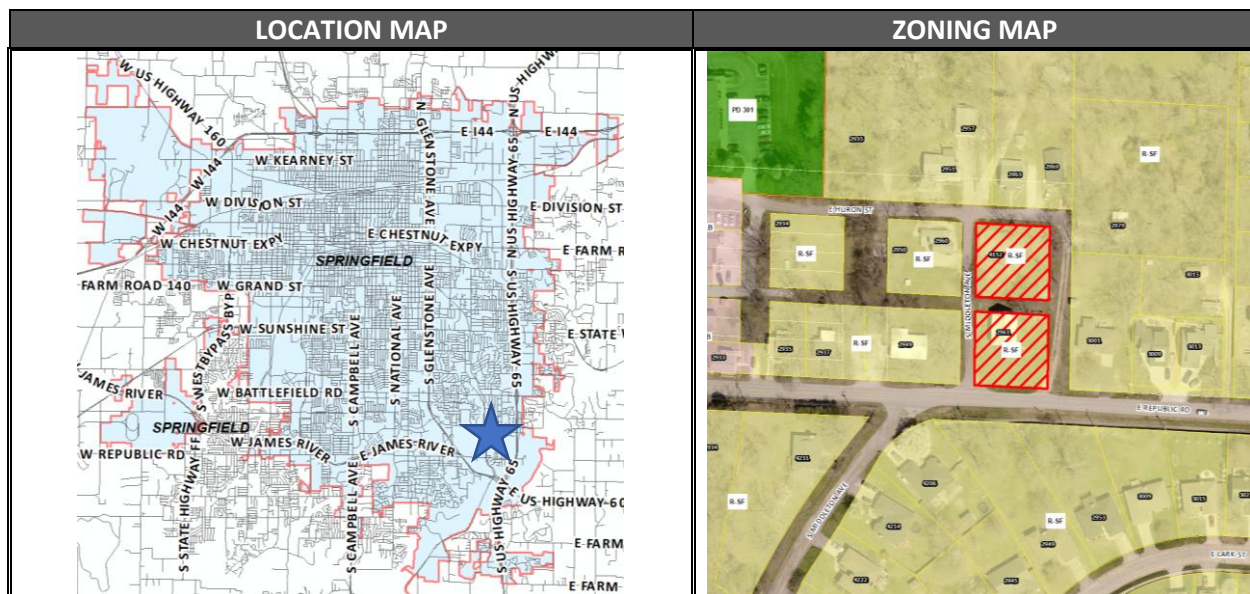
DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION

Case Number:	Z-10-2025 with Conditional Overlay District No. 273
Location:	2961 East Republic Road and 4152 South Middleton Avenue
Total Acres:	0.45 acres
Applicant:	Windmill Holdings LLC
Existing Land Use:	Church
Neighborhood Meeting:	June 9, 2025
Planning and Zoning Commission:	July 17, 2025
City Council:	August 11, 2025
Public Notification:	Mail, posted property, and legal in the Springfield News-Leader
Staff:	Michael Sparlin, Senior Planner
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of rezoning case Z-10-2025 with Conditional Overlay District No. 273 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).

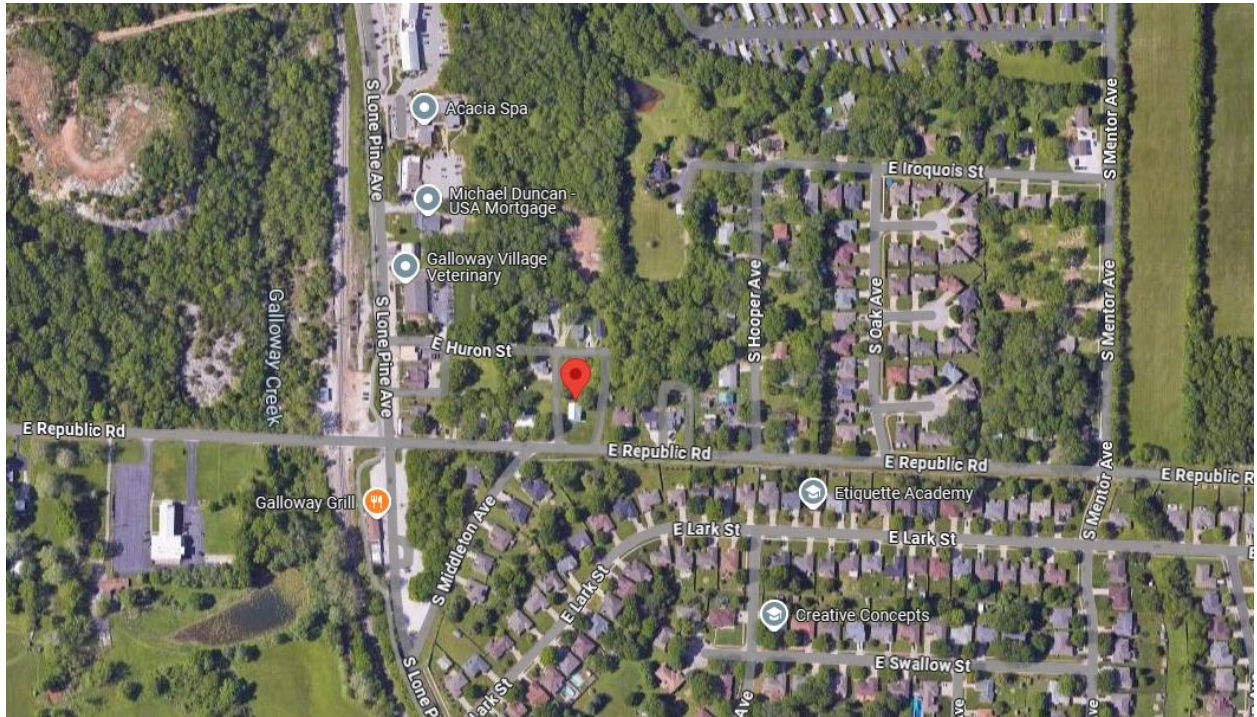
PROJECT SUMMARY:

Request to rezone approximately 0.45 acres generally located at 2961 East Republic Road and 4152 South Middleton Avenue from R-SF, Single-family Residential District to LB, Limited Business District with Conditional Overlay District No. 273.



DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE STREETVIEW:



DEVELOPMENT REVIEW STAFF REPORT

PROPERTY HISTORY:

The subject property was zoned R-SF in the 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 LB
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

COMPATIBILITY WITH COMPREHENSIVE PLAN:

DEVELOPMENT REVIEW STAFF REPORT

PLACETYPE:

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

Areas within the Mixed Use placetype function as activity centers that provide a mix of residential, shopping, services, office, entertainment, and dining options. These centers can also host small to moderate sized manufacturing, maker spaces, artisan shops, galleries, and music venues that contribute to innovation or themed entertainment districts. Depending on the existing character of the area and the vision identified, mixed use areas, districts, corridors, and developments can take on a very prescriptive or wide range of uses as well as design requirements.

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

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

Planning for Mixed Use placetypes should include the development of strategic plans to facilitate adoption of contextual regulations to support and implement an identified district or neighborhood vision. Planning should incorporate infrastructure improvements that prioritize the pedestrian and promote an integration of public spaces into private development and increase connectivity with adjoining neighborhoods, activity centers, or institutional and employment centers. Neighborhood planning efforts should identify incompatible uses that do not contribute positively to the adjoining neighborhood, such as industrial, storage, or auto-oriented commercial businesses.

LAND USES PRIMARY USES

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

SUPPORTING USES

- Parks, greenways, and open space
- Government, healthcare, and institutional facilities
- Universities, colleges, and vocational schools

DEVELOPMENT REVIEW STAFF REPORT

- Public and private schools and places of worship
- Low-intensity urban agriculture • Sports complexes and recreational facilities
- Single-family detached
- Single-family attached

CHARACTERISTICS TRANSPORTATION & INFRASTRUCTURE

- Transit service is prioritized with bus stops enhanced with shelters and live timetables.
- Pedestrian-friendly infrastructure is provided, like wide sidewalks, pedestrian-scaled lighting, waste receptacles, street trees, landscaping, and benches.
- Pedestrian and bicycle infrastructure, and micro-mobility are integrated.
- Best management practices for stormwater management are required in redevelopment projects and within public rights-of-way, such as permeable paving, rain gardens, green roofs, native landscaping, and other low impact design strategies.
- Traffic-calming measures, such as speed-humps, bump-outs, roundabouts, landscaped chicanes with integrated stormwater management, and on-street parking are used to slow traffic.
- Quality of place and identity is enhanced by preserving and planting trees and other landscaping. Green infrastructure help to calm traffic and double as streetscape elements.
- As technology, trends, and funds permit, utilities are buried or consolidated along rear property lines reducing conflicts with street trees, pedestrian infrastructure, and viewsheds.
- Road diets and streetscape improvements are made to better establish a “pedestrian-friendly” environment.
- Parking is located behind buildings or on-street and arranged to maximize shared parking between multiple uses.

URBAN DESIGN - BUILDING AND SITE TYPOLOGY

- A mix of building types are present, including adaptive re-use of residential structures, with preference for preserving architecture and neighborhood fabric.
- Building heights are limited to three to four stories, or reduced to complement adjacent lower density residential patterns.
- Buildings are located at or close to the front property line with context-sensitive designs that emphasize the pedestrian and public realm.
- Lighting, landscaping, signage, mail, and delivery accommodations are incorporated into the site design.
- Sense of place is enhanced through streetscaping elements, like benches, pedestrian-scaled lighting, public art, and outdoor seating.
- Local art and cultural elements are incorporated into the streetscape to create a unique center representative of the surrounding residential neighborhood.

TRANSITIONS

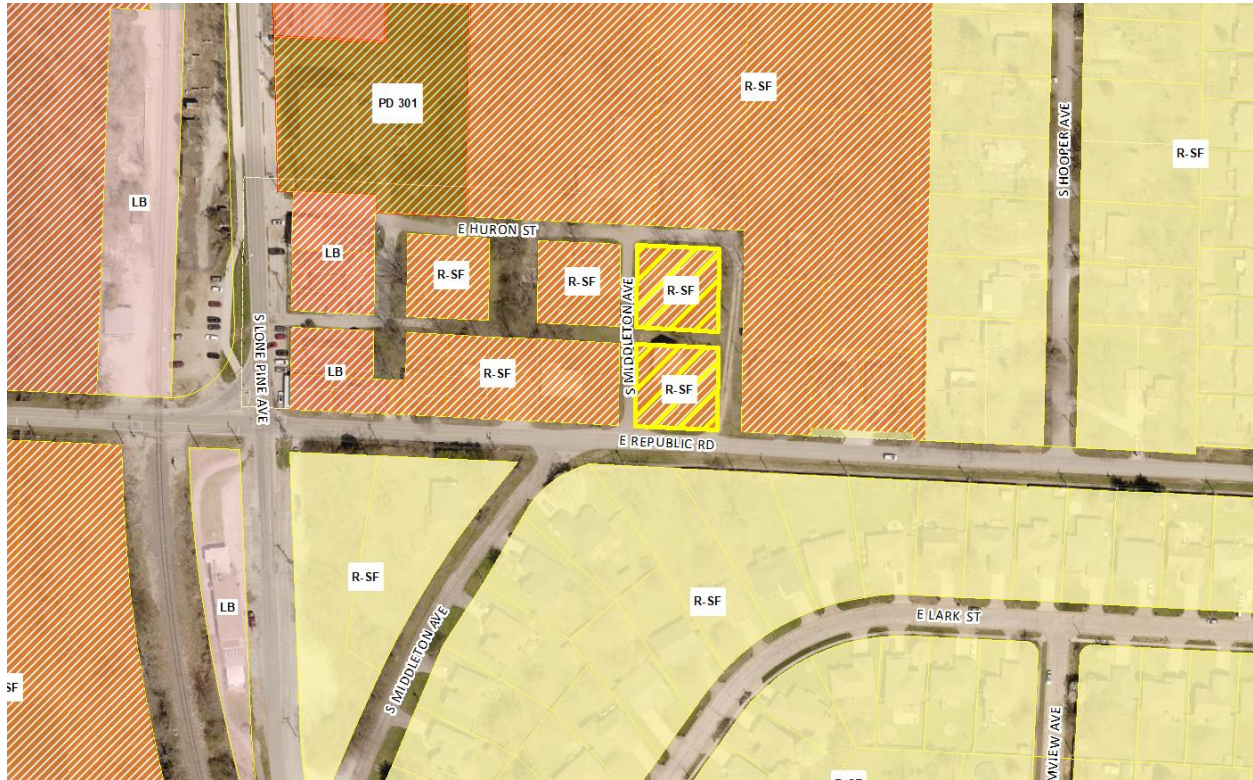
- Locations appropriate for mixed use centers are identified through strategic planning process with clearly defined boundaries.
- Multifamily and single-family attached residential are integrated to buffer mixed use neighborhood nodes from surrounding lower intensity residential areas.
- Screening and buffering are provided between commercial uses and lower-density residential development.

DEVELOPMENT REVIEW STAFF REPORT

- Strong connections to local universities, innovation districts, and neighborhoods are established through branding and connectivity.

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

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	S Middleton Ave	Local	City	25	10	NA	No	Yes	No
Street 2	E Huron St	Local	City	25	15	NA	No	Yes	No
Street 3	E Republic Rd	Collector	City	30	25	1350	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 are no bus stops near the property.

IMPROVEMENTS - No improvements are required for this rezoning. A Traffic Impact Study (TIS) is not required for rezoning.

DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

SITE DESCRIPTION & DRAINAGE PATTERN

	Drainage Basin	Fee in Lieu for Flood Control	Fee in Lieu for Water Quality	Stream Buffer on Site	Sinkhole or Watershed	Floodplain and Floodway
2961 E Republic Rd	Galloway Creek	Dependent on STM Report	No	Yes	No	No

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

DETENTION AND DISCHARGE REQUIREMENTS

1. A Stormwater Report detailing the drainage from future improvements with civil site plans would be required before a fee in lieu of detention for flood control could be approved.

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.

DEVELOPMENT REVIEW STAFF REPORT

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

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is requesting to rezone approximately 0.45 acres generally located at 2961 East Republic Road and 4152 South Middleton Avenue from R-SF, Single-family Residential District to LB, Limited Business District with Conditional Overlay District No. 273. The applicant intends to utilize the existing building for a small event venue.
2. The *Comprehensive Plan's Land Use & Development* chapter identifies the subject property as the Mixed-use placetype. Areas within the Mixed Use placetype function as activity centers that provide a mix of residential, shopping, services, office, entertainment, and dining options. These centers can also host small to moderate sized manufacturing, maker spaces, artisan shops, galleries, and music venues that contribute to innovation or themed entertainment districts. Depending on the existing character of the area and the vision identified, mixed use areas, districts, corridors, and developments can take on a very prescriptive or wide range of uses as well as design requirements.
3. This application is consistent with the Mixed-use recommendation to provide a mix of building types, including adaptive re-use of residential structures, with preference for preserving architecture and neighborhood fabric.
4. The proposed COD preserves the existing building.
5. The Mixed-use placetype lists entertainment as a primary land use.
6. The LB district is intended for uses that provide convenience goods or personal services primarily to people residing in adjacent residential areas. It also includes selected retail and service uses that are similar in land use intensity and physical impact to the neighborhood sales and service uses permitted in this district. This district is designed to accommodate compact, freestanding commercial centers or to function as a transition between more intense commercial uses and residential neighborhoods.
7. The subject property has access to City Utilities infrastructure, and any necessary extension of such services can be provided via City Utilities' extension policy, though new easements may be necessary to accommodate this.

DEVELOPMENT REVIEW STAFF REPORT

8. There are few changing conditions in the area affected that make the proposed rezoning necessary. Minor development of property within the vicinity has been occurring.
9. The range of uses in the proposed LB district is compatible with the uses permitted on other property in the immediate vicinity.
10. There are adequate utility and sewer and water facilities existing or can be provided to serve the uses that would be permitted on the property if it were rezoned.
11. The impact of the uses, which would be permitted if the property were rezoned, is not expected to significantly increase the volume of vehicular and pedestrian traffic or reduce traffic safety in the vicinity.
12. The proposed zoning will not correct an error in the application of this article, but rather will provide a viable use of the property subject to the provisions of the zoning district.
13. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied.

STAFF RECOMMENDATION:

1. Staff recommends approval based on the proposal's general conformance to the Comprehensive Plan's Mixed-use 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. 273

The requirements of Section 36-420 of the Springfield Zoning Ordinance shall be modified herein for development within this district to include the following:

1. The existing building at 2961 East Republic Road shall be preserved as an adaptive use. A single expansion of the structure not to exceed 1,000 square feet will be approved, provided such expansion meets all applicable sections of the Code. In the event that the principal structure on the property is damaged or destroyed, the structure can be replaced with a similarly sized structure.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

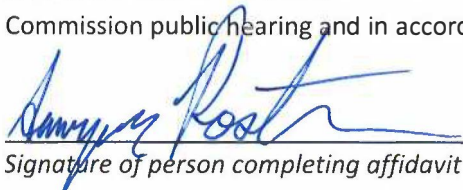
1. Request change to zoning from: R-SF - Single Family Residential to LB - Limited Business
(existing zoning) (proposed zoning)
2. Meeting Date & Time: June 9th 2025 4-6:30pm
3. Meeting Location: Galloway Mercantile - 4144 S Lone Pine Ave. Springfield MO 65804
4. Number of invitations that were sent: 106
5. How the mailing list was generated: City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 4
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved).

The owner of the property directly east expressed concern about a change in zoning to the site and the impact it would have on his property. - Development will adhere to any and all screening and buffer yard requirements. One attendee voiced concern about adequate parking - off street parking will be added on site. Several attendees voiced concern about preserving the historic nature of the building - Attendees were informed that the owner intends to renovate the existing building.

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

No written comments were recieved.

I, Sawyer Posten (print name), attest that the neighborhood meeting was held on 06/09/2025 (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

Sawyer Posten
Printed name of person completing affidavit

GALLOWAY CHAPEL NEIGHBORHOOD MTG - June 9, 2025



SIGN-IN SHEET

	Name	Address or Company	Phone	E-mail
1	Brock Fick	3001 E REPUBLIC RD	314-779-9673	brockfick@yahoo.com
2	Sung Jung	3009 E Lark St	417 886 -1041	—
3	Jacque Thummel	2907 E. Lark St	417-459-0729	Jstisco.Thummel@gmail.com
4	Tamra McNabb	3012 E Lark St	417 536 0884	Tmcnabb02@gmail.com
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From: [Brock Fick](#)
To: Zoning@springfieldmo.gov
Subject: Z-10-2025 COD 273
Date: Tuesday, July 22, 2025 10:53:22 AM

This is the first time you received an email from this sender (brockfick@gmail.com). Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

Secured by Check Point

I filled out a card to speak at the Zoning Commission Meeting on July 17, but was not called on to speak. My name is Brock Fick and I am the owner of 3001 E Republic Rd, the neighbor directly to the East of the property in question. Melanie from our neighborhood association did a good job of representing me and the other neighbors I have spoken to, but I would like to emphasize a couple of points.

Primarily, I do believe Mr. Estes will be a good neighbor, but my major concern is that we use this opportunity to add some stipulations to the zoning to ensure that any future business owners of that property would also be good neighbors. I'm not familiar with what is possible in the rezoning process but below are my biggest concerns. These seem to be agreed upon by some of the other closest neighbors I have spoken to.

- Hours of operation would ideally be no later than 9PM because it is so close to other homes.
- No loud music or amplified audio outdoors. The developer did not seem opposed to sound proofing measures during the building renovation, but I would love for that to be required.
- The entry to the parking lot would ideally only be from Middleton Ave, and ideally via Lone Pine/Huron St.. This would minimize traffic disruption and overflow parking by neighboring houses, in my lawn, or use of the gravel road to the East. That gravel road is used occasionally by neighbors to unload lawn equipment or other temporary purposes and we would like to see that untouched.

I am also not necessarily opposed to the addition of the small "kitchen" area, but I would like it to be required to be to the North towards the proposed parking lot. This is what the developer is currently planning on, but I would like for it to be in writing so that they cannot build closer to my home or the neighboring homes to the West.

I am not familiar with this process so I would also be interested to know what the next steps are, if any of these points can be included in the zoning, or if they will be further negotiated.

Thank you,
Brock Fick

SUPPLEMENTAL EXPLANATION TO AMENDED COUNCIL BILL 2025-155

DATE: August 6, 2025

ORIGINATING DEPARTMENT: Law

PURPOSE: A general ordinance amending Springfield City Code, Chapter 10 'Alcoholic Beverages,' Article I 'In General,' Section 10-66 'Exception for Downtown and Commercial Street events.' for the purpose of removing the limitation on the number of permitted events

REMARKS: On July 14, 2025, Council Bill 2025-155 was first read. On July 28, 2025, Council Bill 2025-155 was second read and amended to (1) change the alcohol limit for beer from five to eight percent and (2) change the alcohol metric for beer and wine from alcohol by weight to alcohol by volume.

Submitted by:



Jordan L. Paul, City Attorney

Approved by:



David Cameron, City Manager



EXPLANATION TO AMENDED COUNCIL BILL 2025-155 (HARDINGER)

FILED: 07/31/2025

ORIGINATING DEPARTMENT: Public Information and Civic Engagement

TITLE: A general ordinance amending Springfield City Code, Chapter 10 'Alcoholic Beverages,' Article I 'In General,' Section 10-66 'Exception for Downtown and Commercial Street events,' for the purpose of removing the limitation on the number of permitted events.

PURPOSE: A general ordinance amending Springfield City Code, Chapter 10 'Alcoholic Beverages,' Article I 'In General,' Section 10-66 'Exception for Downtown and Commercial Street events,' for the purpose of removing the limitation on the number of permitted events.

BACKGROUND INFORMATION: Over the previous decade, 10-66 has allowed alcohol at special events on public property in a limited number. City Council has increased the number over the years, taking a measured approach which has proven safe and successful. The new ordinance would not cap the number of alcohol events. It allows for alcohol at designated control-zone areas downtown, on Commercial Street, and during specific festivals like Artsfest and Cider Days. These zones are outlined in easy-to-understand maps available at <https://www.springfieldmo.gov/6081/Alcohol-Event-Zone-Maps> and on file with the City Clerk's Office.

With city manager's approval, alcohol may be served in paper, plastic, or aluminum cups (up to 16 ounces) for no more than 12 hours per day and no more than three days per week. Light wines may contain up to 14% alcohol by weight, while other beverages are limited to 5%.

Only individuals 21 or older may possess or purchase alcohol in these zones.

During City-manager-approved events, open containers and public consumption of alcohol are allowed within the designated zones. Usual open container laws (Sec. 78-4) do not apply during these times. All licensees must include proof of insurances (liquor liability and general liability) and a hold-harmless agreement with the City.

Submitted By:

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

Attachments:

1. CB 2025-155 - CB amended
2. Alcohol Ord Map_ArtsFest_CiderDays
3. Alcohol Ord Map_CommercialSt
4. Alcohol Ord Map_Downtown_Rte66

One-rdg. _____
P. Hrngs. _____
Pgs. 10
Filed: 06-17-25

Sponsored by: Hardinger

First Reading: _____

Second Reading: _____

AMENDED COUNCIL BILL 2025-155

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING Springfield City Code, Chapter 10 'Alcoholic Beverages,' Article I 'In
2 General,' Section 10-66 'Exception for Downtown and Commercial Street
3 events.' for the purpose of removing the limitation on the number of
4 permitted events.
5
6 _____

7 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
8 SPRINGFIELD, MISSOURI, as follows, that:
9

10 Section 1 – Springfield City Code, Chapter 10 'Alcoholic Beverages,' Article I 'In
11 General,' Section 10-66 'Exception for Downtown and Commercial Street events,' is
12 hereby amended as follows:
13

14 (Note: Language to be added is **bolded and underlined**, and language being removed
15 is ~~stricken~~.)
16

17 **Sec. 10-66. - Exception for Downtown and Commercial Street events.**

18
19 (a) Upon prior approval of the city manager, designated organizations or their designee
20 may obtain a picnic or caterers license to provide alcohol not in excess of ~~five~~**eight**
21 percent by ~~weight~~**volume** and light wines containing not in excess of 14 percent of alcohol
22 by ~~weight~~**volume** by the drink at retail for consumption at permitted events as described
23 in this section. The following are designated organizations for the purposes of this section:
24

25 (1) The Downtown Springfield Community Improvement District for permitted
26 events held in areas described in subsections (c)(1), (2), **and** (3), ~~and (4)~~; and
27

28 (2) The Commercial Street Community Improvement District for permitted events
29 held in the area described in subsection (c)(~~54~~); **and**
30

31 **(3) any other organization designated by the City Manager.**
32

(b) A designated organization shall be limited to offering alcohol for consumption at permitted events during no more than 12 hours per day and for no more than three days per week.

(c) Permitted events shall be limited to one of the following areas:

- (1) ~~The boundary of the area defined as the downtown mall in section 82-61~~ ("Downtown Mall Area") **(figure 1)**;

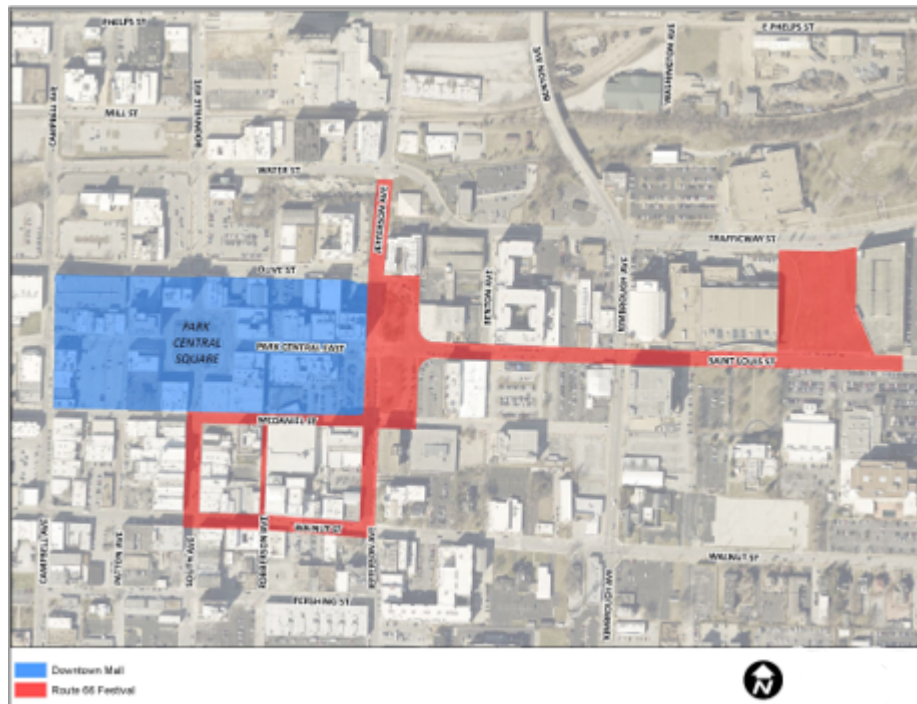


Figure 1: Downtown Mall Area (blue only)

- (2) ~~The boundary of the area defined as the downtown mall in section 82-61 with the addition of the following right-of-way: extending east from the west right-of-way line of Jefferson and Park Central East, continuing along St. Louis Street to the west right-of-way line of John Q. Hammons Parkway, and extending west from the east right-of-way line of Campbell Avenue and Park Central West, continuing along College Street to the east right-of-way line of Grant Avenue; and the right-of-way along Jefferson Street from the south right-of-way line of Water Street to the south right-of-way line of Olive Street, and the area including the right-of-way along Jefferson Street from the south right-of-way line of Olive Street to the north right-of-way line of McDaniel Street and adjacent city property to the east~~ ("Route 66 Festival Area") **(figure 2)**;

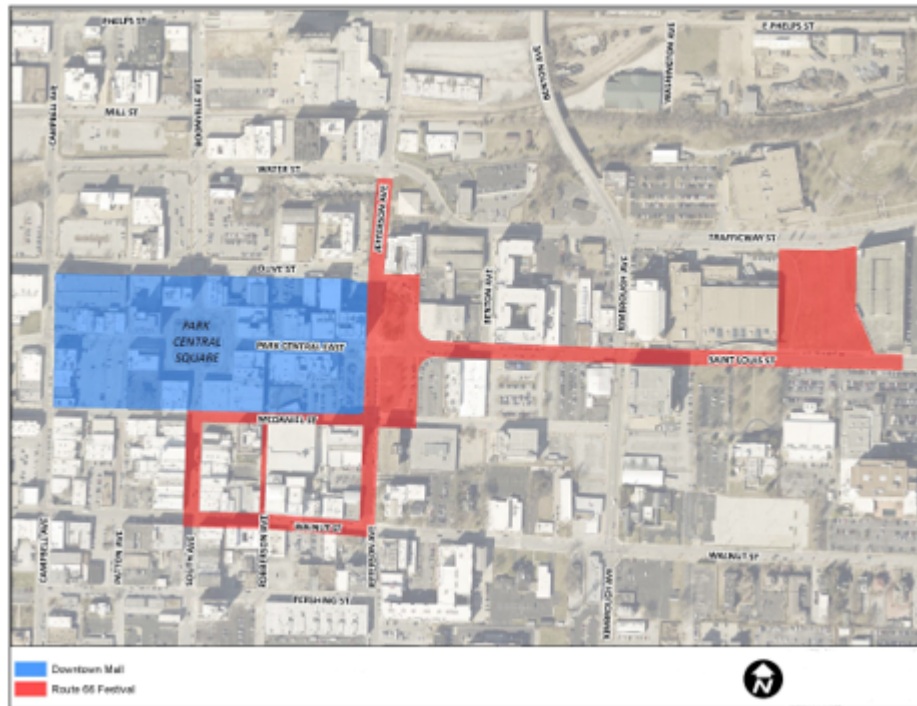


Figure 2: Route 66 Festival Area (blue and red)

(3) The area including the right-of-way along Jefferson Street from the south right-of-way line to Olive Street to the north right-of-way line of Park Central East/St. Louis Street;

of- (43) The area including the right-of-way along Walnut Street from the west right-way line of National Avenue to the east right-of-way line of Kimbrough Avenue ("Artsfest Area") **(figure 3)**; and



Figure 3: Artsfest Area

(54) The area including the right-of-way along Commercial Street from the east right-of-way line of Washington Avenue to the west right-of-way line of Grant Avenue ("Commercial Street Area") (figure 4).



Figure 4: Commercial Street Area

(d) ~~There shall be no more than 12 permitted events per calendar year. The number of events per year shall be limited as follows:~~

~~(1) Downtown Mall Area—No more than seven events during a calendar year;~~

~~(2) Route 66 Festival Area—No more than one event during a calendar year;~~

~~(3) Area defined in subsection (c)(3)—No more than one event during a calendar year;~~

~~(4) Artsfest Area—No more than one event during a calendar year; and~~

~~(5) Commercial Street Area—No more than four events during a calendar year.~~

(ed) All provisions of [sections 82-61](#) through [82-65](#) shall remain in effect during any time the Downtown Mall is closed for an event described in this section.

(fe) During the duration of a permitted event held pursuant to this section, the prohibition on open containers and public consumption of alcohol as set forth in [section 78-4](#) shall not be in effect within the areas defined in this section, subject to rules and regulations established by the city manager, except that any person found guilty of violating the rules and regulations for the areas established by the city manager and on file with the city clerk, is subject to prosecution under [section 78-4](#).

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

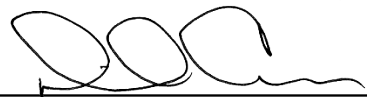
Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: , Assistant City Attorney

Approved for Council action: , City Manager

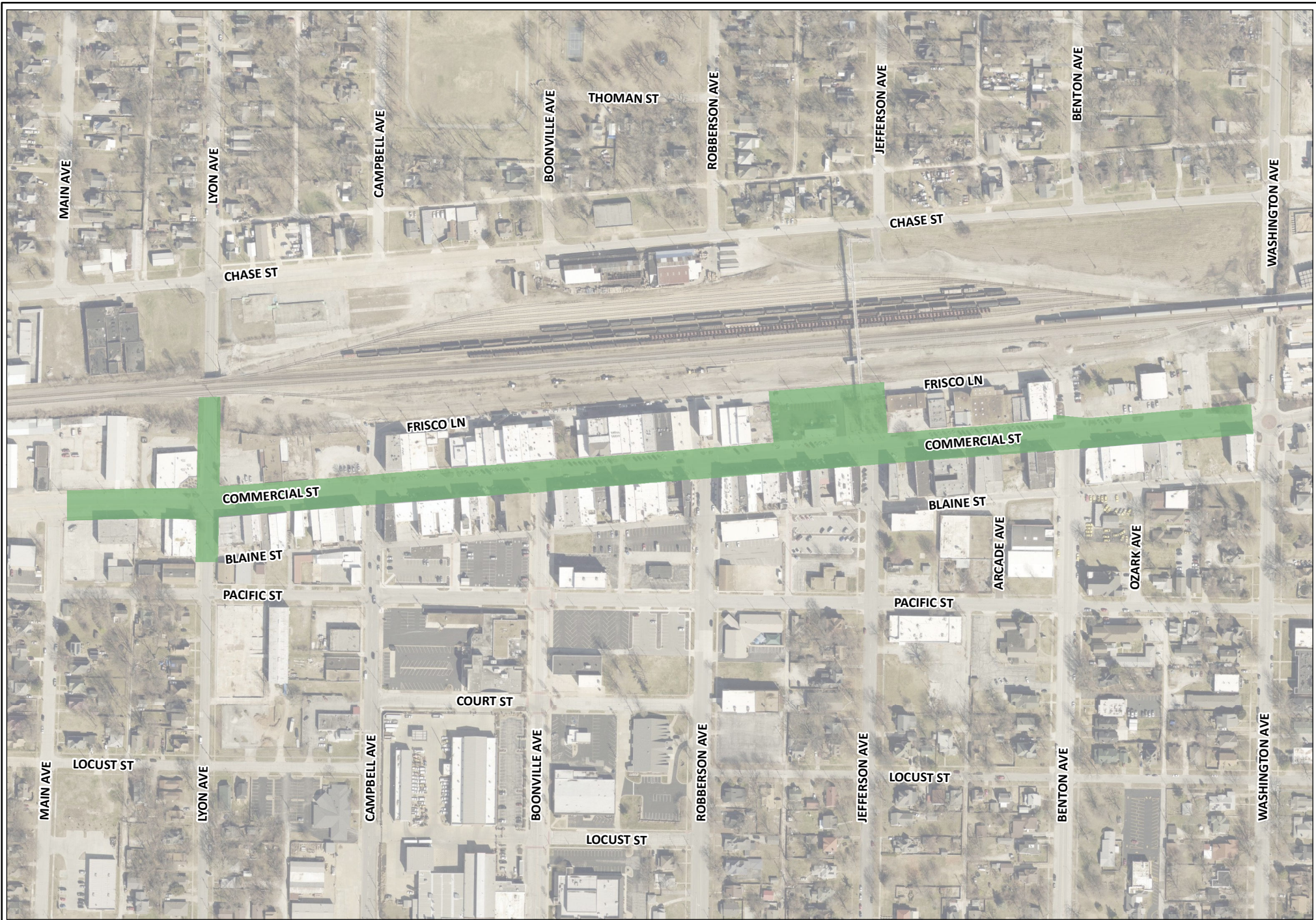


 ArtsFest/Cider Days

ArtsFest/Cider Days- Alcohol Ordinance Boundary



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Created On: 04/07/2025

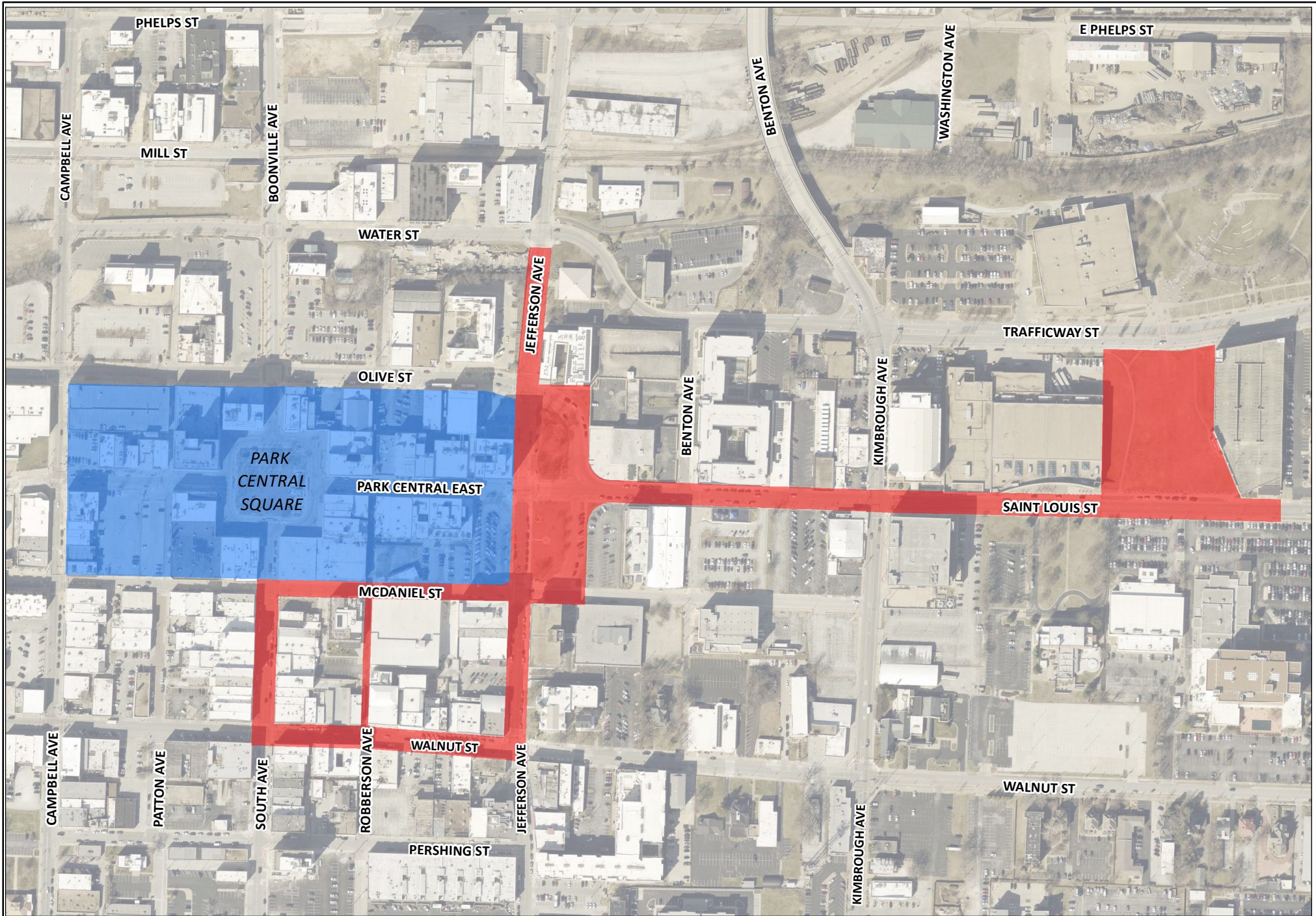


 Commercial Street

Commercial Street- Alcohol Ordinance Boundary



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Created On: 04/07/2025



- Downtown Mall
- Route 66 Festival

Downtown Mall/Route 66- Alcohol Ordinance Boundary



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Created On: 04/07/2025



EXPLANATION TO COUNCIL BILL 2025-164 (HOSMER)

FILED: 07/31/2025

ORIGINATING DEPARTMENT: Building Development

TITLE: A special ordinance amending the City of Springfield Code Chapter 74 'Nuisance and Housing Code' Article I 'In General' Section 74-1 'Definitions,' Article II 'Enforcement,' Section 74-37 'Decision,' and Section 74-38 'Cost, assessments, and nuisance-abatement lien,' Article VII 'Nuisances,' Division 1 'Generally,' Section 74-382 'Property owner's responsibility for nuisance abatement,' and Division 2 'Weeds and Other Rank Vegetation,' Section 74-401 'Rank vegetation declared hazard to public health, safety and welfare,' Section 74-402 'Authority of city manager to determine existence of nuisance,' Section 74-403 'Weeds over seven inches in height declared nuisance,' and Section 74-406 'Charges for abatement by city,' to revise the sections for clarity, efficiency, and improved nuisance abatement and to add provisions to City of Springfield Code Chapter 38 'Land Development Code,' Article I 'Administration and Enforcement of Codes,' Division 4 'Permits and Fees,' Section 38-134 'Submittal documents' to better regulate construction, small-project construction, and a range of construction components.

PURPOSE: This Ordinance proposes amendments to Chapters 74 and 38 of the City of Springfield Code to enhance enforcement capabilities and improve permitting efficiency. Updates to Chapter 74 strengthen the Department of Building Development Services' ability to address nuisance and overgrowth issues on private property by clarifying definitions, simplifying notification procedures, and aligning responsibilities and workflows with current practices. Simultaneously, revisions to Section 38-134 streamline the permitting process by establishing clear, consistent submittal requirements and defining criteria for "qualifying small projects" that do not require sealed construction documents. Together, these changes support effective code enforcement, improve operational efficiency, and reduce unnecessary burdens on property owners and applicants while maintaining public safety and compliance.

BACKGROUND INFORMATION: This Ordinance introduces targeted amendments to Chapters 74 and 38 of the City of Springfield Code aimed at strengthening code enforcement and improving permitting processes. The proposed changes to Chapter 74 enhance the Department of Building Development Services' ability to address nuisance and overgrowth issues by clarifying definitions, streamlining notification procedures, and aligning enforcement practices with current operations. Concurrent updates to Section 38-134 refine the permitting process by establishing clear submittal standards and identifying "qualifying small projects" that may proceed without sealed construction documents. Collectively, these updates promote more effective enforcement, greater efficiency, and reduced administrative burdens for property owners and applicants, all while upholding public safety and regulatory compliance.



Submitted By: Brad Musick, Assistant Director

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

Attachments:

1. Revising 74 and 38_ord
2. Exhibit A - Chapter 74
3. Exhibit B - Chapter 38

One-rdg. _____
P. Hrngs. X
Pgs. 17
Filed: 07-22-25

Sponsored by: Hosmer

First Reading: _____

Second Reading: _____

COUNCIL BILL 2025-164

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the City of Springfield Code Chapter 74 'Nuisance and Housing Code'
2 Article I 'In General' Section 74-1 'Definitions,' Article II 'Enforcement,'
3 Section 74-37 'Decision,' and Section 74-38 'Cost, assessments, and
4 nuisance-abatement lien,' Article VII 'Nuisances,' Division 1 'Generally,'
5 Section 74-382 'Property owner's responsibility for nuisance abatement,'
6 and Division 2 'Weeds and Other Rank Vegetation,' Section 74-401 'Rank
7 vegetation declared hazard to public health, safety and welfare,' Section
8 74-402 'Authority of city manager to determine existence of nuisance,'
9 Section 74-403 'Weeds over seven inches in height declared nuisance,'
10 and Section 74-406 'Charges for abatement by city,' to revise the sections
11 for clarity, efficiency, and improved nuisance abatement and to add
12 provisions to City of Springfield Code Chapter 38 'Land Development
13 Code,' Article I 'Administration and Enforcement of Codes,' Division 4
14 'Permits and Fees,' Section 38-134 'Submittal documents' to better
15 regulate construction, small-project construction, and a range of
16 construction components.
17 _____

18
19 WHEREAS, amendments to Chapters 74 and 38 of the Springfield City Code will
20 enhance nuisance enforcement and permitting efficiency; and
21

22 WHEREAS, updates to Chapter 74, specifically Sections 74-1, 74-37, 74-38, 74-
23 382, 74-401, 74-402, 74-403, and 74-406, will enable the Department of Building
24 Development Services to address nuisance and overgrowth issues on private property
25 by clarifying definitions, simplifying notification procedures, and aligning responsibilities
26 and workflows with current practices; and
27

28 WHEREAS, revisions to Section 38-134 will streamline the permitting process by
29 establishing clear and consistent submittal requirements and defining criteria for
30 "qualifying small projects" that do not require sealed construction documents; and

31 WHEREAS, it is advisable to support effective code enforcement, improve
32 operational efficiency, and reduce unnecessary burdens on property owners and
33 applicants while maintaining public safety and compliance.

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

37
38 Section 1 – City Code Chapter 74 ‘Nuisance and Housing Code,’ Article I ‘In
39 General,’ Section 74-1 ‘Definitions,’ Article II ‘Enforcement,’ Section 74-37 ‘Decision,’
40 and Section 74-38 ‘Cost, assessments, and nuisance-abatement lien,’ Article VII
41 ‘Nuisances,’ Division 1 ‘Generally,’ Section 74-382 ‘Property owner’s responsibility for
42 nuisance abatement,’ and Division 2 ‘Weeds and Other Rank Vegetation,’ Section 74-
43 401 ‘Rank vegetation declared hazard to public health, safety and welfare,’ Section 74-
44 402 ‘Authority of city manager to determine existence of nuisance,’ Section 74-403
45 ‘Weeds over seven inches in height declared nuisance,’ and Section 74-406 ‘Charges
46 for abatement by city,’ is hereby amended as set forth in “Exhibit A,” attached hereto
47 and incorporated herein by reference.

48
49 Section 2 – City Code Chapter 38 Land Development Code, Article I
50 ‘Administration and Enforcement of Codes,’ Division 4 ‘Permits and Fees,’ Sec. 38-134
51 ‘Submittal documents’ is hereby amended as set forth in “Exhibit B,” attached hereto
52 and incorporated herein by reference.

53
54 Section 3– Savings Clause. Nothing in this Ordinance shall be construed to affect
55 any suit or proceeding now pending in any court or any rights acquired or liability
56 incurred nor any cause or causes of action occurred or existing, under any act or
57 ordinance repealed hereby. Nor shall any right or remedy of any character be lost,
58 impaired, or affected by this Ordinance.

59
60 Section 4– Severability Clause. If any section, subsection, sentence, clause, or
61 phrase of this Ordinance is for any reason held to be invalid, such decision shall not
62 affect the validity of the remaining portions of this Ordinance. City Council hereby
63 declares that it would have adopted the Ordinance and each section, subsection,
64 sentence, clause or phrase thereof, irrespective of the fact that any one or more
65 sections, subsections, sentences, clauses, or phrases be declared invalid.

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

69
70 Passed at meeting: _____

71
72 _____
73 Mayor

74 Attest: _____, City Clerk

75 Filed as Ordinance: _____

76

77
78 Approved as to form: , Assistant City Attorney

79

80

81 Approved for Council action: , City Manager

Exhibit A

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

Sec. 74-1. Definitions.

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

Apartment house means a building which contains two or more rental apartment units.

Approved residential solid waste containers means containers of not more than 35 gallons which are leakproof, waterproof and fitted with a flytight lid. Such containers shall be properly covered at all times except when depositing waste therein or removing the contents thereof. The containers shall have handles, bails or other suitable lifting devices or features. Containers shall be of a type originally manufactured for residential solid waste, with tapered sides for easy emptying. They shall be of light weight and sturdy construction. The weight of any individual container and contents to be manually lifted shall not exceed 60 pounds. Galvanized metal containers, or rubber, fiberglass or plastic containers which do not become brittle in cold weather, may be used. Disposable solid waste containers with suitable frames or containers also may be used for storage of residential solid waste, provided such containers are kept, used and maintained in such a way that they do not become ruptured, punctured or torn or the contents contained therein exposed to the air. Notwithstanding these provisions, residential solid waste may be stored in containers exceeding 35 gallons in capacity and 60 pounds in weight when such containers are designed, constructed, used and maintained so that they are mechanically emptied. Such containers shall comply with all other provisions. Plastic bags may be used to store solid waste temporarily for collection, provided the plastic bag is not ripped, does not leak, and is sealed to prevent the contents from being dispersed. Such bags shall not be placed at the curb earlier than the evening preceding collection and shall be removed within 24 hours after being placed at the curb.

Basement means a portion of a building located partly underground, but having less than half its clear floor-to-ceiling height below the average grade of the adjoining ground.

Cellar means a portion of a building located partly or wholly underground, and having one-half or more than one-half of its clear floor-to-ceiling height below the average grade of the adjoining ground.

Chewable surface means any exposed surface readily accessible to small children and any surface with chipping, cracked, checked or flaking paint less than 48 inches from the floor or ground or other walking surfaces.

City attorney means the city attorney, or the city attorney's designee.

City clerk means the city clerk, or the city clerk's designee.

City manager means the city manager, or the city manager's designee.

Day care facility means any structure or building subject to the child day care regulations of article XI of the land development code.

Director of building development services means the director of building development services of the city, or the director's designee.

Director of environmental services means the environmental services director of the city, or the director's designee.

Director of finance means the finance director of the city, or the director's designee.

Director of public health and welfare means the director of public health and welfare of the city, or the director's designee.

Director of public works means the public works director of the city, or the director's designee.

Dwelling unit means any room or group of rooms located within a structure and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating.

Exposed surface means:

- (1) Any interior surface of a dwelling unit, day care facility, or school;
- (2) Any exterior surface of a dwelling unit, day care facility, or school; or
- (3) Any article or substance to which children may be commonly exposed.

Extermination means the control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating or trapping; or by any other recognized and legal pest elimination methods approved by the city manager.

Graffiti means any inscription, word, figure, design, symbol or insignia which is determined to be related to gang activity and is marked, etched, scratched, drawn, painted or otherwise affixed to or placed upon public or private property located within the city.

Handbill means any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, newspaper, magazine, paper or booklet, or any other printed or otherwise reproduced original or copies of any matter or literature.

Infestation means the presence, within or around a dwelling unit, of any insects, rodents or other pests in sufficient numbers to create a real or potential health threat.

Lead-bearing substance means the same as that term is defined under state law in RSMo ch. 701.

Lead hazard means the same as that term is defined under state law in RSMo ch. 701.

Litter means garbage, refuse and rubbish and all other waste material which the city council finds, if thrown or deposited as prohibited in this chapter, tends to create a danger to public health, safety and welfare.

Occupant means any person living, sleeping, cooking or eating in, or having actual possession of, a dwelling unit, day care facility or school.

Owner means any person who alone, jointly or severally with others:

- (1) Shall have legal title to any dwelling unit, structure or property, with or without accompanying actual possession thereof; or
- (2) Shall have charge, care or control of any dwelling unit, structure or property as owner or agent of the owner, or as executor, administrator, trustee or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this chapter, and of rules and regulations adopted pursuant thereto, to the same extent as if that person were the owner.

Park means a park, reservation, playground, beach, recreation center or any other public area in the city, owned and/or used by the city and developed for active or passive recreation.

Person means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, institution, city, county or other political subdivision, authority, state or federal agency or institution, or organization of any kind, or their legal representatives, agents or assigns.

Plumbing means all of the following supplied facilities and equipment: gas pipes, gas-burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, showerbaths, installed clothes-washing machines, catchbasins, drains, vents and any other similar supplied fixtures, together with all connections to water, sewer or gas lines.

Private premises means any dwelling unit, house, building or other structure, designed or used either wholly or in part for private purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and includes any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling unit, house, building or other structure.

Refuse means solid waste.

Residential solid waste means solid waste resulting from the maintenance and operation of dwelling units, excluding multiple dwelling facilities which use containers required for commercial solid waste.

School means any educational facility, including but not limited to any public or private preschool, kindergarten, grade school or high school.

Solid waste means waste materials in a solid or semisolid state resulting from industrial, commercial, agricultural, governmental and domestic activities, including but not limited to garbage, ashes, street refuse, rubbish, dead animals, animal and agricultural wastes, yard wastes, discarded appliances, special wastes, industrial wastes, and demolition and construction wastes, but does not include overburden, rock, tailings, matte, slag or other waste material resulting from mining, milling or smelting.

Solid waste container means a receptacle used by any person to store solid waste during the interval between solid waste collections.

Solid waste disposal area means any area used for the disposal of solid waste from more than one residential premises, or one or more commercial, industrial, manufacturing, recreational or governmental operations.

Supplied means paid for, furnished or provided by or under the control of the owner or operator.

Temporary housing means any tent, trailer or other structure used for human shelter which is designed to be transportable and which is not attached to the ground, to another structure or to any utilities system on the same premises for more than 30 consecutive days.

Vehicle means every device in, upon, or by which any person or property is, or may be, transported or drawn upon a highway, including devices used exclusively upon stationary rails or tracks.

Sec. 74-37. Decision.

- (a) In deciding each case, the hearing officer will issue "Findings of Fact, Conclusions of Law, and Order." The order may authorize the chief of police, the director of public health and welfare, the public works director, the director of environmental services, or the director of building development services to abate nuisance conditions if the hearing officer finds that:
 - (1) The nuisance conditions exist;
 - (2) Notices have been properly given; and
 - (3) The property owner has not abated the nuisance conditions.
- (b) Each decision will be distributed to the property owner, others with an interest affecting title in the property, and interested city personnel by:
 - (1) Personal delivery; or
 - (2) Postage prepaid United States certified mail, return receipt requested, and regular first-class mail; or
 - (3) FedEx, UPS, or a similar delivery; or
 - (4) E-mail, upon request; and,
 - ~~(5) Posting the notice in a conspicuous location on the property where the violation exists, unless there has been personal or email delivery.~~
- (c) Each decision will be final 30 days after distribution unless there is an appeal to circuit court under RSMo Ch. 536.

Sec. 74-38. - Costs, assessments, and nuisance-abatement lien.

- (a) The city manager will itemize and total all nuisance-abatement costs, including, but not limited to, title reports, administrative fees, certified deeds, and contractor charges in a certificate of costs and deliver the certificate to the property owner by:
 - (1) Personal delivery; or
 - (2) Postage prepaid United States ~~certified mail, return receipt requested, and~~ regular first class mail; or
 - (3) FedEx, UPS, or similar carrier.
- (b) The finance director may include nuisance-abatement costs in:
 - (1) The annual real estate taxes for the property, which, if unpaid, may be collected under laws applicable to delinquent real estate taxes; or
 - (2) A special tax bill, which:
 - a. Is a debt against the property owner, a lien against the property, and valid until paid;
 - b. Bears interest until paid at the legal rate, and may be foreclosed upon by the city through appropriate proceedings in circuit court; and
 - c. Shall be prima facie evidence of the regularity of the proceedings for such special assessment, the validity of the bill, the doing of the work stated in the bill, and the liability of the property and the owner for the charges stated in the bill.

- (c) The procedures set forth in subsection 74-406(b) shall also apply to the director of finance's issuance of a special tax bill or certification of costs, except that the issues on any appeal to the finance director shall be limited to the abatement costs to be charged.

Sec. 74-382. Property owner's responsibility for nuisance abatement.

A property owner has an ongoing obligation to remove or abate nuisances from all the owner's lots or lands. Listed by category, a nuisance includes, but is not limited to, the following items:

(1) *Rubbish, trash and debris.*

- a. Debris of any kind, which means the remains of something broken down or destroyed or an accumulation or scattering of fragments of something broken down or destroyed;
- b. Trash, which means litter, refuse, solid waste, matter in a broken condition or mass, and all other waste material;
- c. Garbage, which means decayable animal, fruit, or vegetable wastes resulting from handling, preparing, cooking, serving, or consuming food;
- d. Rubbish, which means combustible or non-combustible solid wastes that may or may not putrefy, like paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery, and similar materials;
- e. Broken kitchenware;
- f. Discarded apparel, cloth materials, or rags;
- g. Garbage not deposited in solid-waste containers, which are fitted with a fly-tight lid and covered;
- h. Old bottles, broken glass; or
- i. Paper, magazines, cardboard, and cardboard boxes.

(2) *Brush, downed limbs, and hazardous trees.*

- a. Downed limb(s), brush piles;
- b. Cut, fallen, or hazardous trees and shrubs; or
- c. Weed cuttings or yard waste.

(3) *Rot, decay, and excrement.*

- a. All sorts of decaying animal matter;
- b. Decaying fruits or vegetables;
- c. Ashes, excrement, soot, stagnant water, sewage; or
- d. Any grounded compost pile not maintained and contained to prevent rodent or vermin harborage.

- (4) *Lumber, construction material, firewood, and bricks/blocks.*
- Lumber that is not stacked a minimum of six inches off the ground;
 - Firewood that is not stacked a minimum of six inches off the ground;
 - Bricks and or concrete blocks that are not stacked; or
 - Any lumber, construction material, or wood that is rotten or deteriorating.
- (5) *Furniture.*
- Furniture manufactured only for indoor use located on porches and other exterior areas open to the elements; or
 - Broken furniture.
- (6) *~~Derelict automobiles~~ vehicles, equipment, machines, or scrap metal.*
- ~~Wrecked automobiles~~ Vehicles, equipment, or other machines in disrepair;
 - Parts of equipment, ~~automobiles~~ parts of vehicles, or parts of other machines; or
 - Tin, steel, aluminum, copper, scrap iron, or other metals.
- (7) *Potential harborage.*
- Outdoor storage of material that:
 - Creates a potential mosquito breeding area by collecting and holding water;
 - Creates a potential rodent or vermin harborage; or
 - Has weeds, grass, brush, trees, or other vegetation growing in, or through, stored material.
 - Ponds or pools of unclean water.
- (8) *Dilapidated fences, barns, sheds, or other buildings.*
- Dilapidated barns, sheds, or other buildings that:
 - Are open and contain a substantial amount of trash, rubbish, or solid waste; ~~or~~
 - Made of scrap materials; or
 23. Harbor, or could harbor or breed mosquitoes, ants, flies, rats, mice, or other insects, animals, or vermin.
- (9) *Appliances, electronics, and indoor items.*
- Appliances manufactured only for indoor use located on porches and other exterior areas open to the elements;
 - Electronic components, devices, or equipment manufactured only for indoor use located on porches and other exterior areas open to the elements; or
 - Items manufactured only for indoor use located on porches and other exterior areas open to the elements.
- (10) *Vehicles, water craft, and trailers used for storage.*
- Vehicles containing items listed in this section that:
 - Occupy more than one-half of the vehicle's passenger compartment; or
 - Are piled on the hood, roof, or trunk of any vehicle.
 - Water craft and trailers containing items listed in this section.
 - Vehicles, water craft, and trailers may be used for storage if located in a:
 - Vehicle, water-craft, or trailer sales or service business;

2. Towing or storage facility;
3. Junkyard; or
4. Garage or similar fully-enclosed structure.

(11) Tents, Tarps, and Similar Materials

- a. Tents on private property.
- b. Tarps, tents, or similar materials used as fencing, screening, or makeshift structures.
- c. This section does not apply to:
 1. Tents with an approved permit;
 2. Licensed campgrounds; or,
 3. Recreational camping by minors on residential property.

Sec. 74-401. Rank vegetation declared hazard to public health, safety and welfare.

(1) ~~The presence of h~~ High grass, weeds, brush, and other rank vegetation, excluding shade trees, ornamental shrubs, fruit trees, domesticated berry bushes and vines, cover crops and domestic grains and plantings on lots and pieces of land within the city, constitute a menace to the public safety, health and welfare by reason that such conditions may: on lots and pieces of land within the city are hazardous to public health, safety, and welfare because they may:

- (1)(a) Cause a fire hazard;
- (2) (b) Furnish cover for prowlers;
- (3) (c) Create a nuisance with potential danger of injury on rocks, debris, holes, etc., covered by excess growth;
- (4) (d) Obstruct visibility at street intersections;
- (5) (e) Result in the aAggravateion allergies; or
- (6) (f) Furnish a potential harborage or breeding place for disease-carrying insects, arthropods, animals and poisonous snakes.

(2) Shade trees, ornamental shrubs, fruit trees, domesticated berry bushes and vines, cover crops, domestic grains and cultivated and stewarded plantings within a bordered landscaped area on lots and pieces of land within the city are not hazardous to public health, safety, and welfare.

Sec. 74-402. ~~Authority of city manager to determine existence of nuisance.~~

Property owner's responsibility to manage overgrowth.

The growth of weeds, brush or rank vegetation shall constitute a public nuisance when, in the opinion of the city manager, any such growth on a lot or piece of land may substantially endanger the health, safety or welfare of the public, having considered those hazards enumerated in section 74-401.

A property owner has an ongoing obligation to manage nuisance overgrowth on all the owner's lots or lands, including that area of the right-of-way up to the street curb, or edge of pavement where no curb is present, and any area between the lot line and the centerline of any adjacent alley.

Sec. 74-403. - Weeds over seven inches in height declared nuisance.

The growth of Grass, weeds, brush, or other rank vegetation more than seven inches in height is declared to be a high are a public nuisance per se, and detrimental to

the public health, safety, and welfare of the public. This does not apply to cultivated and stewarded plantings within a bordered, landscaped area.

Sec. 74-406. Charges for abatement by city.

- (a) Whenever the director of building development services abates a nuisance under the provisions of this article, there shall be a minimum charge for the expenses incurred by the city for the abatement of the nuisance. The charge for abatement shall be as established in section 2-425.
- (b) In weed abatement cases under 74-405, the director of building development services shall certify the costs of abatement of weeds and other rank vegetation to the director of finance. The director of finance may include such costs in a special tax bill or seek to have them added to the annual real estate taxes for the tract of land.
- (c) If a special tax bill is issued, the owner of the property at the time the nuisance was abated shall be personally liable to the city for the cost of the abatement, which shall be a lien upon the tract of land where the nuisance was abated until paid in full. Any special tax bill issued shall be enforceable until paid, shall bear interest until paid at the legal rate, and may be foreclosed upon by the city through appropriate proceedings in the circuit court. Costs of collection, including attorney fees, shall be added thereto, in the event a lawsuit is required to enforce the tax bill.
- (d) If the certified cost is added to the annual real estate tax bill for the property and not paid, the real estate taxes shall be considered delinquent, and the collection thereof shall be governed by the laws applicable to delinquent real estate taxes.
- (e) By 1) personal delivery; or 2) United States regular first class mail, postage prepaid; and ~~3) posting the notice in a conspicuous location on the property where the violation exists, unless there has been personal delivery,~~ the director of finance building development services shall notify the owner of the tract of land of the issuance of the special tax bill or the direction that the costs of the abatement be added to the annual real estate taxes assessed against the property. ~~The notice shall provide that the determination of the costs of abatement and the assessment shall become final, unless the owner of the tract of land files a written request for a hearing within ten days after the giving of the notice, which request shall set forth the grounds upon which the owner contends that the assessment is invalid or erroneous. If a hearing is requested, the director of finance shall hold an informal meeting with a representative of the city and the owner. The parties shall be given the opportunity to present information to the director concerning the assessment. After such informal hearing, the director may cancel or modify any assessment, or may affirm the assessment. The director shall give the owner notice of his decision in writing.~~
- (f) If extraordinary weed maintenance procedures are required to abate a nuisance under the provisions of this article, the actual expenses incurred by

the city for the abatement of the nuisance shall be charged to the person in charge of the parcel of land as set out in this article.

- (g) For purposes of this section, the term "extraordinary weed maintenance procedures" shall be deemed to mean the required use of heavy construction equipment such as motor graders, crawler-tractors, wheel loaders and/or track-type loaders. Actual expenses shall be deemed to include all administrative costs, including costs incurred in renting such equipment; the cost of fuel, oil, lubrication, filters, and repair or replacement of parts, including tires, when such repair or replacement is not a result of normal wear and tear; the per-mile cost of dump trucks used in hauling away the rank vegetation; and all labor costs.

Exhibit B

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

Sec. 38-134. - Submittal documents.

- (a) For projects not governed by the residential code, submittal documents consisting of construction documents, statement of special inspections, geotechnical report where required, compliance certificates, and other data required by administrative ruling or otherwise by the building official shall be submitted ~~in two or more sets with each permit application, or~~ electronically using the city's ProjectDox system where required. The construction documents for projects not governed by and conforming to the adopted residential code and which do not qualify as small projects described in Sec. 38-134 (b)1 below, shall be prepared, sealed and signed by a registered design professional consistent with the professional registration laws of the State of Missouri, and submitted electronically using the city's ProjectDox system. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared, sealed, and signed by a registered design professional.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this Code.

- (b) For projects governed by the residential code, and qualifying small projects meeting the requirements of Sec. 38-134 (b)1, submittal documents consisting of construction documents, and other data required by administrative ruling or otherwise by the building Code official shall be submitted ~~in two or more sets with each permit application, or~~ electronically using the city's ePlans – ProjectDox system.

~~Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this Code.~~

1. Applications for qualifying small projects that do not require the submittal of construction documents prepared, sealed, and signed by a design professional include:
 - a. Modification to existing fire alarm systems that include only:
 - I. Addition or removal of no more than five (5) devices;
 - II. Modification of the communication system;
 - III. Replacement of Fire Alarm Control Panel or annunciator;
 - IV. Replacement of a sprinkler electric bell with a horn/strobe device;
 - V. Addition of hood suppression system monitoring ;

- VI. Other modifications to fire alarm system as approved by SFD-Developer Services:
 - 1. As a condition of approval, a drawing must be submitted clearly detailing all associated existing systems, the proposed modifications, and the location of all modified equipment. A written description of the alterations, manufacturer specification sheets, and other relevant documentation must also be provided.
- b. Modifications to existing fire sprinkler systems that include only:
 - I. Addition or removal of no more than six (6) heads
 - II. Addition or removal of system valves
 - III. Replacement/repair of free standing/remote Fire Department Connection
 - IV. Other modifications to fire sprinkler system as approved by SFD-Developer Services
 - 1. As a condition of approval, a drawing must be submitted clearly detailing the existing system, proposed changes, and all modified equipment. A written description of the scope of work and supporting documentation such as manufacturer specifications as applicable must be included.
- c. Repairs to buildings.
 - I. Repair of a building due to fire, smoke, or water damage may not impact any structural components or alter elements of the means of egress. As a condition of permit issuance, a letter from a licensed design professional must be submitted with the permit application, confirming that no structural components were damaged.
- d. Mechanical, Electrical, Plumbing, and Gas Projects.
 - I. Repair or replacement of electrical service equipment must have the same ampacity and be installed in the same location as the existing equipment.
 - 1. As a condition of approval, a drawing must be submitted clearly indicating the location, the ampacity, and description of the electrical equipment being repaired or replaced.
 - II. Repair or replacement of a domestic water heater must be of the same size, rating, and be installed in the same location as the existing unit.
 - 1. As a condition of approval, a drawing must be submitted clearly indicating the location, size, and type of water heater being replaced.
 - III. Repair or replacement of a furnace, air conditioner, heater, or air handler must be of the same size and rating and be installed in the same location as the existing equipment.

1. As a condition of approval, a drawing must be submitted clearly indicating the location, the size, and type of furnace or heater being replaced.

IV. Repair or replacement of a Roof Top HVAC Unit (RTU) must be of the same size and rating and be installed in the same location as the existing equipment.

1. As a condition of approval, a drawing must be submitted clearly indicating the gross weight of the existing RTU and the proposed RTU along with the location, size, and type of rooftop unit being replaced. If the gross weight of the new RTU exceeds the gross weight of the existing RTU, a letter prepared, sealed, and signed by a design professional is required confirming the existing structure will support the additional load of the new RTU.

V. Replacement of fuel gas piping for maintenance purposes with piping that complies with the International Fuel Gas Code.

1. As a condition of approval, a drawing must be submitted clearly indicating the location, size, and type of fuel gas pipe being replaced.

2. Any alteration that results in an increase in gas demand requires drawings prepared, sealed, and signed by a registered design professional.

EXPLANATION TO COUNCIL BILL 2025-165 (HARDINGER)

FILED: 07/31/2025

ORIGINATING DEPARTMENT: Planning and Development

TITLE: A general ordinance amending Chapter 36 of the Springfield City Code, 'Land Development Code,' Article III, 'Zoning Regulations,' Division 5, 'Supplemental District Regulations,' Section 36-459, 'Special regulations for retail liquor sales,' for the purpose of removing the requirement to advertise notice of proposed liquor sales in an official newspaper or a newspaper of general circulation in the City of Springfield, Missouri, for at least five consecutive issues to align City Code with state publication requirements.

PURPOSE: Amending Chapter 36 of the Springfield, Missouri, City Code, known as the 'Land Development Code,' Article III, 'Zoning Regulations,' Division 5, Section 36-459 Special regulations for retail liquor sales, would remove the requirement to advertise in an official newspaper or a newspaper of general circulation in the City of Springfield, Missouri, for at least five straight consecutive issues. (Staff and Planning and Zoning Commission both recommend approval.)

BACKGROUND INFORMATION:**ZONING ORDINANCE TEXT AMENDMENT: Special regulations for retail liquor sales**

Planning and Zoning Commission initiated this amendment at their June 12, 2025, meeting. This amendment to Section 36-459 Special regulations for retail liquor sales, would remove the requirement to advertise in an official newspaper or a newspaper of general circulation in the City of Springfield, Missouri, for at least five straight consecutive issues.

FINDINGS FOR STAFF RECOMMENDATION:

1. The proposed amendment would remove the requirement to advertise in an official newspaper or a newspaper of general circulation in the City of Springfield, Missouri, for at least five straight consecutive issues. The change is being requested to bring the local requirements into alignment with Missouri State law, and to reduce the overall cost of advertising per application. Previously required public notices were published for a flat fee. That option is no longer available and the remaining eligible publishers charge by the word or the line of text.
2. Forward SGF supports a Comprehensive City Code Update. This Plan calls for a full update to the City's Land Development Code and Ordinances to align regulations with the recommendations contained in each chapter. The

Comprehensive Plan is a policy guide that should inform decision making for years to come.

3. Before an amendment shall be approved by ordinance, the Planning and Zoning Commission shall have first had a public hearing regarding the proposed amendment and made an official report to the City Council regarding the Planning and Zoning Commission's recommendation regarding said amendment. Once the Planning and Zoning Commission has made its official report, any further review by the Planning and Zoning Commission shall not be required unless City Council elects to refer a matter back to the Planning and Zoning Commission for further review.
4. The Growth and Development Advisory Committee (GDAC), Downtown Springfield Association (DSA), Commercial Club and all Registered Neighborhood Associations were notified of this amendment and public hearing dates for comment.

REMARKS: The Planning and Zoning Commission held a public hearing on, July 17, 2025, and recommended **approval**, by a vote of 7 to 0, of the proposed amendments.

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

FINDINGS FOR STAFF RECOMMENDATION: Staff recommends approval of the text amendment based on its consistency with the *Comprehensive Plan*.

Submitted By: Bob Hosmer, Planning Manager

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

- Attachments:**
1. Retail Liquor Sales Publication Text Amendment
 2. Retail Liquor Sales Publication Amendment AM_exhA
 3. Retail Liquor Sales Publication Amendment AM_exhB

One-rdg. _____
P. Hrngs. X
Pgs. 13
Filed: 07-22-25

Sponsored by: Hardinger

First Reading: _____

Second Reading: _____

COUNCIL BILL 2025-165

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING Chapter 36 of the Springfield City Code, 'Land Development Code,'
2 Article III, 'Zoning Regulations,' Division 5, 'Supplemental District
3 Regulations,' Section 36-459, 'Special regulations for retail liquor
4 sales,' for the purpose of removing the requirement to advertise
5 notice of proposed liquor sales in an official newspaper or a
6 newspaper of general circulation in the City of Springfield, Missouri,
7 for at least five consecutive issues to align City Code with state
8 publication requirements.
9 _____

10
11 WHEREAS, the City of Springfield currently requires applicants for retail liquor
12 sales at locations within 200 feet of property zoned R-SF, Single-family residential
13 district; R-TH, Residential townhouse district; or R-MHC, Manufactured home
14 community district, or designated to single-family or two-family residential use in a
15 planned development district, to advertise notice of such application in an official
16 newspaper or a newspaper of general circulation in the City of Springfield, Missouri, in
17 five (5) consecutive issues; and
18

19 WHEREAS, the State of Missouri does not require such publication; and
20

21 WHEREAS, following proper notice, the Planning and Zoning Commission held a
22 public hearing regarding the proposed amendment to Section 36-459 of the Springfield
23 City Code on July 17, 2025, a copy of the Record of Proceedings from said public
24 hearing being attached hereto and incorporated herein by this reference as "Exhibit A,"
25 and recommended approval of the proposed change by a vote of 7 to 0; and
26

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

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

33 Section 1 – Chapter 36 of the Springfield City Code, 'Land Development Code,'

Article III, 'Zoning Regulations,' Division 5, 'Supplemental District Regulations,' Section 36-459, 'Special regulations for retail liquor sales,' is hereby amended to read as follows:

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

Section 36-459. Special regulations for retail liquor sales.

- (1) *Applicability.* No license shall be issued for the sale of intoxicating liquor at retail in any form notwithstanding that the proposed establishment is within the zone appropriate therefore under this article nor shall any such use be conducted in any zone of the city unless the following procedures shall be followed.
- (2) *Location with regard to R-SF, R-TH, R-MHC, or PD districts.* Whenever any application shall be received by the city for the establishment of a place for the sale of intoxicating liquor at retail in any form, it shall be determined by the officer charged with the responsibility of issuing such licenses whether or not the proposed establishment is located within 200 feet of any property zoned R-SF, R-TH, R-MHC or designated for single-family or two-family residential use in a PD district under this article. In the event there shall be no such property within 200 feet from the proposed location and the application shall otherwise be appropriate and authorized by the laws of the city, then the license may be issued.
- (3) *Application fee.* If the proposed establishment is within 200 feet of property zoned R-SF, R-TH, R-MHC, or designated for single-family or two-family residential use in a PD district, then the person charged with the responsibility of accepting applications for such establishments on behalf of the city shall require to be filed therewith a fee of \$107.00 plus the actual costs of ~~publication and other~~ legal notices required by law for the processing of said application, which fee is in addition to the license fee required by ordinances of the city. The additional fee shall be for the costs of processing the application and providing the necessary notifications described herein.
- (4) *Public notice.* Thereupon, the applicant shall cause to be posted in four places in the vicinity of the property which is so zoned R-SF, R-TH, R-MHC or designated for single-family or two-family residential use in a PD district, and which is within 200 feet of the proposed establishment a notice setting forth the proposed application and advising that persons within said 200 feet owning or occupying property zoned R-SF, R-TH, R-MHC or designated for single-family or two-family residential use in a PD district, shall have the right within 21 days from the date that the notice shall first be posted in which to protest the granting of a license for the establishment and the use of the land therefore, including instructions for filing said protest. In addition, said notice

80 shall be mailed to all persons within said 200 feet owning or occupying
81 property zoned R-SF, R-TH, R-MHC or designated for single-family or two-
82 family residential use in a PD district, said mailing to occur by first-class mail
83 no later than three days prior to the posting described herein. Deposit in the
84 United States mail, with postage prepaid, shall constitute proof of compliance
85 with the mailing notice requirement. ~~In addition, said notice shall be~~
86 ~~advertised in an official newspaper or a newspaper of general circulation in~~
87 ~~the City of Springfield, Missouri, said notice to be given for at least five~~
88 ~~straight consecutive issues and the time to protest shall commence with the~~
89 ~~date of the first said publication and shall terminate on the twenty-first day~~
90 ~~thereafter.~~

- 91
- 92 (5) *Protest requirements.* If within the 21 days aforesaid there shall be filed with
93 the officer of the city charged with receiving applications for liquor licenses a
94 protest to granting the license for the proposed establishment signed by at
95 least 50 percent of the owners and/or occupants of the land so zoned R-SF,
96 R-TH, R-MHC or designated for single-family or two-family residential use in a
97 PD district, and located within 200 feet of the proposed establishment, then
98 the application shall be forwarded to city council for its resolution in favor or
99 against said application. If, however, no such protest shall be filed within 21
100 days or if the same shall be insufficient, thereupon the license may issue, all
101 other requirements of the law of the City of Springfield having been met and
102 complied with.

103

104 For the purpose of this section, only one signature per land parcel,
105 whether property owner or occupant, shall be counted in determining whether
106 the 50-percent threshold for protest has been satisfied. In the event of conflict
107 between the owner and occupant, the owner shall prevail. In the event that an
108 occupant files a protest, but the owner does not, the owner shall be notified of
109 said protest. The notice shall be mailed by first-class mail no later than three
110 days after the deadline to file a protest. Deposit in the United States mail, with
111 postage prepaid, shall constitute proof of compliance with this notice
112 requirements. The owner shall have seven days from the date of mailing to
113 file with the officer of the city charged with receiving applications for liquor
114 licenses a withdrawal of the occupant's protest.

115

116 The official of the City of Springfield charged with the responsibility of
117 accepting applications for licenses for the sale of intoxicating liquor at retail
118 shall have the authority from time to time to prepare forms to implement this
119 section including protest forms, application forms, and forms for notice, forms
120 for proof of ownership and/or occupancy, and other appropriate requirements.
121 Forms of protest shall in any event be acknowledged by some person other
122 than a protesting owner or occupant located with the 200 feet area
123 acknowledging the signatures of the persons contained thereon to be the free
124 act and deed of the persons so signing. In determining those persons entitled
125 to be counted in such protest, only those persons who are owners of

occupants of the land of record on the date that the application shall have been filed shall be entitled to protest.

Notwithstanding the provisions of this section, the director of finance may issue a license for the same location to any purchaser of a retail liquor establishment which was duly licensed at the time of the purchase providing the purchaser makes proper application and is qualified and eligible to hold a license and providing that the provisions of section 10-36 [of the] Springfield City Code shall have been complied with; nor shall the provisions of this section prohibit the reissuance of licenses for previously existing duly licensed establishments.

(6) *Exemption from notice.* The applicant shall be exempted from the notice and publication requirements herein, and only those requirements, if 100 percent of all owners and occupants of residential property as set forth herein, file a notarized waiver of protest setting forth the case or license number, address of establishment, and indicating they have no opposition to the proposed use, and the license may issue providing the applicant has complied with all other applicable requirements.

Section 2 – Savings Clause. Nothing in this Ordinance shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired, or liability incurred, nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby, nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 3 – Severability Clause. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. City Council hereby declares that it would have adopted the Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

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

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

172 Approved as to form: Laura Vales, Assistant City Attorney

173

174

175 Approved for Council action: [Signature], City Manager

EXHIBIT A
RECORD OF PROCEEDINGS
Planning and Zoning Commission – July 12, 2025

Amendments to the Publication / Posting Retail Liquor Sales
Citywide

Applicant: City of Springfield

Mr. Hosmer stated that this is a request to amend Section 36-459 publication of Retail Liquor Sales to remove the requirement to advertise in an official newspaper or a newspaper of general circulation in the City of Springfield, Missouri, for at least five straight consecutive issues.

Mr. Doennig opened the public hearing.

No speakers.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Scott moved to approve Amendments to the Publication / Posting Retail Liquor Sales; Commissioner Lebeck seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Doennig, Commissioner Scott, Commissioner Pauly, Commissioner Gunther, Commissioner Hunton, Commissioner Lebeck. Nays: None. Absent: Commissioner Knuckles and Commissioner Ridge. Abstain: None.

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

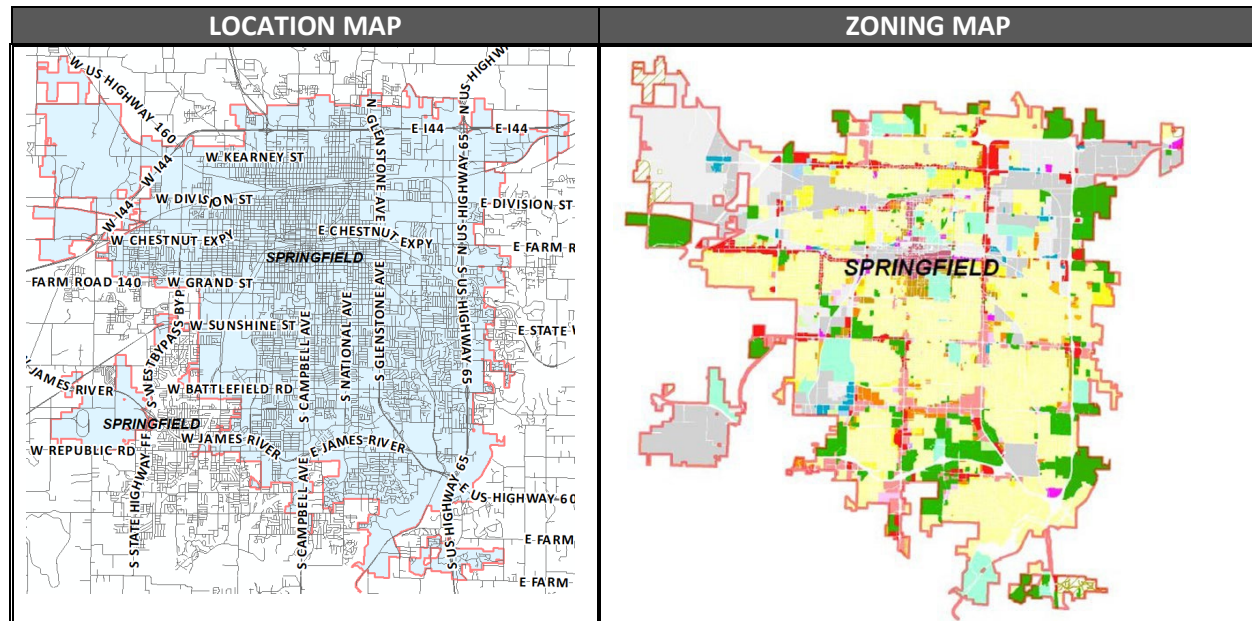
Bob Hosmer, AICP
Planning Manager

DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION:	
Case Number:	Retail Liquor Sales Publication Amendment
Location:	Citywide
Applicant:	City of Springfield
Neighborhood Meeting:	NA
Planning and Zoning Commission:	July 17, 2025
City Council:	July 28, 2025
Public Notification:	Springfield News Leader
Staff:	Bob Hosmer, Planning Manager
Staff recommendation:	Staff recommends approval
Proposed motion:	I move to recommend approval of the text amendment to Section 36-459 Retail Liquor Sales Publications as set forth in Attachment 1 to the staff report on this item. (All commission motions are made in the affirmative.)
Required Vote:	A majority of those present (5 members are a quorum).

PROJECT SUMMARY:

Request to amend Section 36-459 publication of Retail Liquor Sales to remove the requirement to advertise in an official newspaper or a newspaper of general circulation in the City of Springfield, Missouri, for at least five straight consecutive issues.



DEVELOPMENT REVIEW STAFF REPORT

PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 36-367. – Amendments

(7) Findings by the commission.

(a) *Text amendments.* If the request is for an amendment of the text of this article, the recommendation of the planning and zoning commission may consider:

1. Whether the proposed text amendment is consistent with the Springfield Comprehensive Plan;
2. Whether the proposed text amendment is consistent with the intent and purpose of this article;
3. The areas of the city that are most likely to be affected by the proposed text amendment and the manner in which those areas will be affected;
4. Whether the proposed text amendment is necessitated by a change in conditions in the zoning districts affected and the nature of such changed conditions;
5. Information submitted at the public hearing.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

1. Forward SGF supports a Comprehensive City Code Update. This Plan calls for a full update to the City's Land Development Code and Ordinances to align regulations with the recommendations contained in each chapter. The Comprehensive Plan is a policy guide that should inform decision making for years to come, but it is not regulatory. The City needs to update its development regulations to support the Plan's vision.
2. Development Regulations. Increased use flexibility that promotes redevelopment and revitalization will need to be balanced by regulatory codes that promote and emphasize quality design and construction that is pedestrian focused and has a greater experience factor. The city's guiding principle of Quality of Place emphasizes the need for more public and private amenities and features. Future code changes will need to support the implementation of planning that promotes the development of places with a wide array of convenient services in proximity to amenity-rich, attractive, inviting, integrated corridors and districts that are within walking distance of neighborhood, trails, parks, and mixed-use centers with diverse housing options. Likewise, neighborhoods that can support low-intensity commercial hubs surrounded by diverse housing types will require codes to keep development intensity in-check at a neighborhood-scale. Plans and code changes will also need to champion alignment of subsidies and other public investments and improvements with land planning to ensure housing and economic development projects are permitted and supported in places where they are best suited and equitably dispersed across the city.

STAFF ANALYSIS AND RECOMMENDATION:

1. The Planning and Zoning Commission at their, June 12, 2025, meeting, directed City staff to prepare amendments to Section 36-459 Special regulations for retail liquor sales publications.

DEVELOPMENT REVIEW STAFF REPORT

2. The proposed amendment would remove the requirement to advertise in an official newspaper or a newspaper of general circulation in the City of Springfield, Missouri, for at least five straight consecutive issues. The change is being requested to bring the local requirements into alignment with Missouri State law, and to reduce the overall cost of advertising per application. Previously required public notices were published for a flat fee. That option is no longer available and the remaining eligible publishers charge by the word or the line of text.
3. Before an amendment shall be approved by ordinance, the Planning and Zoning Commission shall have first had a public hearing regarding the proposed amendment and made an official report to the City Council regarding the Planning and Zoning Commission's recommendation regarding said amendment. Once the Planning and Zoning Commission has made its official report, any further review by the Planning and Zoning Commission shall not be required unless City Council elects to refer a matter back to the Planning and Zoning Commission for further review.
4. The Growth and Development Advisory Committee (GDAC), Downtown Springfield Association (DSA), Commercial Club and all Registered Neighborhood Associations were notified of this amendment and public hearing dates for comment.

STAFF RECOMMENDATION:

1. Staff recommends approval of the text amendment.

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

DEVELOPMENT REVIEW STAFF REPORT

PROPOSED AMENDMENT:

Attachment 1

Note: The existing language is in black. Language to be added is underlined and to be removed is ~~stricken~~.

Sec. 36-459. Special regulations for retail liquor sales.

- (1) *Applicability. No license shall be issued for the sale of intoxicating liquor at retail in any form notwithstanding that the proposed establishment is within the zone appropriate therefore under this article nor shall any such use be conducted in any zone of the city unless the following procedures shall be followed.*
- (2) *Location with regard to R-SF, R-TH, R-MHC, or PD districts. Whenever any application shall be received by the city for the establishment of a place for the sale of intoxicating liquor at retail in any form, it shall be determined by the officer charged with the responsibility of issuing such licenses whether or not the proposed establishment is located within 200 feet of any property zoned R-SF, R-TH, R-MHC or designated for single-family or two-family residential use in a PD district under this article. In the event there shall be no such property within 200 feet from the proposed location and the application shall otherwise be appropriate and authorized by the laws of the city, then the license may be issued.*
- (3) *Application fee. If the proposed establishment is within 200 feet of property zoned R-SF, R-TH, R-MHC, or designated for single-family or two-family residential use in a PD district, then the person charged with the responsibility of accepting applications for such establishments on behalf of the city shall require to be filed therewith a fee of \$107.00 plus the actual costs ~~of publication and other~~ legal notices required by law for the processing of said application, which fee is in addition to the license fee required by ordinances of the city. The additional fee shall be for the costs of processing the application and providing the necessary notifications described herein.*
- (4) *Public notice. Thereupon, the applicant shall cause to be posted in four places in the vicinity of the property which is so zoned R-SF, R-TH, R-MHC or designated for single-family or two-family residential use in a PD district, and which is within 200 feet of the proposed establishment a notice setting forth the proposed application and advising that persons within said 200 feet owning or occupying property zoned R-SF, R-TH, R-MHC or designated for single-family or two-family residential use in a PD district, shall have the right within 21 days from the date that the notice shall first be posted in which to protest the granting of a license for the establishment and the use of the land therefore, including instructions for filing said protest. In addition, said notice shall be mailed to all persons within said 200 feet owning or occupying property zoned R-SF, R-TH, R-MHC or designated for single-family or two-family residential use in a PD district, said mailing to occur by first-class mail no later than three days prior to the posting described herein. Deposit in the United States mail, with postage prepaid, shall constitute proof of compliance with the mailing notice requirement. ~~In addition, said notice shall be advertised in an official newspaper or a newspaper of general circulation in the City of Springfield, Missouri, said notice to be given for at least five straight consecutive issues and the time to protest shall commence with the date of the first said publication and shall terminate on the twenty-first day thereafter.~~*
- (5) *Protest requirements. If within the 21 days aforesaid there shall be filed with the officer of the city charged with receiving applications for liquor licenses a protest to granting the license for the proposed establishment signed by at least 50 percent of the owners and/or occupants of the land so zoned R-SF, R-TH, R-MHC or designated for single-family or two-family residential use in a PD district, and located within 200 feet of the proposed establishment, then the application shall be forwarded to city council for its resolution in favor or against said application. If, however, no such protest shall be filed within 21 days or if the same shall be*

DEVELOPMENT REVIEW STAFF REPORT

insufficient, thereupon the license may issue, all other requirements of the law of the City of Springfield having been met and complied with.

For the purpose of this section, only one signature per land parcel, whether property owner or occupant, shall be counted in determining whether the 50-percent threshold for protest has been satisfied. In the event of conflict between the owner and occupant, the owner shall prevail. In the event that an occupant files a protest, but the owner does not, the owner shall be notified of said protest. The notice shall be mailed by first-class mail no later than three days after the deadline to file a protest. Deposit in the United States mail, with postage prepaid, shall constitute proof of compliance with this notice requirement. The owner shall have seven days from the date of mailing to file with the officer of the city charged with receiving applications for liquor licenses a withdrawal of the occupant's protest.

The official of the City of Springfield charged with the responsibility of accepting applications for licenses for the sale of intoxicating liquor at retail shall have the authority from time to time to prepare forms to implement this section including protest forms, application forms, and forms for notice, forms for proof of ownership and/or occupancy, and other appropriate requirements. Forms of protest shall in any event be acknowledged by some person other than a protesting owner or occupant located within the 200 feet area acknowledging the signatures of the persons contained thereon to be the free act and deed of the persons so signing. In determining those persons entitled to be counted in such protest, only those persons who are owners or occupants of the land of record on the date that the application shall have been filed shall be entitled to protest.

Notwithstanding the provisions of this section, the director of finance may issue a license for the same location to any purchaser of a retail liquor establishment which was duly licensed at the time of the purchase providing the purchaser makes proper application and is qualified and eligible to hold a license and providing that the provisions of section 10-36 [of the] Springfield City Code shall have been complied with; nor shall the provisions of this section prohibit the reissuance of licenses for previously existing duly licensed establishments.

- (6) *Exemption from notice. The applicant shall be exempted from the notice ~~and publication~~ requirements herein, and only those requirements, if 100 percent of all owners and occupants of residential property as set forth herein, file a notarized waiver of protest setting forth the case or license number, address of establishment, and indicating they have no opposition to the proposed use, and the license may issue providing the applicant has complied with all other applicable requirements.*



EXPLANATION TO COUNCIL BILL 2025-166 (HOSMER)

FILED: 07/31/2025

ORIGINATING DEPARTMENT: Finance

TITLE: A special ordinance amending the Fiscal Year 2024-2025 operating budget of the City of Springfield in the General Fund by increasing both revenue and expenses in the amount of \$275,643.54, for the purpose of adjusting for certain reimbursements and associated offsetting expenses, adjusting the salary budget for retirement payouts, and adjusting interdepartmental budgets.

PURPOSE: Amending the City's Fiscal Year 2024-2025 operating budget in the General Fund by increasing both revenue and expenses in the amount of \$275,643.54.

BACKGROUND INFORMATION: During the fiscal year, various events occurred resulting in revenue and expenses which were not anticipated at the time the budget was developed. Some of the most common events are insurance proceeds for damaged equipment and the corresponding cost to repair the equipment, sale of assets, and reimbursements for various City services. Each revenue adjustment has a corresponding increase in expense. For efficiency purposes, these adjustments to the budget are typically handled toward the end of the fiscal year. Although Fiscal Year 2024-2025 ended on June 30, 2025, the books remain open for year-end entries. The Fiscal Year 2024-2025 year-end budget adjustment includes a revenue and expense adjustment of \$275,643.54 for reimbursements. This year's reimbursements include funds from Greene County, Republic, and Nixa for Niche software, reimbursement for the Police training apprenticeship program, sale of City gear and event merchandise items, sale of scrap metal and a small amount of donations.

Actual year-end salary expense often varies from budget due to sick leave and vacation payments that are paid at retirement. These payouts are not budgeted. Overall, salary expense in the General Fund did not exceed the budget in Fiscal Year 2024-2025; however, it is necessary to adjust appropriations between departments. Some departments may need additional funds due to numerous retirees, while other departments have funds available due to vacancies. Finally, the distribution of city-wide contingency, and other adjustments between departments, are included for funding shortfalls and emergencies experienced throughout the budget year.

The purpose of this budget adjustment is to adjust the Fiscal Year 2024-2025 budget for reimbursements and associated offsetting expense items as well as adjust the salary budget for retirement payouts. This is separate from and different than a carryover budget adjustment which appropriates available funds in excess of the operating reserve. The information for the carryover budget adjustment is not available until the financial statements for the fiscal year are complete. This generally occurs in



November following the close of the fiscal year in June. It is not known at this time the amount of carryover funds from the Fiscal Year 2024-2025 budget.

Submitted By: Tammy Beeman, Financial Analyst

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

Attachments:

1. FY 24-25 Year-End General Fund Budget Adjustment
2. Exhibit A - 078 FIN General Fund Year-End FY25 Budget Adjustment

One-rdg. _____
P. Hrngs. _____
Pgs. 5
Filed: 07-22-25

Sponsored by: Hosmer

First Reading: _____

Second Reading: _____

COUNCIL BILL 2025-166

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Fiscal Year 2024-2025 operating budget of the City of Springfield in
2 the General Fund by increasing both revenue and expenses in the amount
3 of \$275,643.54, for the purpose of adjusting for certain reimbursements
4 and associated offsetting expenses, adjusting the salary budget for
5 retirement payouts, and adjusting interdepartmental budgets.
6 _____
7

8 WHEREAS, during a fiscal year, various events occur resulting in revenue and
9 expenses which were not anticipated at the time the budget was developed; and
10

11 WHEREAS, for efficiency purposes these adjustments to the budget are typically
12 handled toward the end of the fiscal year or shortly thereafter; and
13

14 WHEREAS, the Fiscal Year 2024-2025 operating budget for the General Fund
15 needs to be adjusted for revenue and expenses of \$275,643.54 for reimbursements,
16 salary budget adjustments for retirement payouts, and interdepartmental adjustments.
17

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

21 Section 1 – The budget of the City of Springfield for Fiscal Year 2024-2025 is
22 hereby amended in the accounts and in the amounts as shown on Budget Adjustment
23 No. 078, a copy of which is attached hereto and incorporated herein by this reference
24 as “Exhibit A.”
25

26 Section 2 – City Council finds the budget adjustment has been recommended by
27 the City Manager and that the budget adjustment made herein is necessary to reconcile
28 differences between budgeted revenues and expenditures and actual revenues and
29 expenditures.
30

31 Section 3 – City Council hereby directs the City Manager, or designee, to cause
32 the appropriate accounting entries to be made in the books and records of the City.
33

34 Section 4 – This Ordinance shall be in full force and effect from and after
35 passage.

36
37 Passed at meeting: _____

38
39 _____
40 Mayor

41
42 Attest: _____, City Clerk

43
44 Filed as Ordinance: _____

45
46 Approved as to form: Laura Vales, Assistant City Attorney

47
48 [Signature]
49 Approved for Council action: _____, City Manager
50

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit A

Budget Adjustment
078

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
10110	10	15050	414110	000000	00000	321.00	Fire - Sale of Scrap Metal
10110	10	15050	414110	000000	00000	1,983.77	Fire - Insurance Reimbursement
10110	10	15070	414110	000000	00000	275.00	Fire - Insurance Reimbursement
10110	10	15050	414110	000000	00000	911.69	Fire - Insurance Reimbursement
10110	10	15020	414110	000000	00000	823.01	Fire - Insurance Reimbursement
10110	12	16010	414110	000000	00000	10,000.00	Human Resources - MetLife Incentives
10110	18	90100	414110	000000	00000	75,078.62	Police - Insurance Reimbursements
10110	18	97580	414110	000000	00000	24,000.00	Police - Apprenticeship Training
10110	18	97510	413030	000000	00000	118,437.55	Police - Niche Reimbursement
10110	19	20010	413010	000000	00000	20,500.00	Public Information - Advertising
10110	19	20010	414110	000000	00000	20,812.90	Public Information - Reimbursement
10110	19	20010	414070	000000	00000	2,500.00	Public Information - Donation
Net Revenue Adjustment						275,643.54	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
Reimbursements:							
10110	10	15050	501260	000000	00000	3,216.46	Fire - Operating Supplies
10110	10	15020	501260	000000	00000	823.01	Fire - Operating Supplies
10110	10	15070	501260	000000	00000	275.00	Fire - Operating Supplies
10110	12	16010	501260	000000	00000	5,000.00	Human Resources - Operating Supplies
10110	12	16010	502390	000000	00000	5,000.00	Human Resources - Printshop Charges
10110	18	90100	501260	000000	00000	75,078.62	Police - Operating Supplies
10110	18	97580	501260	000000	00000	24,000.00	Police - Operating Supplies
10110	18	97510	504580	000000	00000	73,195.38	Police - Other Professional Services
10110	18	97510	504580	000000	00000	14,855.80	Police - Other Professional Services
10110	18	97510	504580	000000	00000	25,732.75	Police - Other Professional Services
10110	18	97510	504580	000000	00000	4,653.62	Police - Other Professional Services
10110	19	20010	502515	000000	00000	43,812.90	Public Information - Operating Supplies
Reallocate salaries/supplies by department:							
10110	04	11030	500110	000000	00000	50,000.00	City Attorney- Salaries
10110	04	11030	504530	000000	00000	(25,000.00)	City Attorney-Consulting
10110	12	16010	504580	000000	00000	40,000.00	Human Resources Fire - Other Professional Services
10110	10	15020	500110	000000	00000	275,000.00	Fire-Salaries
10110	23	60210	500110	000000	00000	50,000.00	Economic Vitality-Salaries
10110	19	20010	500110	000000	00000	45,000.00	Public Information Office - Salaries
10110	06	13120	502780	000000	00000	(40,000.00)	City Manager - Contingency
10110	13	17010	500110	000000	00000	(100,000.00)	
10110	20	71010	500110	000000	00000	(320,000.00)	Public Works-Salaries
10110	15	18010	501260	000000	00000	45,000.00	Mayor & City Council - Operating Supplies
10110	14	19020	504580	000000	00000	65,000.00	Municipal Court - Other Professional Services
10110	20	71010	504580	000000	00000	(85,000.00)	Public Works-Other Professional Services
Distribute contingency funds by department:							
10110	06	13120	502780	000000	00000	(35,000.00)	Human Resources - City Manager Contingency
10110	12	16010	504580	000000	00000	35,000.00	Human Resources - City Manager Search
10110	06	13120	502780	000000	00000	(93,000.00)	Finance- City Manager Contingency
10110	09	14120	504580	000000	00000	68,000.00	Finance - TIF Buyout & ARPA Forvis Increases
10110	09	14110	504580	000000	00000	25,000.00	Finance - WFD Forvis Increase
10110	06	13120	502780	000000	00000	(1,500.00)	Public Information Office- City Manager Contingency
10110	19	18050	504580	000000	00000	1,500.00	Public Information Office - Other Professional Fees
Net Expenditure Adjustment						275,643.54	

Explanation: To amend the fiscal year end 2024-25 budget for the General Fund.

Requested By:



Department Head

07-22-2025

Date

Approved By:



Director of Finance

07-22-2025

Date

Authorization:

Council Bill No. 2025-166

Ordinance No. _____

1st Reading _____

2nd Reading _____

Journal Imp No. _____

City Manager

Date



EXPLANATION TO COUNCIL BILL 2025-167 (CARROLL)

FILED: 07/31/2025

ORIGINATING DEPARTMENT: Finance

TITLE: A special ordinance amending the Fiscal Year 2024-2025 operating budget of the City of Springfield by increasing both revenue and expenses in the amount of \$203,698.25, in various Special Revenue Funds, for the purpose of accounting for certain reimbursements and associated offsetting expense items.

PURPOSE: Amending the City's Fiscal Year 2024-2025 operating budget by increasing both revenue and expenses in the amount of \$203,698.25 in various Special Revenue Funds.

BACKGROUND INFORMATION: During the fiscal year, various events occur resulting in revenue and expenses which were not anticipated at the time the budget was developed. Some of the most common events are insurance proceeds for damaged equipment and the corresponding cost to repair the equipment, sale of assets, and reimbursements from other agencies. For efficiency purposes, these adjustments to the budget are typically handled toward the end of the fiscal year. Although Fiscal Year 2024-2025 ended on June 30, 2024, the books remain open for year-end entries. The Fiscal Year 2024-2025 year-end budget adjustment includes \$190,189.28, which was paid out of the fire escrow funds held by the City. Often, an insurance company will issue checks for reimbursement of fire damage to both the City and the property owner. The City holds the funds in escrow until the property damage is cleaned up and the property meets the requirements of City code. The Fire department received \$3,672.81 from Pi Kappa Alpha as a donation and \$48.00 for training reimbursement. The Police department received \$9,681.28, for the sale of brass from spent ammunition. Environmental Services received unrestricted interest income \$106.88 that was not anticipated during the budget process.

The purpose of this budget adjustment is to adjust the Fiscal Year 2024- 2025 budget for reimbursements and associated offsetting expense items. This budget adjustment includes special revenue funds. These funds are designated for a specific purpose and must be used only for this purpose.

Submitted By: Tammy Beeman, Financial Analyst

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

Attachments:

1. FY 24-25 Year-End Special Revenue Budget Adjustment
2. Exhibit A- 079 FIN Year-End FY25 Budget Adjustment

One-rdg. _____
P. Hrngs. _____
Pgs. 5
Filed: 07-22-25

Sponsored by: Carroll

First Reading: _____

Second Reading: _____

COUNCIL BILL 2025-167

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Fiscal Year 2024-2025 operating budget of the City of Springfield by
2 increasing both revenue and expenses in the amount of \$203,698.25, in
3 various Special Revenue Funds, for the purpose of accounting for certain
4 reimbursements and associated offsetting expense items.
5 _____
6

7 WHEREAS, during a fiscal year, various events occur resulting in revenue and
8 expenses which were not anticipated at the time the budget was developed; and
9

10 WHEREAS, for efficiency purposes these adjustments to the budget are typically
11 handled toward the end of the fiscal year or shortly thereafter; and
12

13 WHEREAS, the Fiscal Year 2024-2025 operating budget for various Special
14 Revenue Funds needs to be adjusted for reimbursements and associated offsetting
15 expense items by increasing both revenue and expenses in the amount of \$203,698.25.
16

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

20 Section 1 – The budget of the City of Springfield for Fiscal Year 2024-2025 is
21 hereby amended in the accounts and in the amounts as shown on Budget Adjustment
22 No. 079, a copy of which is attached hereto and incorporated herein by this reference
23 as “Exhibit A.”
24

25 Section 2 – City Council finds the budget adjustment has been recommended by
26 the City Manager and that the budget adjustment made herein is necessary to reconcile
27 differences between budgeted revenues and expenditures and actual revenues and
28 expenditures.
29

30 Section 3 – City Council hereby directs the City Manager, or designee, to cause
31 the appropriate accounting entries to be made in the books and records of the City.
32

33 Section 4 – This Ordinance shall be in full force and effect from and after
34 passage.

35
36 Passed at meeting: _____

37
38 _____
39 Mayor

40
41 Attest: _____, City Clerk

42
43 Filed as Ordinance: _____

44
45
46 Approved as to form: Laura Vales, Assistant City Attorney

47
48
49 Approved for Council action: [Signature], City Manager

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit A

Budget Adjustment
079

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
22110	03	10010	414110	000000	00000	190,189.28	BDS - Fire Escrow Fund payouts
22620	10	15080	414070	000000	00000	3,672.81	FIRE - Donation
25070	10	15010	414100	000000	00000	48.00	FIRE - Training
25060	18	90130	414110	000000	00000	2,382.80	Police Special Revenue Fund- Sale of brass
25060	18	97580	414110	000000	00000	2,724.03	Police Special Revenue Fund- Sale of brass
25060	18	97580	414100	000000	00000	2,626.40	Police Special Revenue Fund- Sale of brass
25060	18	97580	414100	000000	00000	1,948.05	Police Special Revenue Fund- Sale of brass
47110	08	35020	410020	000000	00000	106.88	ES - Interest Earnings
Net Revenue Adjustment						203,698.25	

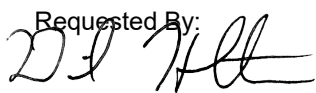
Expenditures:

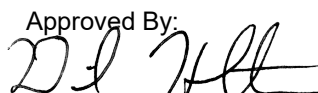
Fund	Dept	Org	Account	P&G	Location	Amount	Description
22110	03	10010	502210	000000	00000	190,189.28	BDS - Fire Escrow Fund payouts
22620	10	15080	501260	000000	00000	3,672.81	Fire - Operating Supplies
25070	10	15010	501260	000000	00000	48.00	Fire - Training
25060	18	90130	501190	000000	00000	2,382.80	Police Special Revenue Fund- Sale of brass
25060	18	97580	501190	000000	00000	2,724.03	Police Special Revenue Fund- Sale of brass
25060	18	97580	501190	000000	00000	2,626.40	Police Special Revenue Fund- Sale of brass
25060	18	97580	501190	000000	00000	1,948.05	Police Special Revenue Fund- Sale of brass
47110	08	35020	509110	101948	00000	106.88	ES - Interest Earnings
Net Expenditure Adjustment						203,698.25	

Fund Balance Appropriation:

Fund	Title	Amount

Explanation: To amend the fiscal year end 2024-25 budget for reimbursements received for various funds.

Requested By: 
Department Head 07-22-2025
Date

Approved By: 
Director of Finance 07-22-2025
Date

City Manager _____
Date

Authorization:
Council Bill No. 2025-167
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____



EXPLANATION TO COUNCIL BILL 2025-168 (LEE)

FILED: 07/31/2025

ORIGINATING DEPARTMENT: Parks

TITLE: A special ordinance amending the Park Board's Fiscal Year 2024-2025 operating budget by increasing revenues by \$450,000 and appropriating \$375,000 of Park's Fund Balance, for a total of \$825,000, to offset unanticipated expenditures of \$825,000, and increasing both revenues and associated expenses within the Golf Enterprise Fund by \$580,000, for an overall budget adjustment of \$1,405,000.

PURPOSE: Amending the Park Board's Fiscal Year 2024-2025 operating budget by increasing revenues by \$450,000 and utilization of \$375,000 in Parks Fund Balance appropriation to offset unanticipated expenditures of \$825,000 in the Parks 2001 Sales Tax Fund and Parks 2006 Sales Tax Fund and amending the Golf Fund's operating budget by increasing revenues by \$580,000 to offset associated expense items within the Golf Enterprise Fund, respectively.

BACKGROUND INFORMATION: During the fiscal year, actual revenues and expenditures can vary from the operating budget estimates developed prior to the start of the fiscal year. As a result, a budget adjustment is typically submitted to City Council to recognize these differences and adjust the Parks Budget at or near the close of each fiscal year. During the Fiscal Year 2024-2025, unanticipated expenditures are expected to exceed budgeted expenditures by \$825,000 in the Parks 2001 Sales Tax Fund and the Parks 2006 Sales Tax Fund. This amount includes an emergency repair of the Dickerson Park Zoo's Lake Road Embankment Project as well as funding expenditures for repairs and maintenance to park buildings and equipment. These repairs which were under budgeted in our Park Operations Division resulted in the budget adjustment necessary to appropriate Parks Sales Tax revenues received in excess of budget by \$450,000 and utilization of \$375,000 in Parks Fund Balance.

In addition, the Golf Fund revenues are anticipated to exceed the amount budgeted by Parks by approximately \$750,000 (rounded estimate). \$580,000 of this additional revenue will be used to offset expenditure items in the Golf Enterprise Fund, which includes the additional cost from the increase in minimum wage, as well as bank charges and inventory purchases due to increased revenues. In addition, funding is necessary within the budget for the increase in the cost of operating supplies and chemicals associated with the turf restoration project at Rivercut Golf Course as well as funding for the overall increase in the cost of repairs and maintenance at all four golf courses.

Submitted By: Jerry Mitchell, Superintendent of Parks Business Operations



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

- Attachments:**
1. Parks FY2025 Budget Adj_ord
 2. Exhibit A - 077 PRKS FY25 Parks Year End Budget Adjustment

One-rdg. _____
P. Hrngs. _____
Pgs. 5
Filed: 07-22-25

Sponsored by: Lee

First Reading: _____

Second Reading: _____

COUNCIL BILL 2025 -168

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Park Board's Fiscal Year 2024-2025 operating budget by increasing
2 revenues by \$450,000 and appropriating \$375,000 of Park's Fund
3 Balance, for a total of \$825,000, to offset unanticipated expenditures of
4 \$825,000, and increasing both revenues and associated expenses within
5 the Golf Enterprise Fund by \$580,000, for an overall budget adjustment of
6 \$1,405,000.
7 _____
8

9 WHEREAS, during a fiscal year, various events occur resulting in revenue and
10 expenses which were not anticipated at the time the budget was developed; and
11

12 WHEREAS, for efficiency purposes these adjustments to the budget are typically
13 handled toward the end of the fiscal year or shortly thereafter; and
14

15 WHEREAS, the Fiscal Year 2024-2025 operating budget for the Park Board
16 needs to be adjusted for reimbursements and associated offsetting expense items.
17

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

21 Section 1 – The Park Board's Budget for Fiscal Year 2024-2025 is hereby
22 amended in the accounts and in the amounts as shown on Budget Adjustment No. 077,
23 a copy of which is attached hereto and incorporated herein by this reference as “Exhibit
24 A.”
25

26 Section 2 – City Council finds the budget adjustment has been recommended by
27 the Park Board and the City Manager and that the budget adjustment made herein is
28 necessary to reconcile differences between budgeted revenues and expenditures and
29 actual revenues and expenditures.
30

31 Section 3 – City Council hereby directs the City Manager, or designee, to cause
32 the appropriate accounting entries to be made in the books and records of the City.

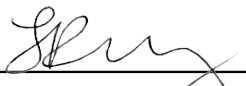
33 Section 4 – This Ordinance shall be in full force and effect from and after
34 passage.

35
36 Passed at meeting: _____

37
38 _____
39 Mayor

40
41 Attest: _____, City Clerk

42
43 Filed as Ordinance: _____

44
45
46 Approved as to form:  _____, Assistant City Attorney

47
48
49 Approved for Council action:  _____, City Manager

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit A

Budget Adjustment
077

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
20120	16	80020	401510	00000	00000	\$ 225,000	Parks 2001 Sales Tax Revenue
20130	16	80030	401510	00000	00000	225,000	Parks 2006 Sales Tax Revenue
57010	16	25010	412020	00000	10410	300,000	Bill and Payne Stewart Golf Course Revenues
57010	16	25010	412020	00000	10355	200,000	Rivercut Golf Course Revenues
57010	16	25010	412020	00000	10170	80,000	Horton Smith Golf Course Revenues
Net Revenue Adjustment						\$ 1,030,000	

Expenditures:

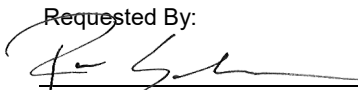
Fund	Dept	Org	Account	P&G	Location	Amount	Description
20120	16	87510	504580	000000	10099	\$131,975	Dickerson Park Zoo Other Professional Services
20120	16	80550	502710	000000	00000	53,025	Service Center Repairs and Maintenance
20120	16	80550	502740	000000	00000	100,000	Service Center Motor Vehicle Repairs
20120	16	80520	504580	000000	00000	20,000	Construction and Repairs Other Professional Services
20120	16	80520	501110	000000	00000	25,000	Construction and Repairs Building Materials
20120	16	80510	504580	000000	00000	20,000	Park Operations General Services Other Professional Services
20120	16	80510	505560	000000	00000	62,500	Park Operations General Services Water
20130	16	80510	500130	000000	00000	50,000	Park Operations Temporary Wages
20130	16	80570	501260	000000	00000	42,500	Turf Management Operating Supplies
20130	16	80570	500130	000000	00000	20,000	Turf Management Temporary Wages
20130	16	80520	501260	000000	00000	50,000	Construction and Repairs Operating Supplies
20130	16	80520	501110	000000	00000	50,000	Construction and Repairs Building Materials
20130	16	80520	501280	000000	00000	50,000	Construction and Repairs Plumbing and Electrical
20130	16	80520	504580	000000	00000	100,000	Construction and Repairs Other Professional Services
20130	16	80540	504620	000000	00000	50,000	Park Operations Second Shift Specialty Services
57010	16	25010	501130	000000	10409	50,000	Bill and Payne Stewart Golf Course-Chemical Supplies
57010	16	25010	501280	000000	10409	20,000	Bill and Payne Stewart Golf Course-Plumbing and Electrical
57010	16	25010	501130	000000	10354	100,000	Rivercut Golf Course-Chemical Supplies
57010	16	25010	501260	000000	10354	35,000	Rivercut Golf Course-Operating Supplies
57010	16	25010	502740	000000	10354	25,000	Rivercut Golf Course-Motor Vehicle Repairs
57010	16	25010	501280	000000	10354	50,000	Rivercut Golf Course-Plumbing and Electrical
57010	16	25010	508170	000000	10169	55,000	Horton Smith Golf Course-Other Equipment
57010	16	25010	501130	000000	10169	40,000	Horton Smith Golf Course-Chemical Supplies
57010	16	25010	500130	000000	10355	30,000	Rivercut Pro Shop-Temporary Wages
57010	16	25010	502080	000000	10355	25,000	Rivercut Pro Shop-Bank Charges
57010	16	25010	502080	000000	10410	30,000	Bill and Payne Stewart Pro Shop-Bank Charges
57010	16	25010	500130	000000	10410	45,000	Bill and Payne Stewart Pro Shop-Temporary Wages
57010	16	25010	507520	000000	10410	35,000	Bill and Payne Stewart Pro Shop-Inventory Purchases
57010	16	25010	500130	000000	10170	30,000	Horton Smith Pro Shop-Temporary Wages
57010	16	25010	502080	000000	10170	10,000	Horton Smith Pro Shop-Bank Charges
Net Expenditure Adjustment						\$ 1,405,000	

Fund Balance Appropriation:

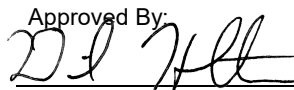
Fund	Dept	Title	Amount
20120	16	Parks 2001 Sales Tax Fund	(187,500)
20130	16	Parks 2006 Sales Tax Fund	(187,500)

Explanation: To amend the FY2024-25 budget by appropriating Parks 2001 and 2006 Sales Tax Revenue and Golf Enterprise Fund Revenue to offset unanticipated expenditures in excess of budget for the fiscal year ending June 30, 2025.

Requested By:

 07-22-2025
Department Head Date

Approved By:

 07-22-2025
Director of Finance Date

Authorization:

Council Bill No. 2025-168
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____

City Manager Date



EXPLANATION TO COUNCIL BILL 2025-163 (JENSON)

FILED: 07/31/2025

ORIGINATING DEPARTMENT: Finance

TITLE: A resolution granting a new liquor license to sell liquor by the drink at retail, including Sunday sales, to Pinecone Developments, LLC, d/b/a Pinecone Developments LLC, for the location at 465 South Grant Avenue.

PURPOSE: To grant a new liquor license to sell liquor by the drink at retail, including Sunday sales, to Pinecone Developments, LLC, d/b/a Pinecone Developments LLC, for the location at 465 South Grant Avenue, Springfield, Missouri.

BACKGROUND INFORMATION: Applicant, Pinecone Developments, LLC (Thane H. Kifer, LLC, member), d/b/a Pinecone Developments, LLC, applied for a license to sell retail liquor by the drink, including Sunday sales, at its location at 465 South Grant Avenue. The applicant's business is located with 200 feet of property owned by Springfield Public Schools at 506 South Grant Avenue.

Pursuant to Section 10-37(a) of the Springfield City Code, no license shall be granted for the sale of intoxicating liquor within 200 feet of any church, school, park, or building regularly used as a place of worship unless the applicant shall first obtain the consent in writing of City Council. As a result, City Council must determine whether it will issue a license to this business location.

Submitted By: Quincy Covert, Licensing Supervisor

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

Attachments: 1. Retail Liquor License - 465 South Grant Avenue

One-rdg. X
P. Hrngs.
Pgs. 3
Filed: 07-22-25

Sponsored by: Jenson

COUNCIL BILL 2025-163 RESOLUTION

A RESOLUTION

1 GRANTING a new liquor license to sell liquor by the drink at retail, including
2 Sunday sales, to Pinecone Developments, LLC, d/b/a Pinecone
3 Developments, LLC, for the location at 465 South Grant Avenue.
4 _____
5

6 WHEREAS, Pinecone Developments, LLC (Thane H. Kifer, LLC, member), d/b/a
7 Pinecone Developments, LLC, filed an application for a license to sell liquor by the drink
8 at retail, including Sunday sales, at the location at 465 South Grant Avenue in the City
9 of Springfield; and
10

11 WHEREAS, said location is within 200 feet of Springfield Public Schools property
12 located at 506 South Grant Avenue; and
13

14 WHEREAS, pursuant to Section 10-37(a) of the Springfield City Code, no license
15 shall be granted for the sale of intoxicating liquor within 200 feet of any school, church,
16 park, or building regularly used as a place of worship unless the applicant shall first
17 obtain the consent of City Council.
18

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

22 Section 1 – City Council consents to granting Pinecone Developments, LLC
23 (Thane H. Kifer, LLC, member), d/b/a Pinecone Developments, LLC, a license to sell
24 liquor by the drink at retail, including Sunday sales, at the location at 465 South Grant
25 Avenue, Springfield, Missouri.
26

27 Section 2 – This Resolution shall be in effect immediately upon adoption and
28 passage.
29

30 Passed at meeting: _____
31

32 _____
33 Mayor
34

35 Attest: _____, City Clerk

36

37 Filed as Resolution: _____

38

39 Approved as to form: Laura Vales, Assistant City Attorney

41

42

43 Approved for Council action: [Signature], City Manager



EXPLANATION TO COUNCIL BILL 2025-184 (LEE, ADIB-YAZDI, JENSON, MC

FILED: 08/08/2025

ORIGINATING DEPARTMENT: City Clerk

TITLE: A resolution confirming the appointment of David Jacquez to the Board of Equalization.

PURPOSE: To appoint David Jacquez to the Board of Equalization.

BACKGROUND INFORMATION: Sections 138.010 and 138.015, RSMo., and Article V, Section 5.5 of the Springfield City Charter establish the existence of a Board of Equalization and associated membership and representation on such board.

There is presently a need to appoint one member to the Board of Equalization.

The Public Involvement Committee of the Springfield City Council met on August 8, 2025, and recommended the appointment of David Jacquez to the Board of Equalization.

Submitted By:

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

Attachments: 1. Board of Equalization Appointment August 2025

One-rdg. X
P. Hrngs.
Pgs. 3
Filed: 08-05-2025

Sponsored by: Lee, Adib-Yazdi, Jenson, McGull

COUNCIL BILL 2025-184 RESOLUTION

A RESOLUTION

CONFIRMING the appointment of David Jacquez to the Board of Equalization.

WHEREAS, Sections 138.010 and 138.015, RSMo., and Article V, Section 5.5 of the Springfield City Charter establish the existence of a Board of Equalization and associated membership and representation on such board; and

WHEREAS, there is presently a need to appoint one member to the Board of Equalization; and

WHEREAS, the Public Involvement Committee of the Springfield City Council met on August 8, 2025, and recommended the appointment of David Jacquez to the Board of Equalization.

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

Section 1 – City Council hereby appoints David Jacquez to the Board of Equalization, with his term to expire on April 1, 2028.

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

Passed at meeting:

Mayor

Attest: , City Clerk

Filed as Resolution

Approved as to form: Laura Vales , Assistant City Attorney

36 Approved for Council action:  , City Manager

EXPLANATION TO COUNCIL BILL 2025-185 (SCHRAG)

FILED: 08/08/2025

ORIGINATING DEPARTMENT: Law

TITLE: A resolution declaring the intent of the City of Springfield, Missouri, to utilize the Construction Manager At Risk project delivery method for the Springfield Regional Convention and Event Center project; and setting forth selection criteria.

PURPOSE: Disclosing the intent of the City of Springfield Public Works Department to publish a Request for Qualifications ("RFQ") to solicit Statement of Qualifications ("SOQ") from qualified Construction Manager-At-Risk ("CMAR") firms and to utilize the CMAR project delivery method for the Springfield Regional Convention and Event Center project ("the Project").

BACKGROUND INFORMATION: Considering the potential complexity and scale of the project, City staff have concluded that the CMAR project delivery method would be in the best interest of the project, benefiting from project scheduling, cost estimating and constructability review concurrent with design, materials and labor procurement, construction phasing and logistics, and on-site construction project management.

The project site will be in downtown Springfield, in accordance with the recommendations of a June 12, 2025 market demand, financial feasibility and impact study prepared by Hunden Partners, an advisor in destination real estate development. The report also recommends:

- A 65,000-sf exhibit/event space capable of being subdivided into up to five divisions
- A 30,000-sf ballroom capable of being subdivided into up to 12 divisions
- A 14,000-sf junior ballroom capable of being subdivided into up to six divisions
- 16,000 sf of additional meeting space capable of being subdivided into up to 16 divisions
- 1,000 connected parking spaces
- A connected 400-key headquarters hotel

With lobby, concourse, service corridor, kitchen, storage and other support spaces for a full-service facility, the convention and event center is expected to encompass some 250,000 sf of gross floor area. This will be a LEED Silver Certified project. Although the project design should anticipate a connected hotel, the hotel is not included in the scope of this project.

The selection process will occur in two steps.

In the first step, the City will prepare a request for qualifications that includes general information on the project scope, schedule, selection criteria (including the construction manager's relevant experience and past performance, proposed project personnel, safety record, financial strength, industry recognition and methodology, and other appropriate factors that demonstrate the capability of the construction manager-at-risk), and the time and place for receipt of qualifications. Reviewed qualifications statements will be ranked by a City staff team, and the most qualified will advance to the second step.

In the second step, the City will request no more than five construction managers, selected solely based on qualifications, to propose the construction manager-at-risk's proposed fee and its price for fulfilling the general conditions. Qualifications shall account for a fifty percent of the evaluation, and cost shall account for a fifty percent of the evaluation.

Submitted By: Dan Smith, Director of Public Works

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

Attachments: 1. CB RE CMAR res - convention center - CB - final

One-rdg. X
P. Hrngs.
Pgs. 4
Filed: 08-08-25

Sponsored by: Schrag

COUNCIL BILL 2025-185 RESOLUTION

A RESOLUTION

1 DECLARING the intent of the City of Springfield, Missouri, to utilize the
2 Construction Manager-At-Risk project delivery method for the
3 Springfield Regional Convention and Event Center project; and
4 setting forth selection criteria.
5 _____
6

7 WHEREAS, Section 8.8 of the City of Springfield Purchasing Policy, approved by
8 General Ordinance 6925, establishes the procedure to use the Construction Manager-
9 At-Risk ("CMAR") contracting process; and
10

11 WHEREAS, where appropriate, the City of Springfield may utilize the process
12 known as CMAR to obtain the benefits of coordinated design and construction
13 processes, reduction in costs, and superior value; and
14

15 WHEREAS, the potential complexities and extent of improvements necessary to
16 construct the Springfield Regional Convention and Event Center would benefit from the
17 use of the CMAR project delivery method.
18

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

22 Section 1 – City Council hereby declares its intent to utilize the Construction
23 Manager-At-Risk ("CMAR") project delivery method for coordinating design,
24 construction, and value of the Springfield Regional Convention and Event Center
25 project.
26

27 Section 2 – The following are the selection criteria to be used: (1) the capacity
28 and capability of the CMAR to perform the work, including specialized services, within
29 the project time limitations; (2) the CMAR's current workload and available field and
30 management personnel, including specific personnel available for this project; (3) the
31 past record of performance of the CMAR with respect to relevant experience and past
32 performance, specifically regarding: control of costs; quality of work; ability to meet
33 schedules; industry recognition and methodology; delivering CMAR services for large
34 complex projects with demanding time frames; publicly funded projects; collaborating
35 intensely with a design team during design, bidding, construction, and closeout to

36 deliver on-time, on-budget quality projects; large-scale projects which involved multiple
37 bid packages and overlapping periods of design and construction; establishing a
38 guaranteed maximum price prior to receiving all bids; and CMAR services for large-
39 scale conference centers, exhibition centers, public assembly facilities, and convention
40 and event centers; (4) the CMAR's safety record; (5) the CMAR's financial strength; and
41 (6) the CMAR's proximity to and familiarity with the Springfield area, relevant to
42 delivering this proposed project.

43
44 Section 3 – This Resolution shall be effective immediately upon adoption.

45
46 Passed at meeting: _____

47
48 _____
49 Mayor

50
51 Attest: _____, City Clerk

52
53 Filed as Resolution: _____

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

57
58 _____
59 Approved for Council action: _____, City Manager



EXPLANATION TO COUNCIL BILL 2025-178 (MCGULL)

FILED: 07/22/2025

ORIGINATING DEPARTMENT: Public Works

TITLE: A special ordinance approving the plans and specifications for the LeCompte Roadway Trail Improvements project; accepting the bid of KCI Construction Company for construction of the project in the amount of \$319,900.00; authorizing the City Manager, or designee, to enter into a contract with such bidder; and declaring this Ordinance qualifies for approval in one reading pursuant to Section 2.16(25) of the City Charter.

PURPOSE: Approving the plans and specifications for the LeCompte Roadway Trail Improvements project, accepting the bid of KCI Construction Company, for construction of the LeCompte Roadway Trail Improvements project "Exhibit A," authorizing the City Manager, or his designee, to enter into a contract with such bidder "Exhibit B," making any applicable changes to the Capital Improvement Plan ("CIP"), and declaring that this bill qualifies for approval in one reading.

BACKGROUND INFORMATION: This project includes constructing a multi-use trail from Division Street to BNSF Railway along Eastgate Avenue and LeCompte Road.

Bids were solicited for this project by posting on City and MoDOT websites and in the Engineers Reprographics Online Planroom beginning June 25, 2025, and by advertising on the Springfield Daily Citizen website from June 25, 2025, through July 17, 2025. Bids were opened for the project at 10:30 a.m. on July 17, 2025, with the following bids received:

Contractor	Base Bid
Emery Sapp & Sons, Inc.	\$500,246.15
Carson-Mitchell, Inc.	\$664,467.00
KCI Construction Company	\$319,900.00
Radmacher Brothers Excavating Co., Inc.	\$429,740.00
JD Wallace Contracting, LLC	\$744,034.00
<i>Engineer's Estimate</i>	<i>\$608,170.00</i>

A total of six (6) bid packages were received. One bid package was considered non-responsive.

If accepted, the low bid will be funded 80% (\$255,920) from the Federal Transportation Alternatives Program ("TAP") and 20% (\$63,980) split between a Direct Appropriation received from the State of Missouri (\$24,194.99) and the 1/8-cent Transportation Sales



Tax (\$39,785.01). All funds are already budgeted.

As this Ordinance authorizes the acceptance of a bid and entering into a contract with the successful bidder, Public Works requests that it be passed as a one-reading bill under City Charter Section 2.16(25).

Supports the following City Council Priorities:

- Public Safety
- Fiscal Sustainability
- Quality of Place

REMARKS: Public Works recommends acceptance of the bid of KCI Construction Company as the lowest responsible bid and 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 08/01/2025

Attachments:

1. LeCompte Trail Bid Award_ord
2. LeCompte Trail Bid Award Map_ExhA
3. LeCompte Trail Bid Award Agree_ExhB

One-rdg. X
P. Hrngs.
Pgs. 12
Filed: 08-05-25

Sponsored by: McGull

First Reading:

Second Reading:

COUNCIL BILL 2025-178

SPECIAL ORDINANCE

AN ORDINANCE

1 APPROVING the plans and specifications for the LeCompte Roadway Trail
2 Improvements project; accepting the bid of KCI Construction Company
3 for construction of the project in the amount of \$319,900.00;
4 authorizing the City Manager, or designee, to enter into a contract with
5 such bidder; and declaring this Ordinance qualifies for approval in one
6 reading pursuant to Section 2.16(25) of the City Charter.
7
8

9 WHEREAS, the City desires to construct a multi-use trail along Eastgate Avenue
10 and LeCompte Road from Division Street north to the BNSF Railway, referred to herein
11 as the “Project” and as depicted in “Exhibit A,” attached hereto and incorporated herein
12 by reference; and
13

14 WHEREAS, bids for the Project (Plan No 2024PW9961) were solicited by
15 advertisement on the City and MoDOT websites and in the Engineers Reprographics
16 Online Planroom beginning June 25, 2025, and by advertising on the Springfield Daily
17 Citizen website from June 25, 2025 to July 17, 2025, with bids opened on July 17, 2025;
18 and
19

20 WHEREAS, KCI Construction Company is the lowest responsive and responsible
21 bidder for the Project, with a bid of \$319,900.00; and
22

23 WHEREAS, eighty percent (80%) of the Project costs, estimated at \$255,920.00,
24 will be funded with Federal Transportation Alternatives Program funds, and the
25 remaining twenty percent (20%) will be funded by a direct appropriation of \$24,194.99
26 received from the State of Missouri, and \$39,785.01 from the 1/8-cent Transportation
27 Sales Tax, and all funds are already budgeted.
28

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

32 Section 1 – City Council hereby approves the plans and specifications for the
33 LeCompte Roadway Trail Improvements Project, a copy which is on file with the
34 Director of Public Works.
35

36 Section 2 – City Council hereby accepts the bid of KCI Construction Company for
37 said Project, at the price and sum not to exceed \$319,900.00, contingent upon
38 availability of appropriated funds.
39

40 Section 3 – The City Manager, or designee, is hereby authorized to enter into a
41 contract with said bidder in substantial conformity with the agreement attached hereto
42 and incorporated herein as “Exhibit B,” and to accept the terms of the bid, the plans,
43 and the specifications.
44

45 Section 4 – All workers performing work under the contract shall be paid a wage
46 of no less than the prevailing hourly rate of wages for work of a similar character in this
47 locality or the public works contracting minimum wage, whichever is applicable.
48 Contractor shall fully comply with the provisions and requirements of the Missouri State
49 Prevailing Wage Law. Contractors and any subcontractor performing work under this
50 contract must provide a 10-hour OSHA construction safety training program, or similar
51 program approved by the Department of Labor, for on-site employees, unless
52 employees demonstrate they previously completed the program.
53

54 Section 5 - City Council hereby finds and declares that this Ordinance may be
55 passed as a one-reading ordinance under City Charter Section 2.16(25) as it relates to
56 acceptance of a bid and entry into a contract with the successful bidder. This Ordinance
57 shall be in full force and effect from and after passage.
58

59 Passed at meeting: _____
60
61

62 _____
63 Mayor
64

65 Attest: _____, City Clerk
66

67 Filed as Ordinance: _____
68

69 _____
70 Approved as to form:  _____, Assistant City Attorney
71

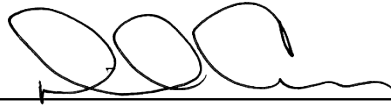
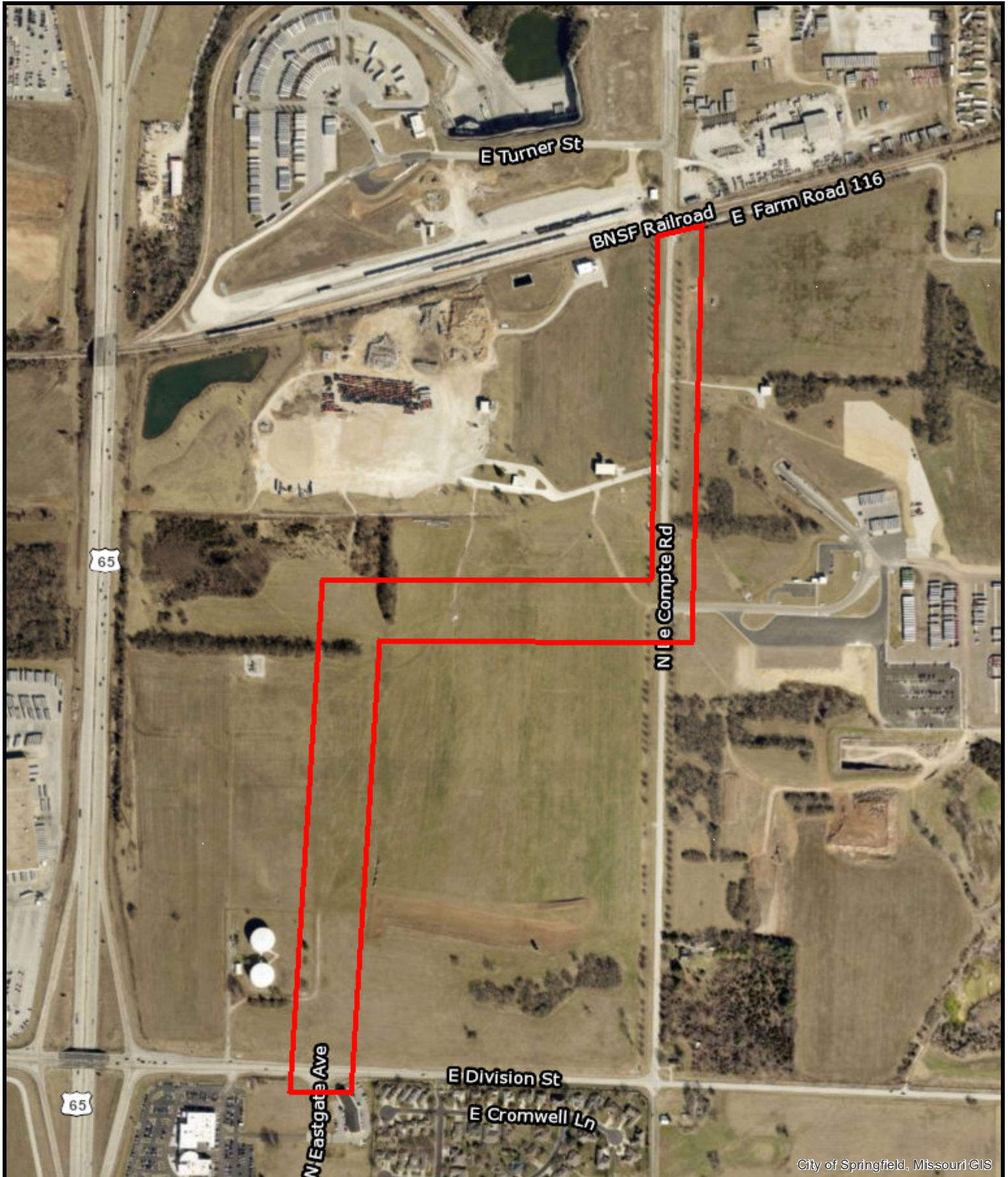
72 _____
73 Approved for Council action:  _____, City Manager

Exhibit A - LeCompte-Eastgate Trail (TAP)



City of Springfield, Missouri GIS

ROUTING ORDER	(1) ORIGINATING DEPARTMENT	(2) CONTRACTOR	(3) FINANCE DEPARTMENT
	(4) LAW DEPARTMENT	(5) CITY MANAGER'S OFFICE	(6) CITY CLERK'S OFFICE
EFFECTIVE DATE	TERMINATION DATE	CONTRACT NUMBER:	
CITY		CONTRACTOR	
CITY OF SPRINGFIELD 840 BOONVILLE, P.O. BOX 8368 SPRINGFIELD, MO 65802 PHONE: 417-864-1969 ATTN: EVAN BERGMANN		KCI CONSTRUCTION CO. 1950 W. SUNSET ST. SPRINGFIELD, MO 65807 PHONE: 417-684-2179 FAX: ATTN: JIM FISHER EMAIL: JFISHER@KCICONSTRUCTION.COM	

AGREEMENT

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

WITNESSETH: That whereas, the Contractor has become the lowest responsible bidder for furnishing the supervision, labor, tools, equipment, materials and supplies and for constructing the following City improvements:

LeCOMPTE ROAD TRAIL IMPROVEMENTS TAP 5901(826)

PLAN NUMBER 2024PW0061

The City and Contractor agree to the following:

1. Manner and Time for Completion. The Contractor will furnish all supervision, labor, tools, equipment, materials and supplies necessary to perform, and to perform said work at Contractor's own expense in accordance with the contract documents and any applicable City ordinances and state and federal laws within 60 calendar days from the date Contractor is ordered to proceed, which order shall be issued by the Director of Public Works within 30 days after the date of this contract.

2. Prevailing Wages. All labor utilized in the construction of the aforementioned improvements shall be paid a wage of no less than the "prevailing hourly rate of wages" for work of a similar character in this locality or the public works contracting minimum wage, whichever is applicable, as set out in the Wage Order attached to and made part of the specification for work under this Contract, or by the U.S. Secretary of Labor in accordance with the Federal Davis-Bacon Act (Title 40 U.S.C. Chapter 31, subchapter IV), whichever wage is applicable. Contractor shall pay wages not less than once a week. At any time the Contractor is found to not have paid prevailing wages, the Contractor shall forfeit as a penalty to the City one hundred dollars for each underpaid worker employed, for each calendar day, or portion thereof such worker is paid less than the said stipulated rates for any work done under this contract. Notwithstanding the foregoing, if the engineer's estimate of the total project cost or the bid accepted by the City is \$75,000.00 or less, then all labor utilized in the construction of the improvements shall not be required to pay the "prevailing rate of wages" or the public works minimum wage. However, if the project becomes subject to a change order that increases the total project cost to more than \$75,000.00, a "prevailing hourly rate of wages" or the public works contracting minimum wage, whichever is applicable, shall be paid for all labor utilized in the construction of the improvements but only for that portion of the project which exceeds \$75,000.00.

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

The certificates of insurance, including evidence of the required endorsements hereunder, or the policies, shall be filed with the City at the time that this contract is signed by the Contractor. All insurance policies shall provide thirty (30) days written notice to be

given by the insurance company in question prior to modification or cancellation of such insurance. Such notices shall be mailed, certified mail, return receipt requested, to:

City of Springfield – Attn: Public Works, Missouri Highways and Transportation Commission, and the Missouri Department of Transportation and its employees P.O. Box 8368, Springfield, MO 65801-8368

Such policies shall name the City of Springfield, Missouri Highways and Transportation Commission, and the Missouri Department of Transportation and its employees an additional insured with limits of liability not less than the sovereign immunity limits for Missouri public entities calculated by the Missouri Department of Insurance as of January 1 each calendar year and published annually in the Missouri Register pursuant to Section 537.610, RSMo.

(See <https://insurance.mo.gov/industry/sovimunity.php>)

As of January 1, 2025, the minimum coverage for the insurance referred to herein shall be as set out below:

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

b. **Commercial General Liability Insurance**, including coverage for Premises, Operations, Products and Completed Operations, Contractual Liability, Broad Form Property Damage, Independent Contractors, Explosion, Collapse, and Underground Property Damage and endorsed for blasting if blasting required. Such coverage shall apply to bodily injury and property damage on an "Occurrence Form Basis" with limits of at least Three Million Four Hundred Forty-Eight Thousand Seven Hundred Ten and no/100 Dollars (\$3,448,710.00) for all claims arising out of a single accident or occurrence and at least Five Hundred Seventeen Thousand Three Hundred Six and no/100 Dollars (\$517,306.00) with respect to injuries and/or death of any one person in a single occurrence. Contractor agrees that the proceeds of such insurance policy shall first be used to pay any award, damages, costs, and/or attorneys' fees incurred by or assessed against City, its employees, officers and agents, before payment of any award, damages, costs or attorney fees of Contractor, its employees, officers or agents. Contractor agrees to cause its insurer to name City as an additional insured on such insurance policy, including the City as an additional insured for coverage under its products-completed operations hazard, and said policy shall be primary and noncontributory. Aggregate Limit must apply on a Per Project basis, and the endorsement must accompany the certificate of insurance. A Waiver of Subrogation endorsement must be provided by contractor in favor of the City.

c. **Automobile Liability Insurance** covering bodily injury and property damage for owned, non-owned and hired vehicles, with limits of at least Three Million Four Hundred Forty-Eight Thousand Seven Hundred Ten and no/100 Dollars (\$3,448,710.00) for all claims arising out of a single accident or occurrence and at least Five Hundred Seventeen Thousand Three Hundred Six and no/100 Dollars (\$517,306.00) with respect to injuries and/or death of any one person in a single occurrence.

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

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

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

4. Performance, Labor, and Materials Payment Bond: The Contractor shall furnish a Performance Bond and a Labor and Materials Payment Bond with surety approved by the City and on the forms approved by the City, each bond shall be in the amount of **Three Hundred Nineteen Thousand Nine Hundred and NO/100 Dollars (\$319,900.00)** conditioned upon the full and faithful performance of all major terms and conditions of this contract and payment of all labor and material suppliers. It is further mutually

agreed between the parties hereto that if at any time after the execution of this agreement and the surety bond(s) hereto attached for its faithful performance and payment of labor and material suppliers, the City shall deem the surety or sureties upon such bond(s) to be unsatisfactory, or if, for any reason, such bond(s) ceases to be adequate to cover the performance of the work, the Contractor shall, at its expense, within five (5) days after the receipt of notice from the City to do so, furnish an additional bond or bonds, in such form and amount, and with such surety or sureties as shall be satisfactory to the City. In such event no further payment to the Contractor shall be deemed to be due under this contract until such new or additional security for the faithful performance of the work and the payment of labor and material suppliers shall be furnished in a manner and form satisfactory to the City. The corporate surety on any performance or payment bond must be licensed by the State of Missouri and if the required bond exceeds \$25,000.00 must be listed in United States Treasury Circular 570.

5. Contractor's responsibility for subcontractors. The Contractor shall be as fully responsible to the City for the acts and omissions of its subcontractors, and of persons either directly or indirectly employed by them, as Contractor is for the acts and omissions of persons it directly employs. Contractor shall cause appropriate provisions to be inserted in all subcontracts relating to this work, to bind all subcontractors to Contractor by all the terms herein set forth, and insofar as applicable to the work of subcontractors and to give Contractor the same power regarding termination of any subcontract as the City may exercise over Contractor under any provisions of this contract. Nothing contained in this contract shall create any contractual relation between the subcontractor and the City or between any subcontractors.

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

7. Liquidated Damages. Time of completion of work by the Contractor is of the essence. Should Contractor, or in the case of default, the surety, fail to substantially complete the work within the time specified in the contract, or within such extra time as may be allowed, Contractor (or surety) shall be liable to the City in the amount of **\$950.00** per day for each and every calendar day that the contract remains uncompleted after the time allowed for substantial completion, as liquidated damages, and not as a penalty, it being stipulated that actual damages to the City and the public arising from Contractor's failure to timely complete the work would be difficult, if not impossible, to ascertain. The amount assessed as liquidated damages may be withheld from any moneys otherwise due to Contractor from the City. The project is not considered complete until final acceptance by the City. After substantial completion, liquidated damages for failure to complete the remaining work shall be in the amount specified in the General Conditions, unless an amount is provided in the Job Special Provision, in which case, the Job Special Provision amount will apply.

8. Termination for Cause. The City reserves the right to terminate this contract by giving at least five (5) days prior written notice to the Contractor, without prejudice to any other rights or remedies of the City should the Contractor be adjudged a bankrupt, or if Contractor should make a general assignment for the benefit of its creditors, or if a receiver should be appointed for Contractor or for any of its property, or if Contractor should persistently or repeatedly refuse or fail to supply enough properly skilled workmen or proper material, or if Contractor should refuse or fail to make prompt payment to any person supplying labor or materials for the work under the contract, or persistently disregard instructions of the City or fail to observe or perform any provisions of the contract.

9. City's Right to Proceed. In the event this contract is terminated pursuant to Paragraph 8, then the City may take over the work and prosecute the same to completion, by contract or otherwise, and Contractor and its sureties shall be liable to the City for any costs over the amount of this contract thereby occasioned by the City. In any such case, the City may take possession of, and utilize in completing the work, such materials, appliances and structures as may be on the work site and are necessary for completion of the work. The foregoing provisions are in addition to, and not in limitation of, the rights of the City under any other provisions of the contract, city ordinances, and state and federal laws.

10. Termination for Convenience of City. The City shall have the right at any time by written notice to Contractor to terminate and cancel this contract, without cause, for the convenience of the City, and Contractor shall immediately stop work. In such event City shall not be liable to Contractor except for payment for actual work performed prior to such notice in an amount proportionate to the completed contract price and for the actual costs of preparations made by Contractor for the performance of the cancelled

portions of the contract, including a reasonable allowance of profit applicable to the actual work performed and such preparations. Anticipatory profits and consequential damages shall not be recoverable by Contractor.

11. Guards and Lights. The Contractor agrees that during the performance of said work, adequate barricades, guards and warning signs, lights or devices consistent with the requirements contained in the Manual on Uniform Traffic Control Devices shall be provided by Contractor during construction.

12. Liability and Indemnity.

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

b. The Contractor shall defend, indemnify and save harmless the City, its elected or appointed officials, agents and employees from and against any and all liability, suits, damages, costs (including attorney fees), losses, outlays and expenses from claims in any manner caused by, or allegedly caused by, or arising out of, or connected with, this contract, or the work or any subcontract thereunder (the Contractor hereby assuming full responsibility for relations with subcontractors), including, but not limited to, claims for personal injuries, death, property damage, or for damages from the award of this contract to Contractor, notwithstanding any possible negligence, whether sole or concurrent, on the part of the City, its officials, agents and employees.

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

d. The indemnification obligations of Contractor hereunder shall not be limited by any limitations as to the amount or type of damages, compensation or benefits payable by or for the Contractor, under any federal or state law, to any person asserting the claim against City, its elected or appointed officials, agents and employees, for which indemnification is sought.

e. The indemnification obligations herein shall not negate, abridge or reduce in any way any additional indemnification rights of the City, its elected or appointed officials, agents and employees, which are otherwise available under statute, or in law or equity.

f. Contractor affirms that it has had the opportunity to recover the costs of the liability insurance required in this agreement in its contract price. Contractor's obligation under this agreement to defend, indemnify, and hold harmless any person from that person's own negligence or wrongdoing is limited to the coverage and limits of the applicable insurance required of the Contractor under this agreement.

g. The Contractor shall indemnify and hold the City harmless for any penalties, fines, fees or costs, including costs of defense, which are charged or assessed by any Federal, state or local agency including, but not limited to, Environmental Protection Agency or Department of Natural Resources.

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

14. Payment for Labor and Materials. The Contractor agrees and binds itself to pay for all labor done, and for all the materials used in the construction of the work to be completed pursuant to this contract.

15. Payment. The City will pay the Contractor in accordance with the rate set forth in the contract documents on file in the Public Work's Department and by this reference made a part hereof, which shall constitute full and complete compensation for the Contractor's work provided hereunder. It is expressly understood that in no event will the total compensation and reimbursement to be paid to the Contractor under the terms of this contract exceed the sum of **Three Hundred Nineteen Thousand Nine Hundred and NO/100 Dollars (\$319,900.00)** unless specifically and mutually agreed to in writing by both the City and the Contractor. No partial payment to the Contractor shall operate as approval of acceptance of work done or materials furnished hereunder. Such compensation will be paid in progress payments, as established by the City, subject to receipt of a requisition for payment and a statement of work provided by the Contractor and agreement by both the City and the Contractor that the Contractor has fully performed the work to be paid for in such progress payments in conformance with the contract.

16. Contract Documents. The contract documents shall consist of the following:

- a. **This Contract**
- b. **All Change Orders**
- c. **Bid Plans and Specifications**
- d. **City of Springfield Standard General Conditions and Technical Specifications for Public Works Construction (most recent edition as of this project's first date of advertisement)**
- e. **Special Conditions & Provisions**
- f. **Required Federal Contract Provisions**
- g. **Proposal**
- h. **Statement of Bidder's Qualifications**
- i. **Acknowledgment**
- j. **Performance Bond and Payment and Material Bond**
- k. **Instructions to Bidders**
- l. **Anti-collusion Affidavit**
- m. **Notice to Proceed**
- n. **Notice to Contractors**

This contract, together with the other documents enumerated in this paragraph, forms the contract between the parties. These documents are as fully a part of the contract as if attached hereto or repeated herein.

17. Subsurface Conditions. Contractor agrees that information contained in the published reports and public actions of the Missouri Division of Geology and Land Survey shall be conclusive and binding upon the Contractor as to what subsurface conditions at the job site are reasonably anticipated or reasonably foreseeable.

18. Conflict of Interest. In accepting this contract, Contractor certifies that no member or officer of its firm or corporation is an officer or employee of the City of Springfield, Missouri, or any of its boards or agencies, and further that no officer or employee of the City has any financial interest, direct or indirect, in this contract. All applicable federal regulations and provisions of RSMo Section 105.450 et seq. shall not be violated.

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

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

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

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

21. Nonresident/Foreign Contractors. The Contractor shall procure and maintain during the life of this contract:

a. If the Contractor is a foreign corporation, a certificate of authority to transact business in the State of Missouri from the Secretary of State, unless exempt pursuant to the provisions of Section 351.570 RSMo.

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

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

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

24. Safety Training. Pursuant to Missouri Revised Statute Section 292.675, Contractors and subcontractors who sign a contract to work on public works projects must provide a 10-hour OSHA construction safety program, or similar program approved by the Department of Labor and Industrial Relations, to be completed by their on-site employees, unless such employees hold documentation of prior completion of the program, within sixty (60) days of beginning work on the construction project. The Contractor shall provide an acceptable notarized affidavit stating that Contractor has verified the completion of a 10-hour construction safety program with respect to the employees working in connection with the contracted services. Contractors and subcontractors in violation of this provision will forfeit to the public body \$2,500 plus \$100 a day for each employee who is employed without training. Public bodies and contractors may withhold assess penalties from the payment due to those contractors and subcontractors. The penalties shall not begin to accrue until the time periods in the statute have elapsed (60 days after notice to proceed and 20 days to produce documentation for employee found in violation).

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

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

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

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

29. 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.

(Remaining Page Left Intentionally Blank)

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

REVIEWED BY:

Assistant Director of Public Works or Acting Director

RECOMMENDED BY:

Director of Public Works or Acting Director

CERTIFICATE OF DIRECTOR OF FINANCE

I certify that the expenditure contemplated by this document is within the purpose of the appropriation to which it is to be charged and that there is an unencumbered balance of appropriated and available funds to pay therefor.

Director of Finance or Acting Director

APPROVED AS TO FORM

City Attorney or Assistant City Attorney

CONTRACTOR

By: _____

Name & Title: _____

If Contractor is a Disadvantaged Business Enterprise (DBE), please indicate classification.

Minority Owned ☐ Women Owned ☐ Veteran Owned ☐

CITY OF SPRINGFIELD, MISSOURI

By: _____
City Manager or designee



EXPLANATION TO COUNCIL BILL 2025-179 (MCGULL)

FILED: 07/22/2025

ORIGINATING DEPARTMENT: Public Works

TITLE: A special ordinance authorizing the City Manager, or designee, to enter into a Carbon Reduction Program Supplemental Agreement with the Missouri Highways and Transportation Commission for the purpose of funding the design and construction of a pedestrian and bicycle multiuse trail along Sherman Parkway from Jordan Valley Park to Chestnut Expressway; amending the Fiscal Year 2025-2026 budget in the amount of \$408,635 to appropriate the additional federal funds for this project; and declaring that this Ordinance qualifies for approval in one reading pursuant to City Charter Section 2.16(25).

PURPOSE: Authorizing the City Manager, or designee, to enter into a Carbon Reduction Program ("CRP") Supplemental Agreement with the Missouri Highways and Transportation Commission ("MHTC"), for design and construction costs associated with a pedestrian and bicycle path along Sherman Parkway from Jordan Valley Park to Chestnut Expressway; amending the FY2025-2026 budget for the Department of Public Works in the amount of \$408,635 to appropriate additional federal CRP funds for this project; amending the Capital Improvements Program as applicable to add the project funds; and declaring that this Ordinance qualifies for approval in one reading.

BACKGROUND INFORMATION: This CRP Supplemental Agreement ("Exhibit D") covers the estimated \$587,412.50 total cost of the construction of a new pedestrian and bicycle path. Federal CRP funds will reimburse 80 percent of design and construction costs incurred up to a maximum of \$469,930, and the City will contribute 20 percent (\$117,482.50). The original CRP Agreement approved and budgeted \$61,295 of federal CRP funds for the design of this project. This Supplemental Agreement adds \$408,635 of federal CRP funds totaling \$469,930 of federal funding for this project. The City will be responsible for any costs exceeding \$587,412.50. The City's contribution will be funded from 1/8-cent Transportation Sales Tax Walkability Program Funds already budgeted.

As this bill authorizes a contract with the state for the purpose of receiving federal grant money, Public Works requests that it be passed as a one-reading bill under City Charter Section 2.16(25).

Supports the following City Council Priorities:

- Quality of Place
- Public Safety



- Economic Vitality
- Fiscal Sustainability and Accountability

REMARKS: Public Works recommends approval of this Ordinance and budget adjustment.

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 08/01/2025

- Attachments:**
1. OTO Funding _ord
 2. MHTC CRP Sherman Parkway Link Scope_ExhA
 3. MHTC CRP Sherman Parkway Link Schedule_ExhB
 4. MHTC CRP Sherman Parkway Link Agree_ExhC
 5. MHTC CRP Sherman Parkway Link Supplemental Agree_ExhD
 6. MHTC CRP Sherman Parkway Link BA_ExhE

One-rdg. X
P. Hrngs.
Pgs. 37
Filed: 08-05-25

Sponsored by: McGull

First Reading:

Second Reading:

COUNCIL BILL 2025-179

SPECIAL ORDINANCE

AN ORDINANCE

1 AUTHORIZING the City Manager, or designee, to enter into a Carbon Reduction
2 Program Supplemental Agreement with the Missouri Highways and
3 Transportation Commission for the purpose of funding the design and
4 construction of a pedestrian and bicycle multiuse trail along Sherman
5 Parkway from Jordan Valley Park to Chestnut Expressway; amending
6 the Fiscal Year 2025-2026 budget in the amount of \$408,635 to
7 appropriate the additional federal funds for this project; and declaring
8 that this Ordinance qualifies for approval in one reading pursuant to
9 City Charter Section 2.16(25).

10
11
12 WHEREAS, the City, by Special Ordinance 27924, entered into a Carbon
13 Reduction Program ("CRP") Agreement with the Missouri Highways and Transportation
14 Commission, attached hereto and incorporated herein as "Exhibit C," and appropriated
15 \$61,295 in federal funds to reimburse the cost of designing, but not constructing, a
16 pedestrian and bicycle pathway along Sherman Parkway from Jordan Valley Park to
17 Chestnut Expressway (hereafter "Project"); and

18
19 WHEREAS, the City has now been awarded additional funds, in the amount of
20 \$408,635, to reimburse the cost of constructing the Project; and

21
22 WHEREAS, the Carbon Reduction Supplemental Agreement allows
23 reimbursement of 80 percent of the total design and construction costs, up to a
24 maximum of \$469,930; and

25
26 WHEREAS, the minimum local match of 20 percent will be funded from 1/8-cent
27 Transportation Sales Tax Walkability Program funds which are already budgeted.

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

31
32 Section 1 – The City Manager, or designee, is hereby authorized to accept
33 additional funds in the amount of \$408,635 from the Missouri Highways and

Transportation Commission to design and construct the Project, and to enter into a Carbon Reduction Program Supplemental Agreement with the Missouri Highways and Transportation Commission ("MHTC"), said Supplemental Agreement to be substantially similar in form as the document attached hereto and incorporated herein by reference as "Exhibit D," which includes an amended Scope of Work, attached hereto and incorporated herein by reference as "Exhibit A," and an amended Project Schedule, attached hereto and incorporated herein as "Exhibit B."

Section 2 – The budget of the City of Springfield for Fiscal Year 2025-2026 is hereby amended in the accounts and in the amounts as shown on Budget Adjustment No. 005, a copy of which is attached hereto and incorporated herein by reference as "Exhibit E."

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

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

Section 5 – City Council hereby finds and declares that this Ordinance may be passed as a one-reading ordinance under City Charter Section 2.16(25) as it relates to a contract for the acceptance of grant funds from a state or federal agency. This Ordinance shall be in full force and effect from and after passage.

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form:  _____, Assistant City Attorney

Approved for Council action:  _____, City Manager

Exhibit A – Scope of Work

Construction of a pedestrian and bike path along Sherman Parkway from Jordan Valley Park to Chestnut Expressway. The project will incorporate placemaking techniques to create a trail connection. The existing sidewalk in this area is planned to be removed to create green space and areas for landscaping.

Exhibit B – Project Schedule

Project Description: Design of The Link, including a pedestrian and bike path along Sherman Parkway from Jordan Valley Park to Chestnut Expressway in Springfield, Greene County. Construction award for CRP-5901(828) is pending per Reasonable Progress compliance.

Task	Date
Date funding is made available or allocated to recipient	08/2023
Preliminary and Right-of-Way Plans Submittal (if Applicable)	10/2024
Plans, Specifications & Estimate (PS&E) Submittal	12/2025
Plans, Specifications & Estimate (PS&E) Approval	01/2026
Advertisement for Letting	02/2026
Bid Opening	03/2026
Construction Contract Award or Planning Study completed (REQUIRED)	03/2026

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

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

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

CFDA Number: CFDA #20.205
CFDA Title: Highway Planning and Construction
Award name/number: CRP – 5901(828)
Award Year: SFY2024
Federal Agency: Federal Highway Administration, Department of Transportation

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

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

WITNESSETH:

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

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

WHEREAS, the Commission has determined that the Link along Sherman Parkway is consistent with the goals of the CRP funding; and

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

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

(1) PURPOSE: The United States Congress has authorized, in 23 U.S.C. §175, funds to be used for activities for carbon reduction. The purpose of this Agreement is to grant the use of such funds to design The Link along Sherman Parkway from Jordan Valley Park to Chestnut Expressway. The Link is proposed to be a multiuse trail including a pedestrian and bike path.

(2) SCOPE OF WORK: City shall provide planning and implementation of a pedestrian and bike path in the Springfield, Greene County area as more fully described in the attached Exhibit A which is incorporated herein by reference.

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

(4) INDEMNIFICATION :

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

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

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

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

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

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

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

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

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

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

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

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

(E) Information and Reports: The City shall provide all information and reports required by this Agreement, or orders and instructions issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Commission or the United States Department

of transportation to be necessary to ascertain compliance with other contracts, orders and instructions. Where any information required of the City is in the exclusive possession of another who fails or refuses to furnish this information, the City shall so certify to the Commission or the United States Department of Transportation as appropriate and shall set forth what efforts it has made to obtain the information.

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

1. Withholding of payments under this Agreement until the City complies; and/or
2. Cancellation, termination or suspension of this Agreement, in whole or in part, or both.

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

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

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

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

(11) VENUE: It is agreed by the parties that any action at law, suit in equity, or other judicial proceeding to enforce or construe this Agreement, or regarding its alleged

breach, shall be instituted only in the Circuit Court of Cole County, Missouri.

(12) CANCELLATION: The Commission may cancel this Agreement at any time for a material breach of contractual obligations by providing the City with written notice of cancellation. Should the Commission exercise its right to cancel this Agreement for such reasons, cancellation will become effective upon the date specified in the notice of cancellation sent to the City.

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

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

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

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

Any federal funds for project activities shall only be available for reimbursement of eligible costs which have been incurred by City. Any costs incurred by City prior to authorization from FHWA and notification to proceed from the Commission are **not** reimbursable costs. All federally funded projects are required to have a project end date. Any costs incurred after the project end date are not eligible for reimbursement. The federal share for this project for the engineering phase will be eighty percent (80%) not to exceed \$61,295 (Sixty-one thousand two hundred ninety-five dollars). The calculated federal share for seeking federal reimbursement of participating costs for the herein improvements will be determined by dividing the total federal funds applied to the project by the total participating costs. Any costs for the herein improvements which exceed any federal reimbursement or are not eligible for federal reimbursement shall be the sole responsibility of the City. The Commission shall not be responsible for any costs associated with the herein improvement unless specifically identified in this Agreement or subsequent written amendments.

(17) PROGRESS PAYMENTS: The City may request progress payments

be made for the herein improvements as work progresses but not more than once every two weeks. Progress payments must be submitted monthly. All progress payment requests must be submitted for reimbursement within 90 days of the project completion date for the final phase of work. The City shall repay any progress payments which involve ineligible costs.

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

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

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

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

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

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

(24) FEDERAL-AID PROVISIONS: Because responsibility for the performance of all functions or work contemplated as part of this project is assumed by the City, and the City may elect to construct part of the improvement contemplated by this Agreement with its own forces, a copy of Section II and Section III, as contained in the United States Department of Transportation Form Federal Highway Administration (FHWA) 1273 "Required Contract Provisions, Federal-Aid Construction Contracts," is attached and made a part of this Agreement as Exhibit C. Wherever the term "the contractor" or words of similar import appear in these sections, the term "the City" is to be substituted. The City agrees to abide by and carry out the condition and obligations of "the contractor" as stated in Section II, Equal Opportunity, and Section III, Nonsegregated Facilities, as set out in Form FHWA 1273.

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

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

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

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

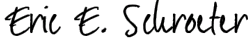
[Remainder of Page Intentionally Left Blank]

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

Executed by the City on 2023-12-14 | 12:16 PM EST _____.

Executed by the Commission on 2023-12-15 | 4:10 PM CST _____.

MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

DocuSigned by:

5F86CFE9D29E49B...

Title Assistant Chief Engineer _____

CITY OF SPRINGFIELD

DocuSigned by:

C4F1794F38AA4DB...

Title Deputy City Manager _____

ATTEST:

DocuSigned by:

A4686CD7096249B...

Secretary to the Commission

ATTEST:

DocuSigned by:

8A92965434F347B...

Title Contract Paralegal _____

Approved as to Form:

DocuSigned by:

BA34EE9EF9E5407...

Commission Counsel

DocuSigned by:

5D557988E8794A4...

Title Director of Finance _____

DocuSigned by:

379AFBE75E4B432...

Title Director of Public Works _____

DocuSigned by:

02AC114534004F1...

Title City Clerk _____

Approved as to Form:

DocuSigned by:

B9C81C457ED7474...

Title Assistant City Attorney _____



Ordinance No: _____

Appendix A - Project Budget

LIST OF ITEMS IN ORDER OF COMPLETION	Federal Share Request	NON-FEDERAL MATCH			Total (Add each row)	FY
		Applicant Budget	Donation	Source		
1. Right-of-Way Acquisition					\$0	
2. Design/Preliminary Engineering (Application through Bid Opening)	\$61,295	\$15,324			\$76,619	24
3. Utility Relocation					\$0	
4. Construction	\$323,032	\$80,758			\$403,790	25
5. Construction Engineering (Only after Bid Opening)	\$48,455	\$12,114			\$60,569	25
6. Construction Contingency (No more than 10% of items 3-5 above)	\$37,149	\$9,287			\$46,436	25
7. Value of any land already acquired					\$0	
TOTALS	\$469,931	\$117,483	\$0		\$587,414	

Exhibit A – Scope of Work

Design of a pedestrian and bike path along Sherman Parkway from Jordan Valley Park to Chestnut Expressway. The project will incorporate placemaking techniques to create a trail connection. The existing sidewalk in this area is planned to be removed to create green space and areas for landscaping.

Exhibit B – Project Schedule

Project Description: Design of The Link, including a pedestrian and bike path along Sherman Parkway from Jordan Valley Park to Chestnut Expressway in Springfield, Greene County. Construction award for CRP-5901(828) is pending per Reasonable Progress compliance.

Task	Date
Date funding is made available or allocated to recipient	08/2023
Engineering Services Contract Approved	04/2024
Preliminary and Right-of-Way Plans Submittal (if Applicable)	08/2024
Plans, Specifications & Estimate (PS&E) Submittal	12/2024
Plans, Specifications & Estimate (PS&E) Approval	01/2025
Advertisement for Letting	02/2025
Bid Opening	03/2025
Construction Contract Award or Planning Study completed (REQUIRED)	03/2025

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

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

Exhibit C - Required Contract Provisions
Federal-Aid Construction Contracts

REQUIRED CONTRACT PROVISIONS FEDERAL-AID CONSTRUCTION CONTRACTS

- I. General
- II. Nondiscrimination
- III. Non-segregated Facilities
- IV. Davis-Bacon and Related Act Provisions
- V. Contract Work Hours and Safety Standards Act Provisions
- VI. Subletting or Assigning the Contract
- VII. Safety: Accident Prevention
- VIII. False Statements Concerning Highway Projects
- IX. Implementation of Clean Air Act and Federal Water Pollution Control Act
- X. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion
- XI. Certification Regarding Use of Contract Funds for Lobbying
- XII. Use of United States-Flag Vessels:

ATTACHMENTS

A. Employment and Materials Preference for Appalachian Development Highway System or Appalachian Local Access Road Contracts (included in Appalachian contracts only)

I. GENERAL

1. Form FHWA-1273 must be physically incorporated in each construction contract funded under title 23, United States Code, as required in 23 CFR 633.102(b) (excluding emergency contracts solely intended for debris removal). The contractor (or subcontractor) must insert this form in each subcontract and further require its inclusion in all lower tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services). 23 CFR 633.102(e).

The applicable requirements of Form FHWA-1273 are incorporated by reference for work done under any purchase order, rental agreement or agreement for other services. The prime contractor shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider. 23 CFR 633.102(e).

Form FHWA-1273 must be included in all Federal-aid design-build contracts, in all subcontracts and in lower tier subcontracts (excluding subcontracts for design services, purchase orders, rental agreements and other agreements for supplies or services) in accordance with 23 CFR 633.102. The design-builder shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider.

Contracting agencies may reference Form FHWA-1273 in solicitation-for-bids or request-for-proposals documents, however, the Form FHWA-1273 must be physically incorporated (not referenced) in all contracts, subcontracts and lower-tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services related to a construction contract). 23 CFR 633.102(b).

2. Subject to the applicability criteria noted in the following sections, these contract provisions shall apply to all work

performed on the contract by the contractor's own organization and with the assistance of workers under the contractor's immediate superintendence and to all work performed on the contract by piecework, station work, or by subcontract. 23 CFR 633.102(d).

3. A breach of any of the stipulations contained in these Required Contract Provisions may be sufficient grounds for withholding of progress payments, withholding of final payment, termination of the contract, suspension / debarment or any other action determined to be appropriate by the contracting agency and FHWA.

4. Selection of Labor: During the performance of this contract, the contractor shall not use convict labor for any purpose within the limits of a construction project on a Federal-aid highway unless it is labor performed by convicts who are on parole, supervised release, or probation. 23 U.S.C. 114(b). The term Federal-aid highway does not include roadways functionally classified as local roads or rural minor collectors. 23 U.S.C. 101(a).

II. NONDISCRIMINATION (23 CFR 230.107(a); 23 CFR Part 230, Subpart A, Appendix A; EO 11246)

The provisions of this section related to 23 CFR Part 230, Subpart A, Appendix A are applicable to all Federal-aid construction contracts and to all related construction subcontracts of \$10,000 or more. The provisions of 23 CFR Part 230 are not applicable to material supply, engineering, or architectural service contracts.

In addition, the contractor and all subcontractors must comply with the following policies: Executive Order 11246, 41 CFR Part 60, 29 CFR Parts 1625-1627, 23 U.S.C. 140, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d et seq.), and related regulations including 49 CFR Parts 21, 26, and 27; and 23 CFR Parts 200, 230, and 633.

The contractor and all subcontractors must comply with: the requirements of the Equal Opportunity Clause in 41 CFR 60-1.4(b) and, for all construction contracts exceeding \$10,000, the Standard Federal Equal Employment Opportunity Construction Contract Specifications in 41 CFR 60-4.3.

Note: The U.S. Department of Labor has exclusive authority to determine compliance with Executive Order 11246 and the policies of the Secretary of Labor including 41 CFR Part 60, and 29 CFR Parts 1625-1627. The contracting agency and the FHWA have the authority and the responsibility to ensure compliance with 23 U.S.C. 140, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d et seq.), and related regulations including 49 CFR Parts 21, 26, and 27; and 23 CFR Parts 200, 230, and 633.

The following provision is adopted from 23 CFR Part 230, Subpart A, Appendix A, with appropriate revisions to conform to the U.S. Department of Labor (US DOL) and FHWA requirements.

1. Equal Employment Opportunity: Equal Employment Opportunity (EEO) requirements not to discriminate and to take affirmative action to assure equal opportunity as set forth under laws, executive orders, rules, regulations (see 28 CFR Part 35, 29 CFR Part 1630, 29 CFR Parts 1625-1627, 41 CFR Part 60 and 49 CFR Part 27) and orders of the Secretary of Labor as modified by the provisions prescribed herein, and imposed pursuant to 23 U.S.C. 140, shall constitute the EEO and specific affirmative action standards for the contractor's project activities under this contract. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) set forth under 28 CFR Part 35 and 29 CFR Part 1630 are incorporated by reference in this contract. In the execution of this contract, the contractor agrees to comply with the following minimum specific requirement activities of EEO:

a. The contractor will work with the contracting agency and the Federal Government to ensure that it has made every good faith effort to provide equal opportunity with respect to all of its terms and conditions of employment and in their review of activities under the contract. 23 CFR 230.409 (g)(4) & (5).

b. The contractor will accept as its operating policy the following statement:

"It is the policy of this Company to assure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, sexual orientation, gender identity, color, national origin, age or disability. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training."

2. EEO Officer: The contractor will designate and make known to the contracting officers an EEO Officer who will have the responsibility for and must be capable of effectively administering and promoting an active EEO program and who must be assigned adequate authority and responsibility to do so.

3. Dissemination of Policy: All members of the contractor's staff who are authorized to hire, supervise, promote, and discharge employees, or who recommend such action or are substantially involved in such action, will be made fully cognizant of and will implement the contractor's EEO policy and contractual responsibilities to provide EEO in each grade and classification of employment. To ensure that the above agreement will be met, the following actions will be taken as a minimum:

a. Periodic meetings of supervisory and personnel office employees will be conducted before the start of work and then not less often than once every six months, at which time the contractor's EEO policy and its implementation will be reviewed and explained. The meetings will be conducted by the EEO Officer or other knowledgeable company official.

b. All new supervisory or personnel office employees will be given a thorough indoctrination by the EEO Officer, covering all major aspects of the contractor's EEO obligations within thirty days following their reporting for duty with the contractor.

c. All personnel who are engaged in direct recruitment for the project will be instructed by the EEO Officer in the contractor's procedures for locating and hiring minorities and women.

d. Notices and posters setting forth the contractor's EEO policy will be placed in areas readily accessible to employees, applicants for employment and potential employees.

e. The contractor's EEO policy and the procedures to implement such policy will be brought to the attention of employees by means of meetings, employee handbooks, or other appropriate means.

4. Recruitment: When advertising for employees, the contractor will include in all advertisements for employees the notation: "An Equal Opportunity Employer." All such advertisements will be placed in publications having a large circulation among minorities and women in the area from which the project work force would normally be derived.

a. The contractor will, unless precluded by a valid bargaining agreement, conduct systematic and direct recruitment through public and private employee referral sources likely to yield qualified minorities and women. To meet this requirement, the contractor will identify sources of potential minority group employees and establish with such identified sources procedures whereby minority and women applicants may be referred to the contractor for employment consideration.

b. In the event the contractor has a valid bargaining agreement providing for exclusive hiring hall referrals, the contractor is expected to observe the provisions of that agreement to the extent that the system meets the contractor's compliance with EEO contract provisions. Where implementation of such an agreement has the effect of discriminating against minorities or women, or obligates the contractor to do the same, such implementation violates Federal nondiscrimination provisions.

c. The contractor will encourage its present employees to refer minorities and women as applicants for employment. Information and procedures with regard to referring such applicants will be discussed with employees.

5. Personnel Actions: Wages, working conditions, and employee benefits shall be established and administered, and personnel actions of every type, including hiring, upgrading, promotion, transfer, demotion, layoff, and termination, shall be taken without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, age or disability. The following procedures shall be followed:

a. The contractor will conduct periodic inspections of project sites to ensure that working conditions and employee facilities do not indicate discriminatory treatment of project site personnel.

b. The contractor will periodically evaluate the spread of wages paid within each classification to determine any evidence of discriminatory wage practices.

c. The contractor will periodically review selected personnel actions in depth to determine whether there is evidence of discrimination. Where evidence is found, the contractor will promptly take corrective action. If the review indicates that the discrimination may extend beyond the actions reviewed, such corrective action shall include all affected persons.

d. The contractor will promptly investigate all complaints of alleged discrimination made to the contractor in connection with its obligations under this contract, will attempt to resolve such complaints, and will take appropriate corrective action

within a reasonable time. If the investigation indicates that the discrimination may affect persons other than the complainant, such corrective action shall include such other persons. Upon completion of each investigation, the contractor will inform every complainant of all of their avenues of appeal.

6. Training and Promotion:

a. The contractor will assist in locating, qualifying, and increasing the skills of minorities and women who are applicants for employment or current employees. Such efforts should be aimed at developing full journey level status employees in the type of trade or job classification involved.

b. Consistent with the contractor's work force requirements and as permissible under Federal and State regulations, the contractor shall make full use of training programs (i.e., apprenticeship and on-the-job training programs for the geographical area of contract performance). In the event a special provision for training is provided under this contract, this subparagraph will be superseded as indicated in the special provision. The contracting agency may reserve training positions for persons who receive welfare assistance in accordance with 23 U.S.C. 140(a).

c. The contractor will advise employees and applicants for employment of available training programs and entrance requirements for each.

d. The contractor will periodically review the training and promotion potential of employees who are minorities and women and will encourage eligible employees to apply for such training and promotion.

7. Unions: If the contractor relies in whole or in part upon unions as a source of employees, the contractor will use good faith efforts to obtain the cooperation of such unions to increase opportunities for minorities and women. 23 CFR 230.409. Actions by the contractor, either directly or through a contractor's association acting as agent, will include the procedures set forth below:

a. The contractor will use good faith efforts to develop, in cooperation with the unions, joint training programs aimed toward qualifying more minorities and women for membership in the unions and increasing the skills of minorities and women so that they may qualify for higher paying employment.

b. The contractor will use good faith efforts to incorporate an EEO clause into each union agreement to the end that such union will be contractually bound to refer applicants without regard to their race, color, religion, sex, sexual orientation, gender identity, national origin, age, or disability.

c. The contractor is to obtain information as to the referral practices and policies of the labor union except that to the extent such information is within the exclusive possession of the labor union and such labor union refuses to furnish such information to the contractor, the contractor shall so certify to the contracting agency and shall set forth what efforts have been made to obtain such information.

d. In the event the union is unable to provide the contractor with a reasonable flow of referrals within the time limit set forth in the collective bargaining agreement, the contractor will, through independent recruitment efforts, fill the employment vacancies without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, age, or disability; making full efforts to obtain qualified and/or qualifiable minorities and women. The failure of a union to provide

sufficient referrals (even though it is obligated to provide exclusive referrals under the terms of a collective bargaining agreement) does not relieve the contractor from the requirements of this paragraph. In the event the union referral practice prevents the contractor from meeting the obligations pursuant to Executive Order 11246, as amended, and these special provisions, such contractor shall immediately notify the contracting agency.

8. Reasonable Accommodation for Applicants / Employees with Disabilities: The contractor must be familiar with the requirements for and comply with the Americans with Disabilities Act and all rules and regulations established thereunder. Employers must provide reasonable accommodation in all employment activities unless to do so would cause an undue hardship.

9. Selection of Subcontractors, Procurement of Materials and Leasing of Equipment: The contractor shall not discriminate on the grounds of race, color, religion, sex, sexual orientation, gender identity, national origin, age, or disability in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The contractor shall take all necessary and reasonable steps to ensure nondiscrimination in the administration of this contract.

a. The contractor shall notify all potential subcontractors, suppliers, and lessors of their EEO obligations under this contract.

b. The contractor will use good faith efforts to ensure subcontractor compliance with their EEO obligations.

10. Assurances Required:

a. The requirements of 49 CFR Part 26 and the State DOT's FHWA-approved Disadvantaged Business Enterprise (DBE) program are incorporated by reference.

b. The contractor, subrecipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate, which may include, but is not limited to:

- (1) Withholding monthly progress payments;
- (2) Assessing sanctions;
- (3) Liquidated damages; and/or
- (4) Disqualifying the contractor from future bidding as non-responsible.

c. The Title VI and nondiscrimination provisions of U.S. DOT Order 1050.2A at Appendixes A and E are incorporated by reference. 49 CFR Part 21.

11. Records and Reports: The contractor shall keep such records as necessary to document compliance with the EEO requirements. Such records shall be retained for a period of three years following the date of the final payment to the contractor for all contract work and shall be available at reasonable times and places for inspection by authorized representatives of the contracting agency and the FHWA.

a. The records kept by the contractor shall document the following:

(1) The number and work hours of minority and non-minority group members and women employed in each work classification on the project;

(2) The progress and efforts being made in cooperation with unions, when applicable, to increase employment opportunities for minorities and women; and

(3) The progress and efforts being made in locating, hiring, training, qualifying, and upgrading minorities and women.

b. The contractors and subcontractors will submit an annual report to the contracting agency each July for the duration of the project indicating the number of minority, women, and non-minority group employees currently engaged in each work classification required by the contract work. This information is to be reported on [Form FHWA-1391](#). The staffing data should represent the project work force on board in all or any part of the last payroll period preceding the end of July. If on-the-job training is being required by special provision, the contractor will be required to collect and report training data. The employment data should reflect the work force on board during all or any part of the last payroll period preceding the end of July.

III. NONSEGREGATED FACILITIES

This provision is applicable to all Federal-aid construction contracts and to all related construction subcontracts of more than \$10,000. 41 CFR 60-1.5.

As prescribed by 41 CFR 60-1.8, the contractor must ensure that facilities provided for employees are provided in such a manner that segregation on the basis of race, color, religion, sex, sexual orientation, gender identity, or national origin cannot result. The contractor may neither require such segregated use by written or oral policies nor tolerate such use by employee custom. The contractor's obligation extends further to ensure that its employees are not assigned to perform their services at any location under the contractor's control where the facilities are segregated. The term "facilities" includes waiting rooms, work areas, restaurants and other eating areas, time clocks, restrooms, washrooms, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing provided for employees. The contractor shall provide separate or single-user restrooms and necessary dressing or sleeping areas to assure privacy between sexes.

IV. DAVIS-BACON AND RELATED ACT PROVISIONS

This section is applicable to all Federal-aid construction projects exceeding \$2,000 and to all related subcontracts and lower-tier subcontracts (regardless of subcontract size), in accordance with 29 CFR 5.5. The requirements apply to all projects located within the right-of-way of a roadway that is functionally classified as Federal-aid highway. 23 U.S.C. 113. This excludes roadways functionally classified as local roads or rural minor collectors, which are exempt. 23 U.S.C. 101. Where applicable law requires that projects be treated as a project on a Federal-aid highway, the provisions of this subpart will apply regardless of the location of the project. Examples include: Surface Transportation Block Grant Program projects funded under 23 U.S.C. 133 [excluding recreational trails projects], the Nationally Significant Freight and Highway

Projects funded under 23 U.S.C. 117, and National Highway Freight Program projects funded under 23 U.S.C. 167.

The following provisions are from the U.S. Department of Labor regulations in 29 CFR 5.5 "Contract provisions and related matters" with minor revisions to conform to the FHWA-1273 format and FHWA program requirements.

1. Minimum wages (29 CFR 5.5)

a. *Wage rates and fringe benefits.* All laborers and mechanics employed or working upon the site of the work (or otherwise working in construction or development of the project under a development statute), will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act ([29 CFR part 3](#))), the full amount of basic hourly wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics. As provided in paragraphs (d) and (e) of 29 CFR 5.5, the appropriate wage determinations are effective by operation of law even if they have not been attached to the contract. Contributions made or costs reasonably anticipated for bona fide fringe benefits under the Davis-Bacon Act ([40 U.S.C. 3141\(2\)\(B\)](#)) on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of paragraph 1.e. of this section; also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period. Such laborers and mechanics must be paid the appropriate wage rate and fringe benefits on the wage determination for the classification(s) of work actually performed, without regard to skill, except as provided in paragraph 4. of this section. Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: *Provided*, That the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classifications and wage rates conformed under paragraph 1.c. of this section) and the Davis-Bacon poster (WH-1321) must be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible place where it can be easily seen by the workers.

b. *Frequently recurring classifications.* (1) In addition to wage and fringe benefit rates that have been determined to be prevailing under the procedures set forth in [29 CFR part 1](#), a wage determination may contain, pursuant to § 1.3(f), wage and fringe benefit rates for classifications of laborers and mechanics for which conformance requests are regularly submitted pursuant to paragraph 1.c. of this section, provided that:

(i) The work performed by the classification is not performed by a classification in the wage determination for which a prevailing wage rate has been determined;

(ii) The classification is used in the area by the construction industry; and

(iii) The wage rate for the classification bears a reasonable relationship to the prevailing wage rates contained in the wage determination.

(2) The Administrator will establish wage rates for such classifications in accordance with paragraph 1.c.(1)(iii) of this section. Work performed in such a classification must be paid at no less than the wage and fringe benefit rate listed on the wage determination for such classification.

c. *Conformance.* (1) The contracting officer must require that any class of laborers or mechanics, including helpers, which is not listed in the wage determination and which is to be employed under the contract be classified in conformance with the wage determination. Conformance of an additional classification and wage rate and fringe benefits is appropriate only when the following criteria have been met:

(i) The work to be performed by the classification requested is not performed by a classification in the wage determination; and

(ii) The classification is used in the area by the construction industry; and

(iii) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(2) The conformance process may not be used to split, subdivide, or otherwise avoid application of classifications listed in the wage determination.

(3) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and the contracting officer agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken will be sent by the contracting officer by email to DBAconformance@dol.gov. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

(4) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and the contracting officer do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the contracting officer will, by email to DBAconformance@dol.gov, refer the questions, including the views of all interested parties and the recommendation of the contracting officer, to the Administrator for determination. The Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

(5) The contracting officer must promptly notify the contractor of the action taken by the Wage and Hour Division

under paragraphs 1.c.(3) and (4) of this section. The contractor must furnish a written copy of such determination to each affected worker or it must be posted as a part of the wage determination. The wage rate (including fringe benefits where appropriate) determined pursuant to paragraph 1.c.(3) or (4) of this section must be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

d. *Fringe benefits not expressed as an hourly rate.*

Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor may either pay the benefit as stated in the wage determination or may pay another bona fide fringe benefit or an hourly cash equivalent thereof.

e. *Unfunded plans.* If the contractor does not make payments to a trustee or other third person, the contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program, *Provided*, That the Secretary of Labor has found, upon the written request of the contractor, in accordance with the criteria set forth in § 5.28, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.

f. *Interest.* In the event of a failure to pay all or part of the wages required by the contract, the contractor will be required to pay interest on any underpayment of wages.

2. Withholding (29 CFR 5.5)

a. *Withholding requirements.* The contracting agency may, upon its own action, or must, upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor so much of the accrued payments or advances as may be considered necessary to satisfy the liabilities of the prime contractor or any subcontractor for the full amount of wages and monetary relief, including interest, required by the clauses set forth in this section for violations of this contract, or to satisfy any such liabilities required by any other Federal contract, or federally assisted contract subject to Davis-Bacon labor standards, that is held by the same prime contractor (as defined in § 5.2). The necessary funds may be withheld from the contractor under this contract, any other Federal contract with the same prime contractor, or any other federally assisted contract that is subject to Davis-Bacon labor standards requirements and is held by the same prime contractor, regardless of whether the other contract was awarded or assisted by the same agency, and such funds may be used to satisfy the contractor liability for which the funds were withheld. In the event of a contractor's failure to pay any laborer or mechanic, including any apprentice or helper working on the site of the work all or part of the wages required by the contract, or upon the contractor's failure to submit the required records as discussed in paragraph 3.d. of this section, the contracting agency may on its own initiative and after written notice to the contractor, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

b. *Priority to withheld funds.* The Department has priority to funds withheld or to be withheld in accordance with paragraph

2.a. of this section or Section V, paragraph 3.a., or both, over claims to those funds by:

(1) A contractor's surety(ies), including without limitation performance bond sureties and payment bond sureties;

(2) A contracting agency for its procurement costs;

(3) A trustee(s) (either a court-appointed trustee or a U.S. trustee, or both) in bankruptcy of a contractor, or a contractor's bankruptcy estate;

(4) A contractor's assignee(s);

(5) A contractor's successor(s); or

(6) A claim asserted under the Prompt Payment Act, [31 U.S.C. 3901](#)–3907.

3. Records and certified payrolls (29 CFR 5.5)

a. Basic record requirements (1) Length of record retention. All regular payrolls and other basic records must be maintained by the contractor and any subcontractor during the course of the work and preserved for all laborers and mechanics working at the site of the work (or otherwise working in construction or development of the project under a development statute) for a period of at least 3 years after all the work on the prime contract is completed.

(2) Information required. Such records must contain the name; Social Security number; last known address, telephone number, and email address of each such worker; each worker's correct classification(s) of work actually performed; hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in [40 U.S.C. 3141\(2\)\(B\)](#) of the Davis-Bacon Act); daily and weekly number of hours actually worked in total and on each covered contract; deductions made; and actual wages paid.

(3) Additional records relating to fringe benefits. Whenever the Secretary of Labor has found under paragraph 1.e. of this section that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in [40 U.S.C. 3141\(2\)\(B\)](#) of the Davis-Bacon Act, the contractor must maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits.

(4) Additional records relating to apprenticeship. Contractors with apprentices working under approved programs must maintain written evidence of the registration of apprenticeship programs, the registration of the apprentices, and the ratios and wage rates prescribed in the applicable programs.

b. Certified payroll requirements (1) Frequency and method of submission. The contractor or subcontractor must submit weekly, for each week in which any DBA- or Related Acts-covered work is performed, certified payrolls to the contracting

agency. The prime contractor is responsible for the submission of all certified payrolls by all subcontractors. A contracting agency or prime contractor may permit or require contractors to submit certified payrolls through an electronic system, as long as the electronic system requires a legally valid electronic signature; the system allows the contractor, the contracting agency, and the Department of Labor to access the certified payrolls upon request for at least 3 years after the work on the prime contract has been completed; and the contracting agency or prime contractor permits other methods of submission in situations where the contractor is unable or limited in its ability to use or access the electronic system.

(2) Information required. The certified payrolls submitted must set out accurately and completely all of the information required to be maintained under paragraph 3.a.(2) of this section, except that full Social Security numbers and last known addresses, telephone numbers, and email addresses must not be included on weekly transmittals. Instead, the certified payrolls need only include an individually identifying number for each worker (e.g., the last four digits of the worker's Social Security number). The required weekly certified payroll information may be submitted using Optional Form WH-347 or in any other format desired. Optional Form WH-347 is available for this purpose from the Wage and Hour Division website at <https://www.dol.gov/sites/dolgov/files/WHDL/legacy/files/wh347.pdf> or its successor website. It is not a violation of this section for a prime contractor to require a subcontractor to provide full Social Security numbers and last known addresses, telephone numbers, and email addresses to the prime contractor for its own records, without weekly submission by the subcontractor to the contracting agency.

(3) Statement of Compliance. Each certified payroll submitted must be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor, or the contractor's or subcontractor's agent who pays or supervises the payment of the persons working on the contract, and must certify the following:

(i) That the certified payroll for the payroll period contains the information required to be provided under paragraph 3.b. of this section, the appropriate information and basic records are being maintained under paragraph 3.a. of this section, and such information and records are correct and complete;

(ii) That each laborer or mechanic (including each helper and apprentice) working on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in [29 CFR part 3](#); and

(iii) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification(s) of work actually performed, as specified in the applicable wage determination incorporated into the contract.

(4) Use of Optional Form WH-347. The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 will satisfy the requirement for submission of the "Statement of Compliance" required by paragraph 3.b.(3) of this section.

(5) *Signature.* The signature by the contractor, subcontractor, or the contractor's or subcontractor's agent must be an original handwritten signature or a legally valid electronic signature.

(6) *Falsification.* The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under [18 U.S.C. 1001](#) and [31 U.S.C. 3729](#).

(7) *Length of certified payroll retention.* The contractor or subcontractor must preserve all certified payrolls during the course of the work and for a period of 3 years after all the work on the prime contract is completed.

c. *Contracts, subcontracts, and related documents.* The contractor or subcontractor must maintain this contract or subcontract and related documents including, without limitation, bids, proposals, amendments, modifications, and extensions. The contractor or subcontractor must preserve these contracts, subcontracts, and related documents during the course of the work and for a period of 3 years after all the work on the prime contract is completed.

d. *Required disclosures and access* (1) *Required record disclosures and access to workers.* The contractor or subcontractor must make the records required under paragraphs 3.a. through 3.c. of this section, and any other documents that the contracting agency, the State DOT, the FHWA, or the Department of Labor deems necessary to determine compliance with the labor standards provisions of any of the applicable statutes referenced by § 5.1, available for inspection, copying, or transcription by authorized representatives of the contracting agency, the State DOT, the FHWA, or the Department of Labor, and must permit such representatives to interview workers during working hours on the job.

(2) *Sanctions for non-compliance with records and worker access requirements.* If the contractor or subcontractor fails to submit the required records or to make them available, or refuses to permit worker interviews during working hours on the job, the Federal agency may, after written notice to the contractor, sponsor, applicant, owner, or other entity, as the case may be, that maintains such records or that employs such workers, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available, or to permit worker interviews during working hours on the job, may be grounds for debarment action pursuant to § 5.12. In addition, any contractor or other person that fails to submit the required records or make those records available to WHD within the time WHD requests that the records be produced will be precluded from introducing as evidence in an administrative proceeding under [29 CFR part 6](#) any of the required records that were not provided or made available to WHD. WHD will take into consideration a reasonable request from the contractor or person for an extension of the time for submission of records. WHD will determine the reasonableness of the request and may consider, among other things, the location of the records and the volume of production.

(3) *Required information disclosures.* Contractors and subcontractors must maintain the full Social Security number and last known address, telephone number, and email address

of each covered worker, and must provide them upon request to the contracting agency, the State DOT, the FHWA, the contractor, or the Wage and Hour Division of the Department of Labor for purposes of an investigation or other compliance action.

4. Apprentices and equal employment opportunity (29 CFR 5.5)

a. *Apprentices (1) Rate of pay.* Apprentices will be permitted to work at less than the predetermined rate for the work they perform when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship (OA), or with a State Apprenticeship Agency recognized by the OA. A person who is not individually registered in the program, but who has been certified by the OA or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice, will be permitted to work at less than the predetermined rate for the work they perform in the first 90 days of probationary employment as an apprentice in such a program. In the event the OA or a State Apprenticeship Agency recognized by the OA withdraws approval of an apprenticeship program, the contractor will no longer be permitted to use apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(2) *Fringe benefits.* Apprentices must be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringe benefits must be paid in accordance with that determination.

(3) *Apprenticeship ratio.* The allowable ratio of apprentices to journeyworkers on the job site in any craft classification must not be greater than the ratio permitted to the contractor as to the entire work force under the registered program or the ratio applicable to the locality of the project pursuant to paragraph 4.a.(4) of this section. Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as stated in paragraph 4.a.(1) of this section, must be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under this section must be paid not less than the applicable wage rate on the wage determination for the work actually performed.

(4) *Reciprocity of ratios and wage rates.* Where a contractor is performing construction on a project in a locality other than the locality in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyworker's hourly rate) applicable within the locality in which the construction is being performed must be observed. If there is no applicable ratio or wage rate for the locality of the project, the ratio and wage rate specified in the contractor's registered program must be observed.

b. *Equal employment opportunity.* The use of apprentices and journeyworkers under this part must be in conformity with

the equal employment opportunity requirements of Executive Order 11246, as amended, and [29 CFR part 30](#).

c. Apprentices and Trainees (programs of the U.S. DOT).

Apprentices and trainees working under apprenticeship and skill training programs which have been certified by the Secretary of Transportation as promoting EEO in connection with Federal-aid highway construction programs are not subject to the requirements of paragraph 4 of this Section IV. 23 CFR 230.111(e)(2). The straight time hourly wage rates for apprentices and trainees under such programs will be established by the particular programs. The ratio of apprentices and trainees to journeyworkers shall not be greater than permitted by the terms of the particular program.

5. Compliance with Copeland Act requirements. The contractor shall comply with the requirements of 29 CFR part 3, which are incorporated by reference in this contract as provided in 29 CFR 5.5.

6. Subcontracts. The contractor or subcontractor must insert FHWA-1273 in any subcontracts, along with the applicable wage determination(s) and such other clauses or contract modifications as the contracting agency may by appropriate instructions require, and a clause requiring the subcontractors to include these clauses and wage determination(s) in any lower tier subcontracts. The prime contractor is responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in this section. In the event of any violations of these clauses, the prime contractor and any subcontractor(s) responsible will be liable for any unpaid wages and monetary relief, including interest from the date of the underpayment or loss, due to any workers of lower-tier subcontractors, and may be subject to debarment, as appropriate. 29 CFR 5.5.

7. Contract termination: debarment. A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract, and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

8. Compliance with Davis-Bacon and Related Act requirements. All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR parts 1, 3, and 5 are herein incorporated by reference in this contract as provided in 29 CFR 5.5.

9. Disputes concerning labor standards. As provided in 29 CFR 5.5, disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the employees or their representatives.

10. Certification of eligibility. a. By entering into this contract, the contractor certifies that neither it nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of [40 U.S.C. 3144\(b\)](#) or § 5.12(a).

b. No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of [40 U.S.C. 3144\(b\)](#) or § 5.12(a).

c. The penalty for making false statements is prescribed in the U.S. Code, Title 18 Crimes and Criminal Procedure, [18 U.S.C. 1001](#).

11. Anti-retaliation. It is unlawful for any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, or to cause any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, any worker or job applicant for:

a. Notifying any contractor of any conduct which the worker reasonably believes constitutes a violation of the DBA, Related Acts, this part, or [29 CFR part 1](#) or [3](#);

b. Filing any complaint, initiating or causing to be initiated any proceeding, or otherwise asserting or seeking to assert on behalf of themselves or others any right or protection under the DBA, Related Acts, this part, or [29 CFR part 1](#) or [3](#);

c. Cooperating in any investigation or other compliance action, or testifying in any proceeding under the DBA, Related Acts, this part, or [29 CFR part 1](#) or [3](#); or

d. Informing any other person about their rights under the DBA, Related Acts, this part, or [29 CFR part 1](#) or [3](#).

V. CONTRACT WORK HOURS AND SAFETY STANDARDS ACT

Pursuant to 29 CFR 5.5(b), the following clauses apply to any Federal-aid construction contract in an amount in excess of \$100,000 and subject to the overtime provisions of the Contract Work Hours and Safety Standards Act. These clauses shall be inserted in addition to the clauses required by 29 CFR 5.5(a) or 29 CFR 4.6. As used in this paragraph, the terms laborers and mechanics include watchpersons and guards.

1. Overtime requirements. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek. 29 CFR 5.5.

2. Violation; liability for unpaid wages; liquidated damages. In the event of any violation of the clause set forth in paragraph 1. of this section the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages and interest from the date of the underpayment. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or

mechanic, including watchpersons and guards, employed in violation of the clause set forth in paragraph 1. of this section, in the sum currently provided in 29 CFR 5.5(b)(2)* for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in paragraph 1. of this section.

* \$31 as of January 15, 2023 (See 88 FR 88 FR 2210) as may be adjusted annually by the Department of Labor, pursuant to the Federal Civil Penalties Inflation Adjustment Act of 1990.

3. Withholding for unpaid wages and liquidated damages

a. *Withholding process.* The FHWA or the contracting agency may, upon its own action, or must, upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor so much of the accrued payments or advances as may be considered necessary to satisfy the liabilities of the prime contractor or any subcontractor for any unpaid wages; monetary relief, including interest; and liquidated damages required by the clauses set forth in this section on this contract, any other Federal contract with the same prime contractor, or any other federally assisted contract subject to the Contract Work Hours and Safety Standards Act that is held by the same prime contractor (as defined in § 5.2). The necessary funds may be withheld from the contractor under this contract, any other Federal contract with the same prime contractor, or any other federally assisted contract that is subject to the Contract Work Hours and Safety Standards Act and is held by the same prime contractor, regardless of whether the other contract was awarded or assisted by the same agency, and such funds may be used to satisfy the contractor liability for which the funds were withheld.

b. *Priority to withheld funds.* The Department has priority to funds withheld or to be withheld in accordance with Section IV paragraph 2.a. or paragraph 3.a. of this section, or both, over claims to those funds by:

- (1) A contractor's surety(ies), including without limitation performance bond sureties and payment bond sureties;
- (2) A contracting agency for its procurement costs;
- (3) A trustee(s) (either a court-appointed trustee or a U.S. trustee, or both) in bankruptcy of a contractor, or a contractor's bankruptcy estate;
- (4) A contractor's assignee(s);
- (5) A contractor's successor(s); or
- (6) A claim asserted under the Prompt Payment Act, [31 U.S.C. 3901](#)–3907.

4. Subcontracts. The contractor or subcontractor must insert in any subcontracts the clauses set forth in paragraphs 1. through 5. of this section and a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor is responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in paragraphs 1. through 5. In the

event of any violations of these clauses, the prime contractor and any subcontractor(s) responsible will be liable for any unpaid wages and monetary relief, including interest from the date of the underpayment or loss, due to any workers of lower-tier subcontractors, and associated liquidated damages and may be subject to debarment, as appropriate.

5. Anti-retaliation. It is unlawful for any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, or to cause any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, any worker or job applicant for:

- a. Notifying any contractor of any conduct which the worker reasonably believes constitutes a violation of the Contract Work Hours and Safety Standards Act (CWHSSA) or its implementing regulations in this part;
- b. Filing any complaint, initiating or causing to be initiated any proceeding, or otherwise asserting or seeking to assert on behalf of themselves or others any right or protection under CWHSSA or this part;
- c. Cooperating in any investigation or other compliance action, or testifying in any proceeding under CWHSSA or this part; or
- d. Informing any other person about their rights under CWHSSA or this part.

VI. SUBLETTING OR ASSIGNING THE CONTRACT

This provision is applicable to all Federal-aid construction contracts on the National Highway System pursuant to 23 CFR 635.116.

1. The contractor shall perform with its own organization contract work amounting to not less than 30 percent (or a greater percentage if specified elsewhere in the contract) of the total original contract price, excluding any specialty items designated by the contracting agency. Specialty items may be performed by subcontract and the amount of any such specialty items performed may be deducted from the total original contract price before computing the amount of work required to be performed by the contractor's own organization (23 CFR 635.116).

a. The term "perform work with its own organization" in paragraph 1 of Section VI refers to workers employed or leased by the prime contractor, and equipment owned or rented by the prime contractor, with or without operators. Such term does not include employees or equipment of a subcontractor or lower tier subcontractor, agents of the prime contractor, or any other assignees. The term may include payments for the costs of hiring leased employees from an employee leasing firm meeting all relevant Federal and State regulatory requirements. Leased employees may only be included in this term if the prime contractor meets all of the following conditions: (based on longstanding interpretation)

- (1) the prime contractor maintains control over the supervision of the day-to-day activities of the leased employees;
- (2) the prime contractor remains responsible for the quality of the work of the leased employees;

- (3) the prime contractor retains all power to accept or exclude individual employees from work on the project; and
- (4) the prime contractor remains ultimately responsible for the payment of predetermined minimum wages, the submission of payrolls, statements of compliance and all other Federal regulatory requirements.

b. "Specialty Items" shall be construed to be limited to work that requires highly specialized knowledge, abilities, or equipment not ordinarily available in the type of contracting organizations qualified and expected to bid or propose on the contract as a whole and in general are to be limited to minor components of the overall contract. 23 CFR 635.102.

2. Pursuant to 23 CFR 635.116(a), the contract amount upon which the requirements set forth in paragraph (1) of Section VI is computed includes the cost of material and manufactured products which are to be purchased or produced by the contractor under the contract provisions.

3. Pursuant to 23 CFR 635.116(c), the contractor shall furnish (a) a competent superintendent or supervisor who is employed by the firm, has full authority to direct performance of the work in accordance with the contract requirements, and is in charge of all construction operations (regardless of who performs the work) and (b) such other of its own organizational resources (supervision, management, and engineering services) as the contracting officer determines is necessary to assure the performance of the contract.

4. No portion of the contract shall be sublet, assigned or otherwise disposed of except with the written consent of the contracting officer, or authorized representative, and such consent when given shall not be construed to relieve the contractor of any responsibility for the fulfillment of the contract. Written consent will be given only after the contracting agency has assured that each subcontract is evidenced in writing and that it contains all pertinent provisions and requirements of the prime contract. (based on long-standing interpretation of 23 CFR 635.116).

5. The 30-percent self-performance requirement of paragraph (1) is not applicable to design-build contracts; however, contracting agencies may establish their own self-performance requirements. 23 CFR 635.116(d).

VII. SAFETY: ACCIDENT PREVENTION

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

1. In the performance of this contract the contractor shall comply with all applicable Federal, State, and local laws governing safety, health, and sanitation (23 CFR Part 635). The contractor shall provide all safeguards, safety devices and protective equipment and take any other needed actions as it determines, or as the contracting officer may determine, to be reasonably necessary to protect the life and health of employees on the job and the safety of the public and to protect property in connection with the performance of the work covered by the contract. 23 CFR 635.108.

2. It is a condition of this contract, and shall be made a condition of each subcontract, which the contractor enters into pursuant to this contract, that the contractor and any subcontractor shall not permit any employee, in performance of the contract, to work in surroundings or under conditions which are unsanitary, hazardous or dangerous to his/her health or safety, as determined under construction safety and

health standards (29 CFR Part 1926) promulgated by the Secretary of Labor, in accordance with Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3704). 29 CFR 1926.10.

3. Pursuant to 29 CFR 1926.3, it is a condition of this contract that the Secretary of Labor or authorized representative thereof, shall have right of entry to any site of contract performance to inspect or investigate the matter of compliance with the construction safety and health standards and to carry out the duties of the Secretary under Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3704).

VIII. FALSE STATEMENTS CONCERNING HIGHWAY PROJECTS

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

In order to assure high quality and durable construction in conformity with approved plans and specifications and a high degree of reliability on statements and representations made by engineers, contractors, suppliers, and workers on Federal-aid highway projects, it is essential that all persons concerned with the project perform their functions as carefully, thoroughly, and honestly as possible. Willful falsification, distortion, or misrepresentation with respect to any facts related to the project is a violation of Federal law. To prevent any misunderstanding regarding the seriousness of these and similar acts, Form FHWA-1022 shall be posted on each Federal-aid highway project (23 CFR Part 635) in one or more places where it is readily available to all persons concerned with the project:

18 U.S.C. 1020 reads as follows:

"Whoever, being an officer, agent, or employee of the United States, or of any State or Territory, or whoever, whether a person, association, firm, or corporation, knowingly makes any false statement, false representation, or false report as to the character, quality, quantity, or cost of the material used or to be used, or the quantity or quality of the work performed or to be performed, or the cost thereof in connection with the submission of plans, maps, specifications, contracts, or costs of construction on any highway or related project submitted for approval to the Secretary of Transportation; or

Whoever knowingly makes any false statement, false representation, false report or false claim with respect to the character, quality, quantity, or cost of any work performed or to be performed, or materials furnished or to be furnished, in connection with the construction of any highway or related project approved by the Secretary of Transportation; or

Whoever knowingly makes any false statement or false representation as to material fact in any statement, certificate, or report submitted pursuant to provisions of the Federal-aid Roads Act approved July 11, 1916, (39 Stat. 355), as amended and supplemented;

Shall be fined under this title or imprisoned not more than 5 years or both."

IX. IMPLEMENTATION OF CLEAN AIR ACT AND FEDERAL WATER POLLUTION CONTROL ACT (42 U.S.C. 7606; 2 CFR 200.88; EO 11738)

This provision is applicable to all Federal-aid construction contracts in excess of \$150,000 and to all related subcontracts. 48 CFR 2.101; 2 CFR 200.327.

By submission of this bid/proposal or the execution of this contract or subcontract, as appropriate, the bidder, proposer, Federal-aid construction contractor, subcontractor, supplier, or vendor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal Highway Administration and the Regional Office of the Environmental Protection Agency. 2 CFR Part 200, Appendix II.

The contractor agrees to include or cause to be included the requirements of this Section in every subcontract, and further agrees to take such action as the contracting agency may direct as a means of enforcing such requirements. 2 CFR 200.327.

X. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION

This provision is applicable to all Federal-aid construction contracts, design-build contracts, subcontracts, lower-tier subcontracts, purchase orders, lease agreements, consultant contracts or any other covered transaction requiring FHWA approval or that is estimated to cost \$25,000 or more – as defined in 2 CFR Parts 180 and 1200. 2 CFR 180.220 and 1200.220.

1. Instructions for Certification – First Tier Participants:

a. By signing and submitting this proposal, the prospective first tier participant is providing the certification set out below.

b. The inability of a person to provide the certification set out below will not necessarily result in denial of participation in this covered transaction. The prospective first tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective first tier participant to furnish a certification or an explanation shall disqualify such a person from participation in this transaction. 2 CFR 180.320.

c. The certification in this clause is a material representation of fact upon which reliance was placed when the contracting agency determined to enter into this transaction. If it is later determined that the prospective participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the contracting agency may terminate this transaction for cause of default. 2 CFR 180.325.

d. The prospective first tier participant shall provide immediate written notice to the contracting agency to whom this proposal is submitted if any time the prospective first tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances. 2 CFR 180.345 and 180.350.

e. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180, Subpart I, 180.900-180.1020, and 1200. "First Tier Covered Transactions" refers to any covered transaction between a recipient or subrecipient of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a recipient or subrecipient of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

f. The prospective first tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction. 2 CFR 180.330.

g. The prospective first tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions," provided by the department or contracting agency, entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold. 2 CFR 180.220 and 180.300.

h. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. 2 CFR 180.300; 180.320, and 180.325. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. 2 CFR 180.335. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the System for Award Management website (<https://www.sam.gov/>). 2 CFR 180.300, 180.320, and 180.325.

i. Nothing contained in the foregoing shall be construed to require the establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of the prospective participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

j. Except for transactions authorized under paragraph (f) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default. 2 CFR 180.325.

2. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – First Tier Participants:

a. The prospective first tier participant certifies to the best of its knowledge and belief, that it and its principals:

(1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency, 2 CFR 180.335;.

(2) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property, 2 CFR 180.800;

(3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (a)(2) of this certification, 2 CFR 180.700 and 180.800; and

(4) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default. 2 CFR 180.335(d).

(5) Are not a corporation that has been convicted of a felony violation under any Federal law within the two-year period preceding this proposal (USDOT Order 4200.6 implementing appropriations act requirements); and

(6) Are not a corporation with any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted, or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability (USDOT Order 4200.6 implementing appropriations act requirements).

b. Where the prospective participant is unable to certify to any of the statements in this certification, such prospective participant should attach an explanation to this proposal. 2 CFR 180.335 and 180.340.

3. Instructions for Certification - Lower Tier Participants:

(Applicable to all subcontracts, purchase orders, and other lower tier transactions requiring prior FHWA approval or estimated to cost \$25,000 or more - 2 CFR Parts 180 and 1200). 2 CFR 180.220 and 1200.220.

a. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

b. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department, or agency with which

this transaction originated may pursue available remedies, including suspension and/or debarment.

c. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous by reason of changed circumstances. 2 CFR 180.365.

d. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180, Subpart I, 180.900 – 180.1020, and 1200. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations. "First Tier Covered Transactions" refers to any covered transaction between a recipient or subrecipient of Federal funds and a participant (such as the prime or general contractor). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a recipient or subrecipient of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

e. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated. 2 CFR 1200.220 and 1200.332.

f. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold. 2 CFR 180.220 and 1200.220.

g. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the System for Award Management website (<https://www.sam.gov/>), which is compiled by the General Services Administration. 2 CFR 180.300, 180.320, 180.330, and 180.335.

h. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

i. Except for transactions authorized under paragraph e of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily

excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment. 2 CFR 180.325.

* * * * *

4. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Participants:

a. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals:

(1) is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency, 2 CFR 180.355;

(2) is a corporation that has been convicted of a felony violation under any Federal law within the two-year period preceding this proposal (USDOT Order 4200.6 implementing appropriations act requirements); and

(3) is a corporation with any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted, or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability. (USDOT Order 4200.6 implementing appropriations act requirements)

b. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant should attach an explanation to this proposal.

* * * * *

XI. CERTIFICATION REGARDING USE OF CONTRACT FUNDS FOR LOBBYING

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts which exceed \$100,000. 49 CFR Part 20, App. A.

1. The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or

cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

2. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

3. The prospective participant also agrees by submitting its bid or proposal that the participant shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such recipients shall certify and disclose accordingly.

XII. USE OF UNITED STATES-FLAG VESSELS:

This provision is applicable to all Federal-aid construction contracts, design-build contracts, subcontracts, lower-tier subcontracts, purchase orders, lease agreements, or any other covered transaction. 46 CFR Part 381.

This requirement applies to material or equipment that is acquired for a specific Federal-aid highway project. 46 CFR 381.7. It is not applicable to goods or materials that come into inventories independent of an FHWA funded-contract.

When oceanic shipments (or shipments across the Great Lakes) are necessary for materials or equipment acquired for a specific Federal-aid construction project, the bidder, proposer, contractor, subcontractor, or vendor agrees:

1. To utilize privately owned United States-flag commercial vessels to ship at least 50 percent of the gross tonnage (computed separately for dry bulk carriers, dry cargo liners, and tankers) involved, whenever shipping any equipment, material, or commodities pursuant to this contract, to the extent such vessels are available at fair and reasonable rates for United States-flag commercial vessels. 46 CFR 381.7.

2. To furnish within 20 days following the date of loading for shipments originating within the United States or within 30 working days following the date of loading for shipments originating outside the United States, a legible copy of a rated, 'on-board' commercial ocean bill-of-lading in English for each shipment of cargo described in paragraph (b)(1) of this section to both the Contracting Officer (through the prime contractor in the case of subcontractor bills-of-lading) and to the Office of Cargo and Commercial Sealift (MAR-620), Maritime Administration, Washington, DC 20590. (MARAD requires copies of the ocean carrier's (master) bills of lading, certified onboard, dated, with rates and charges. These bills of lading may contain business sensitive information and therefore may be submitted directly to MARAD by the Ocean Transportation Intermediary on behalf of the contractor). 46 CFR 381.7.

**ATTACHMENT A - EMPLOYMENT AND MATERIALS
PREFERENCE FOR APPALACHIAN DEVELOPMENT
HIGHWAY SYSTEM OR APPALACHIAN LOCAL ACCESS
ROAD CONTRACTS (23 CFR 633, Subpart B, Appendix B)**

This provision is applicable to all Federal-aid projects funded under the Appalachian Regional Development Act of 1965.

1. During the performance of this contract, the contractor undertaking to do work which is, or reasonably may be, done as on-site work, shall give preference to qualified persons who regularly reside in the labor area as designated by the DOL wherein the contract work is situated, or the subregion, or the Appalachian counties of the State wherein the contract work is situated, except:

a. To the extent that qualified persons regularly residing in the area are not available.

b. For the reasonable needs of the contractor to employ supervisory or specially experienced personnel necessary to assure an efficient execution of the contract work.

c. For the obligation of the contractor to offer employment to present or former employees as the result of a lawful collective bargaining contract, provided that the number of nonresident persons employed under this subparagraph (1c) shall not exceed 20 percent of the total number of employees employed by the contractor on the contract work, except as provided in subparagraph (4) below.

2. The contractor shall place a job order with the State Employment Service indicating (a) the classifications of the laborers, mechanics and other employees required to perform the contract work, (b) the number of employees required in each classification, (c) the date on which the participant estimates such employees will be required, and (d) any other pertinent information required by the State Employment Service to complete the job order form. The job order may be placed with the State Employment Service in writing or by telephone. If during the course of the contract work, the information submitted by the contractor in the original job order is substantially modified, the participant shall promptly notify the State Employment Service.

3. The contractor shall give full consideration to all qualified job applicants referred to him by the State Employment Service. The contractor is not required to grant employment to any job applicants who, in his opinion, are not qualified to perform the classification of work required.

4. If, within one week following the placing of a job order by the contractor with the State Employment Service, the State Employment Service is unable to refer any qualified job applicants to the contractor, or less than the number requested, the State Employment Service will forward a certificate to the contractor indicating the unavailability of applicants. Such certificate shall be made a part of the contractor's permanent project records. Upon receipt of this certificate, the contractor may employ persons who do not normally reside in the labor area to fill positions covered by the certificate, notwithstanding the provisions of subparagraph (1c) above.

5. The provisions of 23 CFR 633.207(e) allow the contracting agency to provide a contractual preference for the use of mineral resource materials native to the Appalachian region.

6. The contractor shall include the provisions of Sections 1 through 4 of this Attachment A in every subcontract for work which is, or reasonably may be, done as on-site work.

CCO FORM: FS31

Approved: 11/15 (MWH)

Revised: 10/22 (MWH)

Modified:

Greene County

City of Springfield

Project CRP-5901(828)

CFDA Number: 20.205

CFDA Title: Highway Planning and Construction

Award name/number: CRP - 5901 (828)

Award Year: SFY2024

Federal Agency: Federal Highway Administration, Department of Transportation

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

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

WITNESSETH:

WHEREAS, on December 14th, 2023, the Commission and the City previously entered a Carbon Reduction Program (CRP) Agreement as to public improvements designated as **2023-08-81654**, for the design of a multiuse trail called The Link along Sherman Parkway from Jordan Valley Park to Chestnut Expressway, (hereinafter, "Original Agreement"); and

WHEREAS, the Commission and the City now desire to revise the Original Agreement.

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

(1) REVISION: Paragraph (16) REIMBURSEMENT of the Original Agreement (is/are) removed and replaced with the following:

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

Any federal funds for the project activities shall only be available for reimbursement of eligible costs which have been incurred by City. Any costs incurred by City prior to authorization from FHWA and notification to proceed from the Commission are **not** reimbursable costs. All federal funded projects are required to have a project end date. Any costs incurred after the project end date are not eligible for reimbursement. The

federal share for this project for all phases will be eighty percent **(80%)** not to exceed **\$469,930** (Four hundred sixty-nine thousand nine hundred thirty dollars). The calculated federal share for seeking federal reimbursement of participating costs for the herein improvements will be determined by dividing the total federal funds applied to the project by the total participating costs. Any costs for the herein improvements which exceed any federal reimbursement or are not eligible for federal reimbursement shall be the sole responsibility of the City. The Commission shall not be responsible for any costs associated with the herein improvement unless specifically identified in this Agreement or subsequent written amendments.

(2) ORIGINAL AGREEMENT: Except as otherwise modified, amended, or supplemented by this Supplemental Agreement, the Original Agreement between the parties shall remain in full force and effect and shall extend and apply to this Supplemental Agreement as if fully written in this Supplemental Agreement.

[Remainder of Page Intentionally Left Blank]

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

Executed by the City this _____.

Executed by the Commission this _____.

MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

CITY OF SPRINGFIELD

Title: _____

By _____
Title _____

ATTEST:

ATTEST:

Secretary to the Commission

By _____
Title _____

Approved as to Form:

By _____
Title _____

Commission Counsel

By _____
Title _____

By _____
Title _____

Approved as to Form:

By _____
Title: _____

Ordinance: _____

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit E

Budget Adjustment
005

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
46040	20	73020	416010	103485	00000	\$408,635	Carbon Reduction Program Federal Grant Revenues through the Missouri Highways & Transportation Commission
Net Revenue Adjustment						\$408,635	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
46040	20	73020	509110	103485	00000	\$408,635	Construction of a Pedestrian & Bike Path Along Sherman Parkway from Jordan Valley Park to Chestnut Expressway
Net Expenditure Adjustment						\$408,635	

Fund Balance Appropriation:

Fund	Title	Amount

Explanation: To amend the FY2025-26 Budget by appropriating \$408,635 of additional federal Carbon Reduction Program grant funds for the partial funding of the construction of a Pedestrian and Bike Path along Sherman Parkway from Jordan Valley Park to Chestnut Expressway based on the Supplemental Agreement.

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 2025-180 (CITY COUNCIL)

FILED: 08/01/2025

ORIGINATING DEPARTMENT: Finance

TITLE: A special ordinance authorizing a budget adjustment amending the budget of the General Fund for Fiscal Year 2025-2026, by appropriating \$30 million of Spring Forward SGF 1/2-cent sales tax revenue for the purpose of providing a local match to the \$30 million offered by the State of Missouri for the development of a regional convention center complex.

PURPOSE: To amend the General Fund budget for the City of Springfield, Missouri, for Fiscal Year 2025-2026, by appropriating \$30 million of Spring Forward SGF 1/2-cent sales tax revenue for the purpose of providing a local match to the \$30 million offered by the State of Missouri for the development of a regional convention center complex.

BACKGROUND INFORMATION: At the City Council Lunch held on July 8, 2025, City Council received a Market Demand, Financial Feasibility & Impact Study regarding a Convention Center & Hotel prepared by Hunden Partners ("the 2025 Hunden Report"). The 2025 Hunden Report determined that a full-service convention center would maximize Springfield's impact now and in the future, estimating such a project to generate \$1.3 billion in net new visitor spending over 30 years and \$68.7 million in net new fiscal impact over 30 years.

The City of Springfield, Missouri, has been offered \$30 million by the State of Missouri for the development of a regional convention center complex, provided that local matching funds are provided on a 50/50 state/local basis.

The Citizens' Advisory Board ("CAB") met on July 30, 2025, and discussed a number of potential uses for the Spring Forward SGF 1/2-cent sales tax for Fiscal Year 2025-2026. The CAB unanimously voted to recommend that City Council appropriate \$30 million of Spring Forward SGF 1/2-cent sales tax revenue for Fiscal Year 2025-2026 for the purpose of providing a local match to the \$30 million offered by the State of Missouri for the development of a regional convention center complex.

Submitted By: David Holtmann, Director of Finance

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

Sonja Dyer, Paralegal 08/06/2025

David Cameron, City Manager 08/06/2025

Attachments: 1. CAB BA CB JLP 8-6-25

2. 0009 FIN SpgFwd CAB Convention Center_ExhA

One-rdg. _____
Emer. _____
P. Hrngs. _____
Pgs. 5
Filed: 08-05-25

Sponsored by: City Council

First Reading: _____

Second Reading: _____

COUNCIL BILL 2025-180

SPECIAL ORDINANCE _____

AN ORDINANCE

1 AUTHORIZING a budget adjustment amending the budget of the General Fund for
2 Fiscal Year 2025-2026 by appropriating \$30 million of Spring Forward
3 SGF ½-cent sales tax revenue for the purpose of providing a local
4 match to the \$30 million offered by the State of Missouri for the
5 development of a regional convention center complex.
6
7

8 WHEREAS, at the City Council Lunch held on July 8, 2025, City Council received
9 a Market Demand, Financial Feasibility & Impact Study regarding a Convention Center &
10 Hotel prepared by Hunden Partners (“the 2025 Hunden Report”); and
11

12 WHEREAS, the 2025 Hunden Report determined that a full-service convention
13 center would maximize Springfield’s impact now and in the future, estimating such a
14 project to generate \$1.3 billion in net new visitor spending over 30 years and \$68.7 million
15 in net new fiscal impact over 30 years; and
16

17 WHEREAS, the City of Springfield, Missouri, has been offered \$30 million by the
18 State of Missouri for the development of a regional convention center complex, provided
19 that local matching funds are provided on a 50/50 state/local basis; and
20

21 WHEREAS, the Citizens’ Advisory Board (“CAB”) met on July 30, 2025, and
22 discussed a number of potential uses for the Spring Forward SGF ½-cent sales tax for
23 Fiscal Year 2025-2026; and
24

25 WHEREAS, the CAB unanimously voted to recommend that City Council
26 appropriate \$30 million of Spring Forward SGF ½-cent sales tax revenue for Fiscal Year
27 2025-2026 for the purpose of providing a local match to the \$30 million offered by the
28 State of Missouri for the development of a regional convention center complex, as set
29 forth in “Exhibit A,” Budget Adjustment No. 009.
30

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

33
34 Section 1 – The budget of the City of Springfield, Missouri, for Fiscal Year 2025-
35 2026, is hereby amended in the accounts and amounts shown on Budget Adjustment
36 No. 009, which is attached hereto as “Exhibit A” and incorporated herein by reference.
37

38 Section 2 – City Council finds that the budget adjustment has been
39 recommended by the Citizens’ Advisory Board and the City Manager.
40

41 Section 3 – The City Council hereby directs the City Manager, or designee, to
42 cause the appropriate accounting entries to be made in the books and records of the
43 City.
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 Attest: _____, City Clerk
53

54 Filed as Ordinance: _____
55

56 Approved as to form:  _____, City Attorney
57

58 Approved for Council action:  _____ City Manager
59
60

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit A

Budget Adjustment
009

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
Net Revenue Adjustment						\$ -	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
10150	09	14120	502430	000000	00000	\$ (30,000,000)	Reserve Appropriation - Convention Center
10150	20	70010	509110	000000	00000	\$ 30,000,000	Construction-Capital Improvements
Net Expenditure Adjustment						\$ -	

Fund Balance Appropriation:

Fund	Title	Amount

Explanation: To amend the FY2025-26 budget by appropriating reserve funds from the Citizens' Advisory Board for the Convention Event Center project.

Requested By:



Department Head

08-05-2025

Date

Approved By:



Director of Finance

08-05-2025

Date

City Manager

Date

Authorization:

Council Bill No. 2025-180

Ordinance No. _____

1st Reading _____

2nd Reading _____

Journal Imp No. _____



EXPLANATION TO COUNCIL BILL 2025-183 (SCHRAG)

FILED: 08/06/2025

ORIGINATING DEPARTMENT: City Clerk

TITLE: A special ordinance authorizing the City of Springfield, Missouri, to enter into a First Amendment to agreement with Anita J. Cotter for the purpose of employing her as City Clerk; authorizing payment of salary and benefits in accordance with the provisions of said amended agreement; and authorizing the Mayor to execute the same by and on behalf of the City of Springfield.

PURPOSE: Authorizing the City of Springfield, Missouri, to enter into a First Amendment to agreement with Anita J. Cotter for the purpose of employing her as City Clerk; and authorizing payment of salary and benefits in accordance with the provisions of said amended agreement.

BACKGROUND INFORMATION: City Council appointed Anita J. Cotter ("Cotter") to serve as City Clerk effective May 17, 2015. City Council approved the current Employment Agreement on December 16, 2024.

This council bill will amend the current Employment Agreement to implement Cotter's raise for Fiscal Year 2025-2026, which is 7.3%. A copy of said First Amendment is attached as "Exhibit A." The amended agreement sets forth the terms and conditions of employment of Cotter as City Clerk. The amended agreement authorizes the payment of salary and benefits in accordance with the provisions of said agreement. The amended agreement will be effective upon approval by the City Council.

Submitted By:

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

David Cameron, City Manager 08/06/2025

Attachments:

1. CB RE City Clerk Employment K 2025 - CB
2. City Clerk Employment K - First Amendment
3. Exhibit A

One-rdg. _____
P. Hrngs. _____
Pgs. 4
Filed: 08-06-2025

Sponsored by: Schrag

First Reading: _____

Second Reading: _____

COUNCIL BILL 2025-183

SPECIAL ORDINANCE _____

AN ORDINANCE

AUTHORIZING the City of Springfield, Missouri, to enter into a First Amendment to agreement with Anita J. Cotter for the purpose of employing her as City Clerk; authorizing payment of salary and benefits in accordance with the provisions of said amended agreement; and authorizing the Mayor to execute the same by and on behalf of the City of Springfield.

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

Section 1 – That the First Amendment to agreement with Anita J. Cotter for the purpose of employing her as City Clerk, a true and accurate copy of said First Amendment being attached hereto and incorporated as Exhibit “A,” be and the same is hereby approved and upon execution, payment of salary and benefits to Cotter in accordance therewith is hereby authorized.

Section 2 – That the Mayor of the City of Springfield, Missouri, is hereby authorized and directed to execute said First Amendment by and on behalf of the City of Springfield.

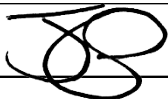
Section 3 – That this Ordinance shall become effective immediately upon its passage.

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

34 Approved as to form:  _____, City Attorney
35
36
37 Approved for Council action:  _____, City Manager

**FIRST AMENDMENT TO
EMPLOYMENT AGREEMENT**

This First Amendment to Employment Agreement (“First Amendment”) is made and entered into this _____ day of _____, 2025 (“the Effective Date”), by and between the City of Springfield, Missouri (“City”), and Anita J. Cotter (“Employee”), and with City and Employee being referred to collectively as “the Parties.”

W I T N E S S E T H:

WHEREAS, City and Employee entered into an Employment Agreement on or about December 17, 2024, a copy of which is attached hereto and incorporated by reference as Exhibit A (“the Employment Agreement”); and

WHEREAS, the Parties wish to amend the Employment Agreement for the purpose of implementing Employee’s raise for Fiscal Year 2025-2026.

NOW, THEREFORE, in exchange for valuable consideration each received from the other, the receipt and sufficiency of which is hereby acknowledged, the Parties do hereby agree as follows:

1. Section 6. Compensation, subsection A. Base Salary, is amended to read as follows:

“**A. Base Salary.** Annual base salary in the amount of One Hundred Seventy-Seven Thousand Dollars (\$177,000.00), payable in equal installments not less often than biweekly. City Council shall annually review Employee’s base salary in conjunction with her performance review and may increase said salary based on performance, budgetary guidelines, market comparability, or other reasons.”

2. All other terms, conditions, and requirements of the Employment Agreement shall remain in full force and effect, except as modified by this First Amendment.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the Parties have caused these presents to be executed in duplicate as of the day and year first above written.

CITY OF SPRINGFIELD, MISSOURI

ANITA J. COTTER

Jeffrey V. Schrag, Mayor

Anita J. Cotter

ATTEST:

APPROVED AS TO FORM:

Julie Greer, Deputy City Clerk

Jordan L. Paul, City Attorney

Certification that this First Amendment to Employment Agreement is within the purpose of any appropriation to which it is to be charged and that there is an unencumbered balance to the credit of such appropriation sufficient to pay therefor:

David H. Holtmann, Director of Finance

EMPLOYMENT AGREEMENT

THIS EMPLOYMENT AGREEMENT (“this Agreement”) is made and entered into this 17th day of December, 2024, by and between the City of Springfield, Missouri (“City”), and Anita J. Cotter (“Employee”), and with City and Employee being referred to collectively as “the Parties.”

WITNESSETH:

WHEREAS, City and Employee entered into an Employment Agreement on or about December 10, 2018, including five (5) amendments thereto, collectively attached hereto and incorporated by reference as Exhibit “A”; and

WHEREAS, City and Employee desire to contemporaneously terminate the Employment Agreement dated December 10, 2018 and enter into this Agreement in lieu thereof.

NOW, THEREFORE, in exchange for valuable consideration each received from the other, the receipt and sufficiency of which are hereby acknowledged, the Parties do hereby agree as follows:

1. **Recitals Incorporated.** The above recitals are incorporated as if restated in full herein.
2. **Effective Date.** The Employment Agreement dated December 10, 2018 shall terminate at 11:59 p.m. on December 16, 2024 and this Agreement shall be effective at 12:00 a.m. on December 17, 2024 (“the Effective Date”).
3. **Term.** This Agreement is for employment-at-will under Missouri law for a term commencing on the Effective Date and continuing thereafter for an indefinite term, until terminated in accordance with the City Charter, this Agreement, or other law.
4. **Employment.** Employee shall serve as City Clerk and discharge the duties and responsibilities of such office in accordance with the City Charter, this Agreement, and as assigned by the City Council. Employee shall devote 100% of her business hours to City, except as otherwise provided in this Agreement. Pending approval from City Council, nothing in this Agreement shall preclude Employee from devoting reasonable periods as may be required for outside activities and engagements that will not reflect adversely on City, and that are not inconsistent with the City Charter, or the mission or purposes of City, including, but not limited to, such activities as the following: (a) fulfilling speaking engagements; or (b) engaging in charitable and community activities.
5. **Performance.** City Council shall annually review the performance of Employee, establishing specific performance goals for Employee, and shall make a reasonable effort to share with Employee City’s desired performance review format, City’s approach for successful performance, and the desired performance goals for Employee and how said goals relate to the overall success of City. Employee’s performance review shall occur in the fourth quarter of the fiscal year.

6. **Compensation.** Beginning on the Effective Date, for all services provided to City by Employee, Employee shall be paid the following compensation:

A. Base Salary. Annual base salary in the amount of One Hundred Sixty-Five Thousand Dollars (\$165,000.00), payable in equal installments not less often than biweekly. City Council shall annually review Employee's base salary in conjunction with her performance review and may increase said salary based on performance, budgetary guidelines, market comparability, or other reasons.

B. Fringe and Welfare Benefits.

i. **Automobile Allowance.** City agrees to provide Employee with an auto allowance equal to and on the same terms as that which is provided to other employees with said benefit. The current automobile allowance is \$7,800 per year. Employee shall be eligible for travel reimbursement pursuant to City policy.

ii. **Longevity Pay.** City agrees to provide Employee with longevity pay in the amount of \$1,200 per year pursuant to General Ordinance No. 3425.

iii. **Paid Leave.** City agrees to provide Employee with paid leave equal to and on the same terms as that which is provided to full time unclassified employees, including but not limited to vacation, sick leave, holidays, floating holidays, exempt leave, pin day, military leave, jury duty, and funeral leave; however, Employee shall accrue vacation leave at the rate of 160 hours per year and may carry over unused leave with a maximum accrual of 640 hours. Employee shall be eligible to participate in Sick Leave Redemption pursuant to Merit Rule 21.2.1. Employee's paid leave balances shall be carried over from the Employment Agreement dated December 10, 2018 and credited to this Agreement.

iv. **Insurance.** City agrees to offer Employee insurance plans equal to and on the same terms as those which are provided to full time unclassified employees, including but not limited to health, dental, vision, and life insurance, and subject to City's rights to amend or terminate any such plans at any time.

v. **Retirement.** City participates in the Missouri Local Government Employees Retirement System ("LAGERS"), specifically L-6. City agrees to make 100% of the required contributions on behalf of Employee. In addition to LAGERS, City participates in a supplementary Section 457 retirement plan ("457 Plan"). City agrees to annually contribute the maximum amount allowed by the Internal Revenue Service into Employee's 457 Plan account during May of each calendar year. Currently, the IRS maximum amount allowed is \$30,500.

vi. **Other Benefits.** In addition to the fringe and welfare benefits set forth herein, Employee may participate, on the same terms, in any other fringe and welfare benefits offered to full time unclassified employees.

7. **Job-Related Expenses and Professional Development.** City agrees to pay for Employee's job-related expenses and professional development, subject to annual budget appropriation and City policy.

8. **Termination.** Notwithstanding anything contrary regarding Employee's employment as City Clerk as may be contained within the City Charter or any other source, this Agreement may be terminated by City (by majority vote of City Council), or by Employee, as follows:

A. Without Cause. This Agreement may be terminated without "Cause" (as defined below) by City, or by Employee without Good Reason (as defined below), upon 60 days' prior written notice to the other party. In the event of an involuntary termination without Cause by either party, City reserves the right, at its sole option, at any time within the 60-day notice period, to assign Employee transitional duties in addition to or in lieu of Employee's regular duties; provided, however, that City will not diminish Employee's Compensation before the involuntary termination without cause becomes effective as of the expiration of the 60-day notice period.

If City terminates this Agreement without Cause and requests a release, then conditioned on Employee executing a full release of any claims relating to Employee's employment with City, including the termination of that employment, City shall pay Employee for six (6) months after the effective date of notice of termination an amount equal to Employee's Base Salary in effect at the date of the notice of termination, to be paid in installments in accordance with the City's customary pay schedule. In addition to salary continuation, Employee will continue to receive for said six (6) month period any benefits Employee was receiving as of the date of notice. Other than as stated herein, all obligations of City to pay salary or benefits to Employee shall terminate six (6) months after the effective date of notice of termination.

In the event Employee voluntarily resigns or terminates her employment without providing the notice required pursuant to this paragraph and without Good Reason (as defined below), all obligations of City to Employee hereunder shall cease effective upon the date of notice by Employee of resignation or termination.

B. For Cause. City may terminate this Agreement at any time for Cause (as defined below), which termination shall be effective upon City's written notice to Employee of its election to terminate. For purposes of this Agreement, termination of Employee's employment by City would be for "Cause" in the event Employee: (i) commits an act of dishonesty, deceit, malfeasance, or breach of fiduciary duty in the performance of Employee's duties as an employee of City; (ii) neglects or fails to perform substantially to City Council's satisfaction Employee's job duties and responsibilities (provided that if there exists a performance event or condition that constitutes for Cause, Employee shall have thirty (30) days from the date notice of such performance deficiency is given to cure such event or condition and, if Employee does so, such event or condition shall not constitute for Cause hereunder); (iii) substantially violates any policy or reasonable

expectation of City Council regarding appropriate employee behavior or conduct (provided that if there exists a behavior or conduct issue that constitutes for Cause, Employee shall have thirty (30) days from the date notice of such issue is given to cure such issue and, if Employee does so, such issue shall not constitute for Cause hereunder); (iv) acts or fails to act in any way that reflects materially and adversely upon the City, including but not limited to a violation of any policy of City or the City Charter by Employee; (v) is convicted of, or pleads nolo contendere to any crime or offense involving dishonesty with respect to City, any felony, or any misdemeanor involving moral turpitude, or any illegal act involving personal gain to Employee; (vi) terminates her employment without Good Reason; or (vii) materially breaches any provision of this Agreement. Should Employee be terminated for Cause by City, City is not obligated nor required to pay severance. In the event City terminates this Agreement for Cause, all obligations of City to Employee hereunder shall cease effective upon the date of termination.

C. For Good Reason. Employee may terminate this Agreement at any time for Good Reason (as defined below), which termination shall be effective upon Employee's written notice to the City of Employee's election to terminate. For purposes of this Agreement, termination of this Agreement would be for "Good Reason" in the event the City: (i) acts to amend (or the citizens or legislature act to amend) any provisions of the City Charter, city ordinances, or Missouri law pertaining to the role, powers, duties, authority, responsibilities of Employee's position that substantially changes the form of government; (ii) imposes on Employee an involuntary material reduction in Compensation of more than 20%; or (iii) materially breaches any provision of this Agreement. Notwithstanding the foregoing, Good Reason shall not be deemed to exist unless written notice of termination on account thereof (specifying a termination date of sixty (60) days from the date of such notice) is given by Employee to City no later than sixty (60) days after the time at which the event or condition purportedly giving rise to Good Reason first occurs or arises; and, provided that if there exists an event or condition that constitutes Good Reason, City shall have thirty (30) days from the date notice of such a termination is given to cure such event or condition and, if City does so, such event or condition shall not constitute Good Reason hereunder.

If Employee terminates this Agreement for Good Reason and City requests a release, then conditioned on Employee executing a full release of any claims relating to Employee's employment with City, including the termination of that employment, City shall pay Employee for six (6) months after the effective date of notice an amount equal to Employee's Base Salary in effect at the date of the notice of termination, to be paid in installments in accordance with City's customary pay schedule. In addition to salary continuation, Employee will continue to receive for said six (6) month period any benefits Employee was receiving as of the date of notice. Other than as stated herein, all obligations of City to pay salary or benefits to Employee shall terminate six (6) months after the effective date of notice of termination.

D. Effect of Death. In the event of Employee's death during the period of her employment pursuant to this Agreement, this Agreement shall terminate, and Employee's

legal representative shall be entitled to the unpaid Base Salary earned by Employee through the date of death.

E. Effect of Disability. In the event of Employee's disability during the period of Employee's employment pursuant to this Agreement, City may terminate this Agreement by giving Employee written notice of termination, which termination shall be effective upon City providing Employee (or Employee's agent) written notice of its election to terminate. For purposes of this Agreement, the term "disability" shall mean Employee's mental or physical impairment occurring during the period of Employee's employment pursuant to this Employment Agreement which, as determined by City, renders Employee unable, with or without reasonable accommodation, to safely and effectively perform the essential duties and responsibilities of her position for a period of six (6) consecutive months. The City may make the disability determination prospectively and does not have to allow a period of six months of Employee being unable to perform before the City may terminate this Agreement under this provision.

In the event this Agreement is terminated in accordance with this paragraph (8)(E) of this Agreement, then Employee shall be entitled to the unpaid Base Salary earned by Employee through the date of termination.

9. **Amendments.** The covenants and obligations herein contained are the full and complete terms of this Agreement, and no alteration, amendments, or changes to such terms shall be binding unless first reduced to writing and executed with the same formality as this Agreement.

10. **Assignment.** This Agreement, including payment hereunder, shall not be sub-let, assigned, or otherwise disposed of, except with the prior written consent of City.

11. **Choice of Law and Venue.** This Agreement has been made, and its validity, performance and effect shall be determined, in accordance with the laws of the State of Missouri and venue for litigation between the Parties shall be solely and exclusively in Greene County, Missouri.

12. **Compliance with Laws.** Employee shall observe and comply with all Federal, State, and local laws.

13. **Consequential Damages.** In no event shall City be liable to Employee for special, indirect, or consequential damages.

14. **Counterparts.** This Agreement may be signed in counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument. Facsimile signatures shall be given the same force and effect as original signatures.

15. **Joint Drafting.** The Parties have participated jointly in the negotiation and drafting of this Agreement. In the event an ambiguity or question of intent or interpretation arises, this Agreement shall be construed as if drafted jointly by the Parties and no presumption or burden of

proof shall arise favoring or disfavoring any Party by virtue of the authorship of any of the provisions of this Agreement.

16. **Entire Agreement.** This Agreement constitutes the entire agreement between the Parties with respect to the matters covered and replaces any and all prior written and verbal agreements and negotiations with respect to such matters. Employee has not relied upon any promise or statement that is not specified in this Agreement.

17. **Headings.** The headings of paragraphs in this Agreement are for convenience only. The headings form no part of this Agreement and shall not affect its interpretation.

18. **Notices.** All notices required or permitted hereinunder and required to be in writing may be given by first class mail addressed to City and Employee at the addresses as follows:

City of Springfield, Missouri	Anita J. Cotter
ATTN: City Attorney	1811 W. Highland St.
840 N. Boonville Ave.	Springfield, MO 65807
Springfield, MO 65802	

The date of delivery of any notice given by mail shall be the date falling on the second full day after the day of its mailing.

19. **Representations.** The signatories hereto represent and warrant that they have read this Agreement, that they are fully authorized in the capacities shown, that they understand the terms of this Agreement, and that they are executing the same voluntarily and solely for the consideration described herein.

20. **Severability.** If any of the provisions of this Agreement shall be construed to be invalid or illegal, the legality or validity of the other provisions of this Agreement shall not be affected thereby. Any illegal or invalid provision of this Agreement shall be severable, and any other provisions shall remain in full force and effect.

21. **Third-Party Beneficiaries.** This Agreement shall not confer any rights or remedies upon any person other than the Parties and their respective successors and permitted assigns.

22. **Waiver.** Waiver of any provision of this Agreement or breach of this Agreement shall not thereafter be deemed to be a consent by the waiving party to any further waiver, modification or breach by the other party, whether new or continuing, of the same or any other covenant, condition or provision of this Agreement. Failure by one of the parties to this Agreement to assert its rights for any breach of this Agreement shall not be deemed a waiver of such rights.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the City of Springfield, Missouri, has caused this Agreement to be signed and executed on its behalf by Mayor Ken McClure, and duly attested by its Deputy City Clerk, and Employee has signed and executed this Agreement, in duplicate, the day and year first above written.

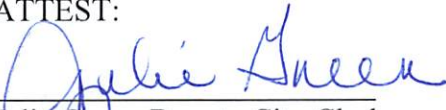
CITY OF SPRINGFIELD, MISSOURI


Ken McClure, Mayor

ANITA J. COTTER


Anita J. Cotter

ATTEST:


Julie Greer, Deputy City Clerk

APPROVED AS TO FORM:


JLP (Dec 26, 2024 18:41 CST)
Jordan L. Paul, City Attorney

Certification that this Employment Agreement is within the purpose of any appropriation to which it is to be charged and that there is an unencumbered balance to the credit of such appropriation sufficient to pay therefor:


David Holtmann (Dec 24, 2024 10:44 CST)
David Holtmann, Director of Finance



EXPLANATION TO COUNCIL BILL 2025-181 (ADIB-YAZDI)

FILED: 07/23/2025

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 Terragreen Condominiums Phase VI, generally located at 2305 South Blackman Road, 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. (By: Blackman Road Properties, LLC; ERCO Real Estate Company, LLC; H2D2-TGD, LLC; & 2305 Blackman Road Bldg A, LLC; 2305 South Blackman Road; Preliminary Plat of Terragreen Condominiums Phase VI.)

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 Terragreen Condominiums Phase VI, generally located at 2305 South Blackman Road 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 Terragreen Condominiums Phase VI dated July 7th, 2025, 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 July 17th, 2025, and approved the Preliminary Plat by a vote of 8 to 0, subject to the following conditions:
 - 1. All improvements shall be constructed in accordance with the “Design Standards for Public Improvements” of the Public Works Department and the maintenance and operation of such improvements shall be the responsibility of the developers unless approved by the Director of Public Works. All required sanitary sewer, street, sidewalk, and drainage plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works.
 - 2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.

3. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.
4. It is determined that the public interest requires assurance concerning adequate maintenance of common space areas and improvements. The restrictive covenants, rules and bylaws creating the common ownership must therefore provide that if the owners of the Property Owners Association shall fail to maintain the common areas or improvements in reasonable order and condition in accordance with the approved plans, the City may, after notice and hearing, maintain the same and assess the costs against the units or lots, per the Common Open Space and Common Improvement Regulations section of the Zoning Ordinance.
5. The developer shall be responsible for the relocation costs of any existing utility services and shall be responsible for clearing all utility easements of trees, brush, and overhanging tree limbs.
6. All other requirements which are necessary for this subdivision to be in compliance with the Subdivision Regulations.

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

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

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

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 08/01/2025

Attachments:

1. Preliminary Plat of Terragreen Condominiums Phase VI - 2305 South Blackman Road
2. PPlat Terragreen Condominiums Phase VI_exhA
3. PPlat Terragreen Condominiums Phase VI_exhB

One-rdg. _____
P. Hrngs. _____
Pgs. 19
Filed: 08-05-25

Sponsored by: Adib-Yazdi

First Reading: _____

Second Reading: _____

COUNCIL BILL 2025-181

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 Terragreen Condominiums Phase
4 VI, generally located at 2305 South Blackman Road, 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 Terragreen Condominiums Phase VI,
11 dated July 7, 2025, 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
16 Terragreen Condominiums Phase VI on July 17, 2025, by a vote of 8 to 0, a copy of the
17 Record of Proceedings from said public hearing being attached hereto and incorporated
18 herein by 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 Terragreen
26 Condominiums Phase VI, which is generally located at 2305 South Blackman Road, as
27 approved by the Planning and Zoning Commission. The original Preliminary Plat of
28 Terragreen Condominiums Phase VI 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 _____
75 Approved as to form: , Assistant City Attorney
76

77 _____
78 Approved for Council action: , City Manager

EXHIBIT A
RECORD OF PROCEEDINGS
Planning and Zoning Commission – July 17, 2025

Preliminary Plat of Terragreen Condominiums Phase VI
2305 South Blackman Road

Applicant: 2305 Blackman Road Bldg A, LLC, Blackman Road Properties, LLC, ERCO Real Estate Company, LLC, and H2D2-TGD, LLC

Mr. Hosmer states that this is a request to amend a condominium plat of approximately 5.92 acres of property.

Mr. Doennig opened the public hearing.

Mr. Will Hoey, 550 St. Louis Street and here on behalf of the developer and to answer any questions.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Scott moved to approve Preliminary Plat of Terragreen Condominiums Phase VI; Commissioner Colony seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Doennig, Commissioner Ridge, Commissioner Scott, Commissioner Hunton, Commissioner Pauly, Commissioner Gunther, Commissioner Colony, and Commissioner Lebeck. Nays: None. Absent: Commissioner Knuckles. Abstain: None.

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

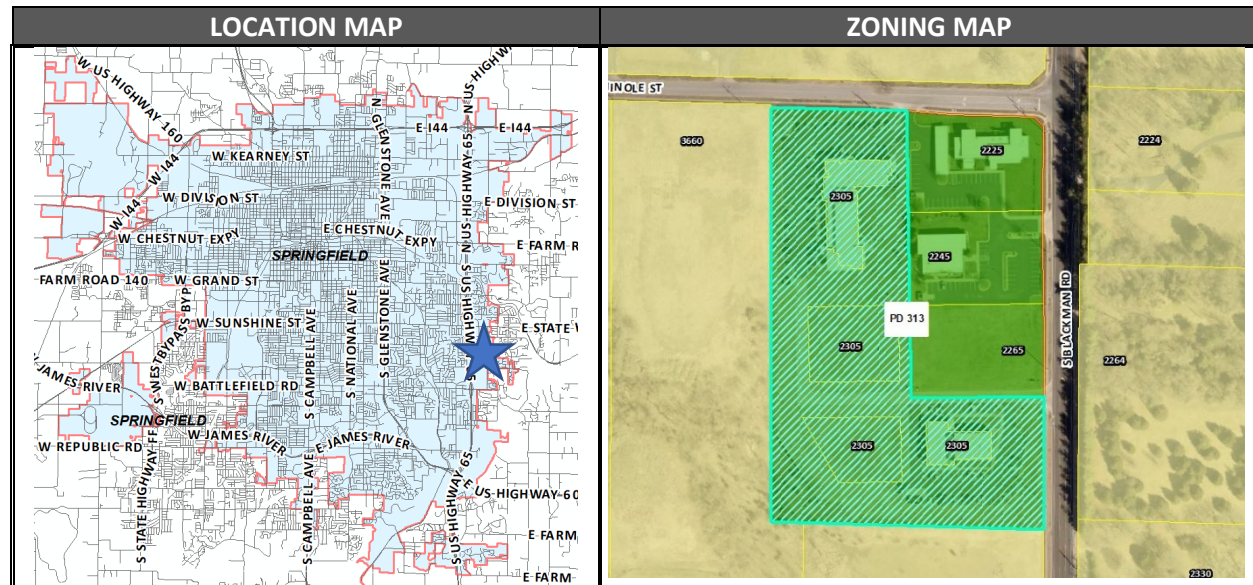
Bob Hosmer, AICP
Planning Manager

DEVELOPMENT REVIEW STAFF REPORT

PROJECT INFORMATION	
Case Number:	Preliminary Plat of Terragreen Condominiums Phase VI
Location:	2305 South Blackman Road
Total Acres:	5.92 acres
Applicant:	Blackman Road Properties, LLC; ERCO Real Estate Company, LLC; H2D2-TGD, LLC; & 2305 Blackman Road Bldg A, LLC
Existing Land Use:	Offices & Undeveloped Property
Neighborhood Meeting:	N/A
Planning and Zoning Commission:	July 17, 2025
City Council:	August 11, 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 Terragreen Condominiums Phase VI 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 amend a condominium plat of approximately 5.92 acres of property generally located at 2305 South Blackman Road. The purpose is to expand the buildable floor area of one (1) of the existing four (4) condominium units to facilitate the development of the site.

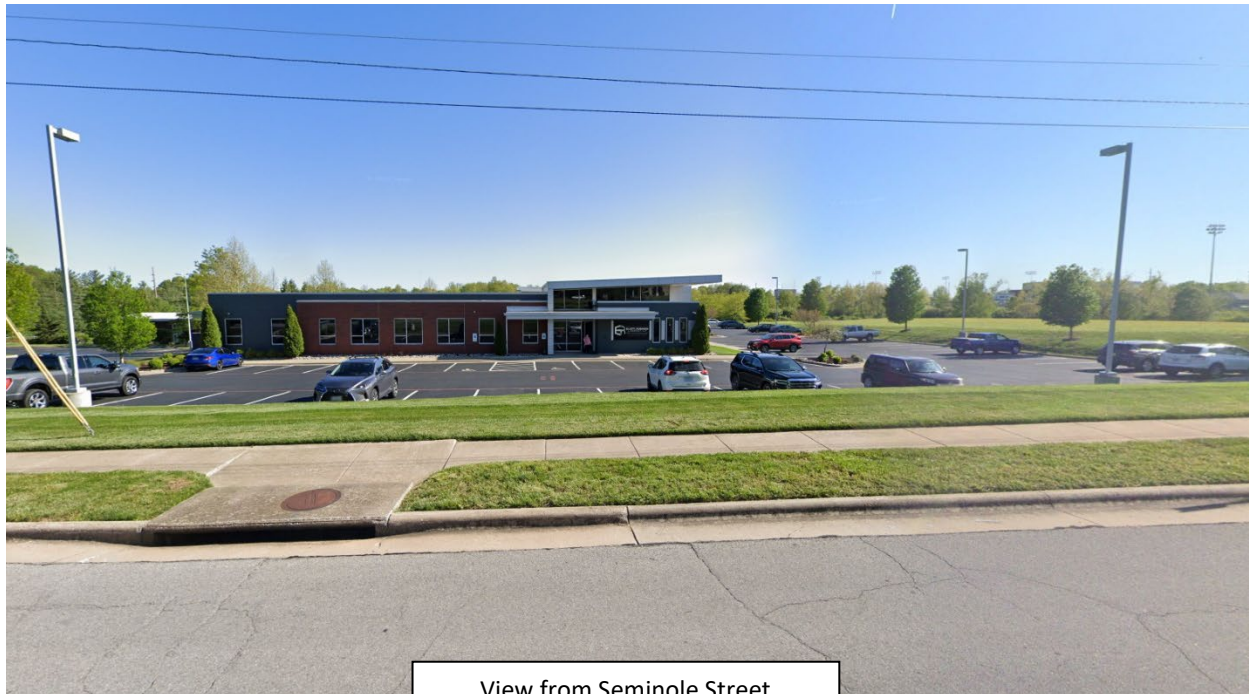


DEVELOPMENT REVIEW STAFF REPORT

GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:

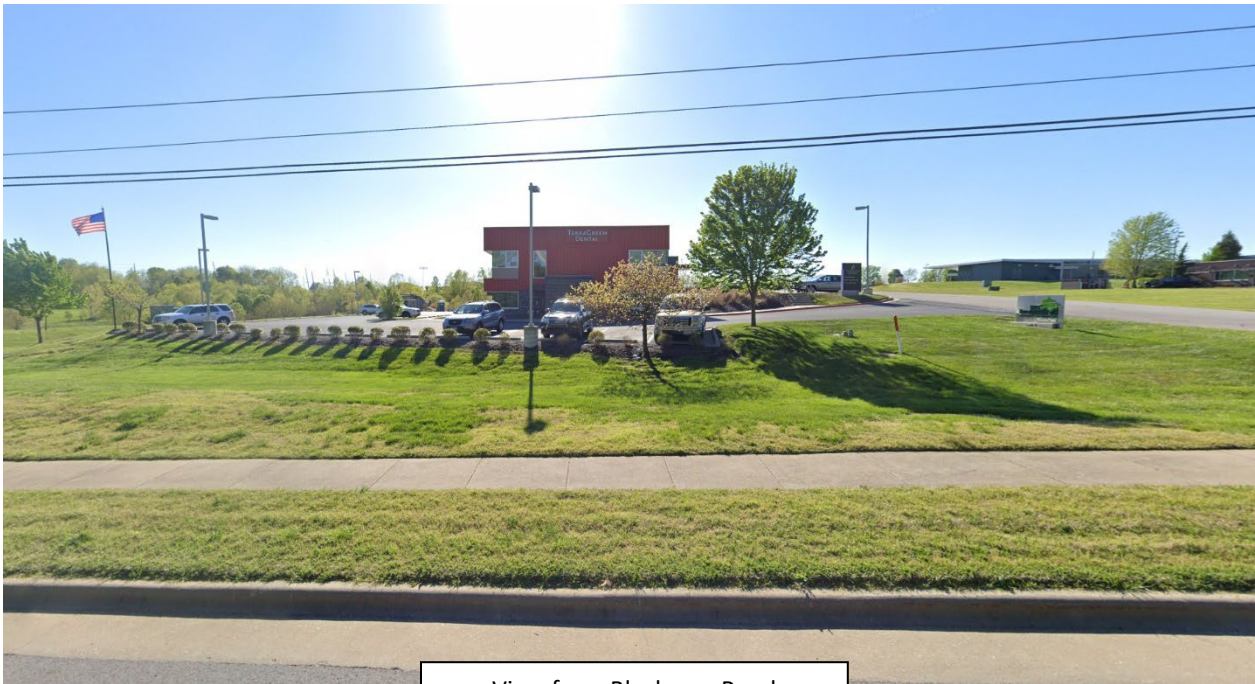


GOOGLE MAPS STREET VIEW:



View from Seminole Street

DEVELOPMENT REVIEW STAFF REPORT



View from Blackman Road

PROPERTY HISTORY:

The subject property was annexed into the city in 1989.

At the time of the 1995 citywide remapping the property was rezoned to R-SF, Single-Family Residential. The property was rezoned to Planned Development District 313 in 2007.

The original condominium plat was approved in 2009. Subsequent phases that modified the boundaries of the units were approved in 2014, 2015, and 2021. Phase V was approved administratively earlier this month.

PLANNING AND ZONING COMMISSION AUTHORITY:

Action Type: Administrative.

A subdivision is the legal process to divide a surveyed tract of land into lots for the purposes of sale of the property. Platting is the process of mapping those lots and is considered part of the subdivision process. Subdivision is an administrative action. An administrative action is ministerial and non-discretionary. In reviewing a preliminary plat, the role of the Planning and Zoning Commission is to determine whether the plat meets the minimum requirements set forth in the subdivision statutes and the subdivision regulations in the Land Development Code. If the plat meets these standards, approval is required.

Relevant Authority

Revised Statutes of Missouri

DEVELOPMENT REVIEW STAFF REPORT

Sections 89.400 through 89.470

City Charter

Sec. 11.7. – Legal status of master plan.

- (1) *Master plan to provide general guidelines.* The master plan shall be prepared and maintained as a general guide for the orderly and efficient development and redevelopment of the City of Springfield. The master plan shall be kept current through review not less than every five years. When required by this Charter or otherwise deemed necessary, such review shall include proposed revisions or alterations in the master plan and public hearings thereon.
- (2) *Regulations to generally conform to master plan.* All rezoning of land, subdivision plats, development proposals, and the zoning ordinance, subdivision ordinance and the zoning map should generally conform with the guidelines set forth in the master plan and should be reviewed for consistency with the master plan; provided, however, inconsistencies with the master plan shall not constitute cause to invalidate any such matter. The master plan shall not have the effect of a regulatory ordinance.
- (3) *Master plan to guide public improvements.* The master plan shall provide guidelines for the location of public streets, parks and other public ways, grounds and spaces, public buildings and structures, facilities of public or private utilities, and the acquisition of real property by the city for public use. To that end the planning and zoning commission shall review the following:
 - (a) All proposals to construct or extend public streets.
 - (b) All proposals to improve land as a park.
 - (c) All proposals to lay out or improve other public ways, grounds or spaces.
 - (d) All proposals to construct public buildings and structures.
 - (e) All proposals to lay out and construct facilities of public utilities, whether publicly or privately owned.
 - (f) All proposals to acquire real property for public purposes.

In reviewing and approving all such proposals, the function of the planning and zoning commission shall be to determine whether they are generally consistent with the master plan of the city. No such proposals shall be constructed or authorized until the location, extent and character thereof has been submitted and approved by the planning and zoning commission.

DEVELOPMENT REVIEW STAFF REPORT

In case of disapproval, the commission shall communicate its reasons to the city council, and the city council, by vote of not less than two-thirds of its entire membership, may overrule the disapproval and, upon the overruling, the city council or the appropriate board or officer may proceed, except that if the proposal is by an agency other than an agency of the city and the authorization or financing does not fall within the province of the city council, then the submission to the planning commission shall be by the agency having jurisdiction, and the planning commission's disapproval may be overruled by that agency by a vote of not less than two-thirds of its entire membership. The acceptance, widening, removal, extension, relocation, narrowing, vacation, abandonment, change of use, acquisition of land, sale or lease of any street or other public facility is subject to similar submission and approval, and the failure to approve may be similarly overruled.

In the event the commission shall fail to act within thirty days after the date of official submission of a proposal (which date shall be the date that the matter is placed upon the agenda of the commission) to the commission, then the proposal shall be deemed to have been approved by the commission, unless a longer period for review by the commission shall have been authorized by the council or by the public officials submitting the proposal. In any case in which the commission finds that it is not reasonably able to complete its review of a proposal within thirty days, it may extend the time for such review for not more than thirty days.

City of Springfield Land Development Code

Sec. 36-226. - Major subdivision review procedure.

(3) Preliminary plat.

- (a) After participating in the pre-subdivision review with city staff, the subdivider may prepare a preliminary plat, together with supplementary material as prescribed in section 36-263.
- (b) Copies of the preliminary plat and supplementary materials specified, together with a fee for administrative handling and processing in the amount prescribed by ordinance, shall be submitted to the director of planning and development with written application for approval. Upon determination that the application is complete, the director shall place the application on the agenda of the commission at a regular meeting not later than the second such meeting following the date of the filing of the application.
- (c) The commission shall hold a public hearing on the preliminary plat. Notice of the public hearing shall be made in accordance with city ordinance and the rules of the commission.
- (d) The commission shall review the preliminary plat and supporting material, recommendations from agencies or officials, and testimony and exhibits submitted at the public hearing. The commission shall approve, conditionally approve or disapprove the preliminary plat and if approved, the commission shall express its approval and state the conditions of such approval, if any, or if disapproved, shall express its disapproval and its reasons, therefore. In any case, a notation of the action taken, and the reasons, therefore, shall be entered in the records of the commission.

DEVELOPMENT REVIEW STAFF REPORT

- (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 PLANNED DEVELOPMENT 313
Minimum lot dimension requirements	N/A
Maximum structure height	Thirty-five (35) feet
Front yard setback	Twenty-five (25) feet
Side yard setback	Ten (10) feet, except that no side yard is required for a building having a common wall on a side lot line.
Rear yard setback	Ten (10) feet
Street Classification	S Blackman Road – Secondary Arterial E Seminole Street – Local
Sidewalks	Sidewalk is required along the frontage of all adjacent streets. Sidewalk currently exists along all adjacent streets.
Open Space Requirements	A minimum of five (5) percent of the areas devoted to parking and vehicular use will be covered by living landscaping comprised of grass, ground cover, plants, shrubs, and/or trees.

MAJOR THOROUGHFARE MAP:



Subject property fronts a Secondary Arterial roadway and a Local roadway

DEVELOPMENT REVIEW STAFF REPORT

STAFF ANALYSIS AND RECOMMENDATION:

1. The applicant is proposing to amend the existing condominium plat, consisting of approximately 5.92 acres and four (4) existing condominium units, by way of a new plat named "Terragreen Condominiums Phase VI".
2. The purpose of the preliminary plat is to enlarge an existing condominium unit, Unit 4, to accommodate the footprint of a proposed addition to the existing office building.
3. The new preliminary plat will increase the size of Unit 4 from 0.42 acres to 0.53 acres. The existing "need not be built" area of Unit 4 will expand along its west, south, and east edges. No other changes will be made to the existing condominium plat.
4. Buildings or building additions may be constructed within the building envelopes of the condominium units, as designated in this Preliminary Plat. Once constructed, an Administrative Condominium Plat will be submitted to reduce the boundaries of the building envelopes to the location of the exterior walls of the structures.
5. The proposed increase in building envelope size for Unit 4 does not risk exceeding the maximum building coverage for Planned Development District 313, which is 50%. To completely build out all units in the proposed preliminary plat would result in only 24.8% building coverage.
6. All lots meet the minimum requirements of the City's subdivision regulations and Planned Development District 313.
7. 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.
8. The Land Development Code requires that each lot have adequate public facilities including but not limited to water, sanitary sewer, electricity, gas, open space, storm drainage, access to the public transportation system, and that any existing natural features such as floodplains, stream buffers and sinkholes have been identified on the preliminary plat.
9. The proposed preliminary plat was reviewed by City departments and comments are contained in **Attachment 1**. Conditions of Approval are provided in **Attachment 2**. The Preliminary Plat drawing can be found in **Attachment 3**.

DEVELOPMENT REVIEW STAFF REPORT

STAFF RECOMMENDATION:

1. The proposed subdivision meets all applicable requirements of the City of Springfield's *Land Development Code* for subdivisions and is compatible with the zoning requirements of Planned Development District 313.
2. Staff recommends approval as submitted in the staff report.

PLANNING AND ZONING COMMISSION OPTIONS:

In reviewing a preliminary plat, the role of the Planning and Zoning Commission is to determine whether the plat meets the requirements set forth in the subdivision statutes and the Land Development Code. If the plat meets these minimum standards, approval is required.

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 and state for the record which requirement or requirements of the *Land Development Code* the preliminary plat fails to meet.

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:

No issues with the prelim plat/expansion of unit 4.

3. DEPARTMENT OF PUBLIC WORKS CONSTRUCTION INSPECTION DIVISION:

Approved.

4. DEPARTMENT OF PUBLIC WORKS TRANSPORTATION ENGINEERING SURVEY DIVISION:

Approved. The location map, it has Section 34, and in the description under the location map, it is shown as Section 39.

5. DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

No issues with plat.

6. FIRE DEPARTMENT:

No comments.

7. PARKS & GREENWAYS:

Approved.

8. DEPARTMENT OF PUBLIC WORKS TRANSPORTATION ENGINEERING RIGHT-OF-WAY DIVISION:

Approved.

DEVELOPMENT REVIEW STAFF REPORT

9. DEPARTMENT OF PUBLIC WORKS STORMWATER ENGINEERING DIVISION:

Site Description and Drainage Pattern

	Drainage Basin	Fee in Lieu of Flood Control	Fee in Lieu of Water Quality	Stream Buffer on Site	Sinkhole or Watershed	Floodplain and Floodway
2305 S Blackman Rd	Peirson Creek	No, Existing SCM	No, Existing SCM	No	No	No

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

Detention and Discharge Requirements

1. The Terragreen Condo Subdivision built the Public Improvement 7PW6032 providing Flood Control volume in an extended dry detention basin.

Water Quality Requirements

1. The Terragreen Condo Subdivision built the Public Improvement 7PW6032 providing Water Quality volume in an extended dry detention basin.
2. A land disturbance permit will be required with disturbing 1 acre or greater per Chapter 4 Section 5 of the City's Flood Control and Water Quality Protection Manual.

Floodplain

N/A

Natural Channels and Stream Buffers

N/A

Sinkholes and Karst Features

N/A

10. DEPARTMENT OF PUBLIC WORKS TRAFFIC ENGINEERING DIVISION:

Access

There is currently one driveway access point to the property from S. Blackman Road and one driveway access point onto the property from E. Seminole Street. No additional driveways will be allowed.

Trails, Bus Stops, And Additional Information

There are no Greenway Trails near the property. There are no bus stops near the property.

Improvements

DEVELOPMENT REVIEW STAFF REPORT

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

	Street Name	Street Classification	Jurisdiction	ROW from Centerline (ft.)		Traffic Count (vehicles per day)	On-Street Parking	Sidewalk	
				Required	Existing			Required	Existing
Street 1	E. Seminole Street	Local	City	30	30	NA	No	Yes	Yes
Street 2	S. Blackman Road	Secondary Arterial	City	35	35	5,872	No	Yes	Yes

DEVELOPMENT REVIEW STAFF REPORT

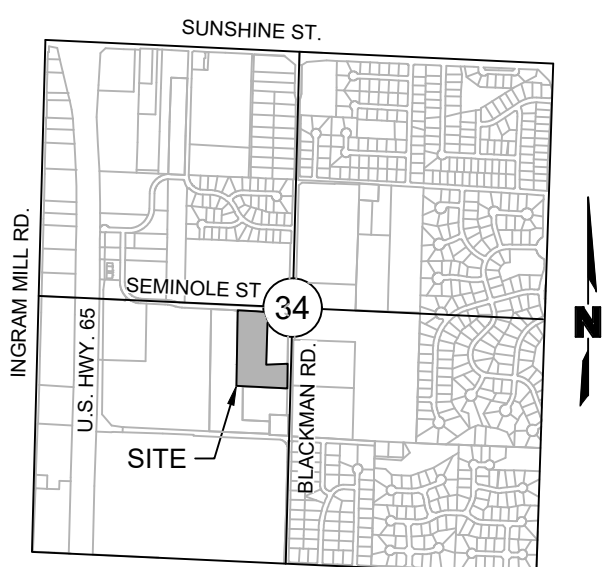
CONDITIONS FOR APPROVAL:

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 denied by the Commission and the applicant requests appeal to City Council for their consideration, all the above conditions, plus any amendments made by the Planning and Zoning Commission, shall be included in the Council Bill.



LOCATION MAP

Sec. 39, T-29-N, R-21-W
Scale: 1"=2000'

OWNERS

Blackman Road Properties, LLC
2225 South Blackman Road
Springfield, MO 65809

2305 Blackman Road Bldg A, LLC
3645 Cullpepper Circle
Springfield, MO 65804

H2D2-TGD, LLC

3720 Castlebay Court
Springfield, MO 65809

Erco Real Estate Company, LLC
1736 E. Sunshine, Ste. 913
Springfield, MO 65804

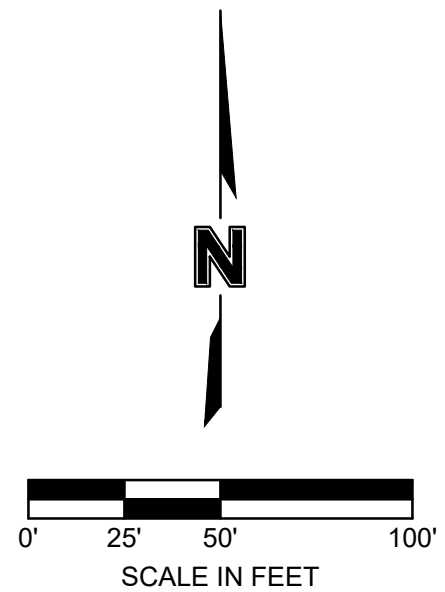
PREPARED BY

Olsson, Inc.
550 St. Louis Street
Springfield, MO 65806

BENCHMARKS

BM #1 - RR Spike in power pole
Elevation: 1333.53

City of Springfield COS #221A
Elevation: 1327.58



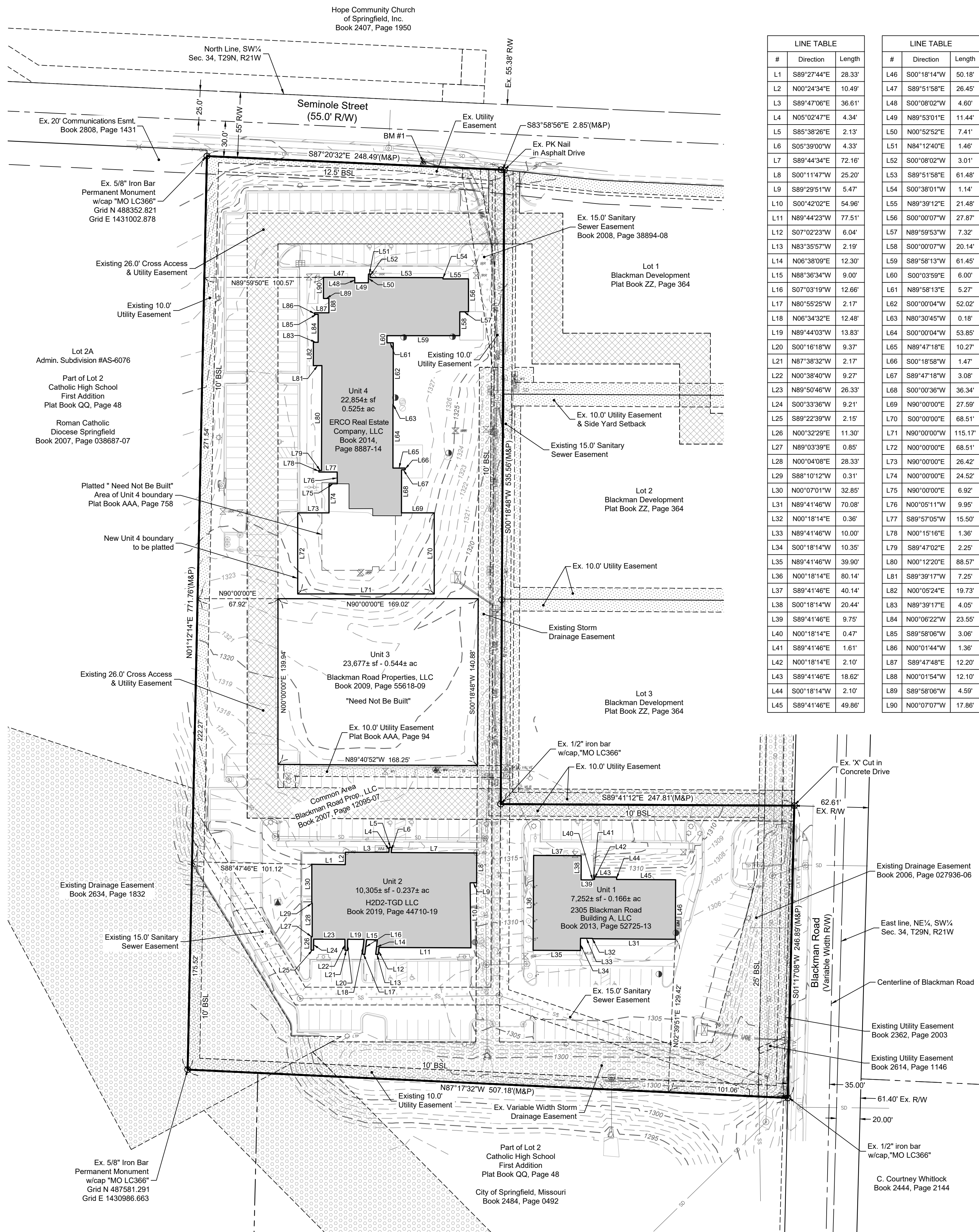
BASIS OF BEARINGS
Grid North based on Missouri State Plane
Coordinate System 1983 by use of MoDOT
continuously operating GNSS RTK Network
Central Zone
Control Station: GR-94
Site Grid Factor: 0.99993115
N: 492290.323 E: 1429376.269

LEGEND

- Found Monument (As Noted)
- (M) Measured
- (P) Platted
- BSL Building Setback Line
- Ex. Utility Easement
- Ex. Sanitary Sewer Easement
- Ex. Drainage Easement
- Ex. Cross Access Easement
- Ex. Building Footprint

DEVELOPMENT NOTES

Total Overall Area: 257,980± sf - 5.922± ac
Total Common Area: 193,892± sf - 4.451± ac
Total Units Area: 64,088± sf - 1.471± ac
Total No. of Units: 4
Smallest Unit: Unit 1 - 7,252± sf - 0.166± ac
Largest Unit: Unit 3 - 23,677± sf - 0.544± ac
Current Zoning: PD-313



LINE TABLE			LINE TABLE		
#	Direction	Length	#	Direction	Length
L1	S89°27'44"E	28.33'	L46	S00°18'14"W	50.18'
L2	N00°24'34"E	10.49'	L47	S89°51'58"E	26.45'
L3	S89°47'06"E	36.61'	L48	S00°08'02"W	4.60'
L4	N05°02'47"E	4.34'	L49	N89°53'01"E	11.44'
L5	S85°38'26"E	2.13'	L50	N00°52'52"E	7.41'
L6	S05°39'00"W	4.33'	L51	N84°12'40"E	1.46'
L7	S89°44'34"E	72.16'	L52	S00°08'02"W	3.01'
L8	S00°11'47"W	25.20'	L53	S89°51'58"E	61.48'
L9	S89°29'51"W	5.47'	L54	S00°38'01"W	1.14'
L10	S00°42'02"E	54.96'	L55	N89°39'12"E	21.48'
L11	N89°44'23"W	77.51'	L56	S00°00'07"W	27.87'
L12	S07°02'23"W	6.04'	L57	N89°59'53"W	7.32'
L13	N83°35'57"W	2.19'	L58	S00°00'07"W	20.14'
L14	N06°38'09"E	12.30'	L59	S89°58'13"W	61.45'
L15	N88°36'34"W	9.00'	L60	S00°03'59"E	6.00'
L16	S07°03'19"W	12.66'	L61	N89°58'13"E	5.27'
L17	N89°55'25"W	2.17'	L62	S00°00'04"W	52.02'
L18	N06°34'32"E	12.48'	L63	N80°30'45"W	0.18'
L19	N89°44'03"W	13.83'	L64	S00°00'04"W	53.85'
L20	S00°16'18"W	9.37'	L65	N89°47'18"E	10.27'
L21	N87°38'32"W	2.17'	L66	S00°18'58"W	1.47'
L22	N00°38'40"W	9.27'	L67	S89°47'18"W	3.08'
L23	N89°50'46"W	28.33'	L68	S00°00'36"W	36.34'
L24	S00°33'36"W	9.21'	L69	N90°00'00"E	27.59'
L25	S89°22'39"W	2.15'	L70	S00°00'00"E	68.51'
L26	N00°32'29"E	11.30'	L71	N90°00'00"W	115.17'
L27	N89°03'39"E	0.85'	L72	N00°00'00"E	68.51'
L28	N00°04'08"E	28.33'	L73	N90°00'00"E	26.42'
L29	S88°10'12"W	0.31'	L74	N00°00'00"E	24.52'
L30	N00°07'01"W	32.85'	L75	N90°00'00"E	6.92'
L31	N89°41'46"W	70.08'	L76	N00°05'11"W	9.95'
L32	N00°18'14"E	0.36'	L77	S89°57'05"W	15.50'
L33	N89°41'46"W	10.00'	L78	N00°15'16"E	1.36'
L34	S00°18'14"W	10.35'	L79	S89°47'02"E	2.25'
L35	N89°41'46"W	39.90'	L80	N00°12'20"E	88.57'
L36	N00°18'14"E	80.14'	L81	S89°39'17"W	7.25'
L37	S89°41'46"E	40.14'	L82	N00°05'24"E	19.73'
L38	S00°18'14"W	20.44'	L83	N89°39'17"E	4.05'
L39	S89°41'46"E	9.75'	L84	N00°06'22"W	23.55'
L40	N00°18'14"E	0.47'	L85	S89°58'06"W	3.06'
L41	S89°41'46"E	1.61'	L86	N00°01'44"W	1.36'
L42	N00°18'14"E	2.10'	L87	S89°47'48"E	12.20'
L43	S89°41'46"E	18.62'	L88	N00°01'54"W	12.10'
L44	S00°18'14"W	2.10'	L89	S89°58'06"W	4.59'
L45	S89°41'46"E	49.88'	L90	N00°07'07"W	17.86'

PRELIMINARY PLAT

TERRAGREEN CONDOMINIUMS PHASE VI

A REPLAT OF UNITS 1, 2, 3 & 4 AND THE COMMON AREA

OF TERRAGREEN CONDOMINIUMS PHASE IV

CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI

PROPERTY DESCRIPTION

All of Units 1, 2, 3 & 4 and the Common Area of TerraGreen Condominiums Phase IV, a Replat of Units 1, 2, 3 & 4 of the Common Area of TerraGreen Condominiums Phase III, a subdivision located in the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼) of Section Twenty-four (24), Township Twenty-nine (29) North, Range Twenty-one (21) West, City of Springfield, Greene County, Missouri, recorded in the Greene County Recorder's Office in Plat Book AAA at Page 758. Subject to any easements and restrictions of record.

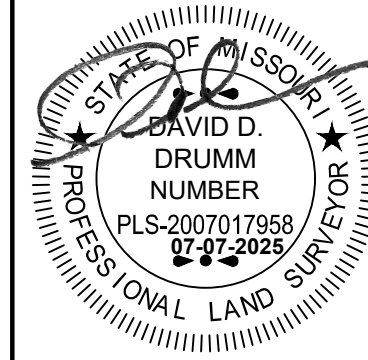
NOTES

- This survey and plan is based upon the following data and/or exceptions:
Deed of Record: Book 2007, Page 12095-07; Book 2013, Page 52725-13; Book 2014, Page 8887-14; Book 2019, Page 44710-19
Filed Maps/Plats: See Note 22
Title Search: Waco Title Company, Report No. 2501043-118, dated April 24, 2025
- This is to certify that, to the best of my knowledge and belief, this map or plan is the result of a field survey performed on April 25, 2025, by me or under my direct supervision, in accordance with the rules and regulations promulgated by the "State Board of Professional Engineers and Land Surveyors". The information depicted hereon, to the best of my knowledge and belief, represents the conditions found at, and as of the date of the field survey, except such improvements or easements, if any below the surface and not visible. Accordingly the undersigned professional is not responsible for the presence of underground utilities or structures, if same are not visible or otherwise disclosed by any aforementioned data listed above.
- This survey or plan is made for and certified to the parties named hereon for the purpose(s) stated. No other purpose is intended nor implied. The undersigned professional is neither responsible nor liable for the use of this plan beyond its intended purpose.
- The use of the word "certify" or "certification" constitutes an expression of professional opinion regarding those facts or findings which are the undersigned professional's knowledge, information and belief, and in accordance with the commonly accepted procedure consistent with the applicable standards of practice, and does not constitute a warranty or guarantee either expressed or implied.
- Current Zoning: PD-313, Ordinance No 5642
Building Setbacks:
Front Yard Setback: 25 feet
Side Yard Setback: 10 feet, except that no side yard is required for buildings having a common wall side lot line
Rear Yard Setback: 10 feet
Max. Building Height: 35 feet
Parking/Vehicle Setbacks:
Front Yards: 5 feet
Rear Yards not bordering R-SF district: None
Rear Yards bordering R-SF district: 15 feet
Side Yards: None
- The Flood Insurance Rate Map (FIRM) from the Federal Emergency Management Agency (FEMA) Community Panel No. 29077C0362E, Effective Date December 17, 2010, shows this property is located in Zone "X" (Areas determined to be outside the 0.2% annual chance floodplain.)
- Olsson and the surveyor of record make no guarantees that the underground utilities shown hereon comprise all such utilities in the area, either in service or abandoned. Olsson and the surveyor of record further does not warrant that the underground utilities shown are in the exact location indicated. Olsson and the surveyor of record have not physically located the underground utilities. If any underground utility locations are required, they will have to be verified by field potholing the utilities as utility depths will not be indicated on the topographic survey. Olsson and the surveyor of record shall not be liable for the location of or the failure to note the location of non-visible utilities. Utilities were ordered to be located per one-call ticket number 251113893. The companies listed on the ticket are ATT Distribution, MNA-Bluebird, City Utilities Fiber/Gas/Electric/Water, City of Springfield Sewer/Traffic.
- There shall be no construction of any kind, including paving, located in the detention easement shown crossing the southwest corner of this plat, except within the area shown as proposed detention easement relinquishment (by separate instrument).
- 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 costs if included in a future storm water drainage benefit district deemed necessary resulting from problems created by surface water runoff. This is due to the fact that the surface water runoff is presently being accommodated by street and open drainage facilities.
- All development shall be in accordance with Planned Development No. 313, approved by City Council on January 29, 2007, Ordinance No. 5642, and any subsequent amendments.
- Access to Blackman Road is limited to existing access easement as platted in Plat Book ZZ at Page 364.
- All structures shall be built behind the line marked on this plat as "Building Setback Line".
- The condominium property is subject to development rights including, but not limited to, the right of declarant to add such additional property to the condominium, to create units, common elements and limited common elements, and to subdivide or convert existing units within the condominium and otherwise to exercise the development rights as set forth in the declaration as amended and restated.
- The Declaration of TerraGreen Condominiums is recorded in Book 2009, at Page 12623-09, in the Office of the Recorder of Deeds in Greene County, amended in Book 2013, at Page 44346-13; Book 2014, at Page 8370-14; Book 2015, at Page 49024-15 and Book 2015, at Page 49021-15.
- Further restrictions on development may be found in the Declaration of Restrictions, Covenants and Conditions of TerraGreen Office Park recorded on November 13, 2007, in the Office of the Greene County Recorder in Book 2007 at Page 55275-07, amended in Book 2013, at Page 44347-13
- Utility lines and service laterals to individual units are permitted to cross the common elements.
- All property within this plat, except the four units, shall be common area.
- The Responsibility for the maintenance of any area referred to as an easement, drainage easement, or detention basin is defined in the recorded Declarations referred to in Notes 13 and 14 above.
- Minimum finished floor elevation for buildings constructed on the Units of the Condominium shall be 1303.00.
- There are no public streets within plat.
- Sanitary Maintenance Notes: Property Owners within the Plat of TerraGreen Condominiums Phase V will be responsible for the upkeep, maintenance, and repair of the private sanitary sewer lines that lie in the common area of the Plat of TerraGreen Condominiums Phase V and that said property owners acknowledge that the City of Springfield, MO is not responsible for upkeep, maintenance, and repair of the private sanitary sewer laterals located within said Plat of TerraGreen Condominiums Phase IV.
- Plat References:
a. Final Plat of TerraGreen Condominiums Phase IV, a Replat of Units 1, 2, 3, 4 and the Common Area of TerraGreen Condominiums Phase III, recorded in Plat Book AAA, Page 758
b. Final Plat of TerraGreen Condominiums Phase III, a Replat of Units 1, 2, 3, 4 and the Common Area of TerraGreen Condominiums Phase II, recorded in Plat Book AAA, Page 404
c. Final Plat of TerraGreen Condominiums Phase II, a Replat of Units 1, 2, 3, 4 and the Common Area of TerraGreen Condominiums, recorded in Plat Book AAA, Page 307
d. Final Plat of TerraGreen Condominiums, a Replat of Lot 4 of Blackman Development, recorded in Plat Book AAA, Page 94
e. Final Plat of Blackman Development, recorded in Plat Book ZZ, Page 364

olsson

550 East St. Louis Street
Springfield, MO 65806

olsson.com
TEL 417.890.8802
FAX 417.890.8805
Olsson - Survey
Missouri COA #000366



BY	DATE	REVISIONS DESCRIPTION	REV. NO.
CDA	07/07/2025	Revised per City Comments	1

PRELIMINARY PLAT
TERRAGREEN CONDOMINIUMS PHASE V
A REPLAT OF UNITS 1-4, TERRAGREEN CONDOMINIUMS PHASE IV
CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI

drawn by: CDA
surveyed by: SVY
checked by: DDD
approved by: DDD
project no.: 025-02340
drawing no.: V PPLT 025/02340
date: 05.07.2025

SHEET
1 of 1



EXPLANATION TO COUNCIL BILL 2025-182 (CARROLL)

FILED: 07/02/2025

ORIGINATING DEPARTMENT: Police

TITLE: A special ordinance authorizing the City Manager, or designee, to accept a Missouri Blue Shield Grant Program grant from the State of Missouri, Department of Public Safety in the amount of \$50,000; amending the budget for the Police Department for the Fiscal Year 2025-2026 in the amount of \$50,000; and declaring that this Ordinance qualifies for approval in one reading pursuant to City Charter Section 2.16(25).

PURPOSE: The Springfield Police Department was certified and recognized by the State of Missouri with the "Blue Shield" designation. As such, SPD is eligible for and received a \$50,000 grant to use for needed supplies, equipment, or training.

BACKGROUND INFORMATION: The purpose of the Missouri Blue Shield Grant Program ("MBSGP") is to provide funding to support the Missouri Blue Shield Program. This program is a collaborative initiative in Missouri that brings communities together to support the law enforcement agencies that serve and protect our cities and towns. This program acknowledges local governments for their commitment to supporting local law enforcement efforts. Each Missouri Blue Shield Program applicant will receive \$50,000 for the purchase of equipment, training, and/or technology for their law enforcement agency.

Submitted By: Paul Williams, Police Chief

Authorized for inclusion on the agenda pursuant to City Code section 2-33:
Collin Quigley, Interim City Manager 07/30/2025

Attachments:

1. Blue Shield Grant Ord
2. 0004 POL BLUE SHIELD GRANT BA_ExhA

One-rdg. X
P. Hrngs.
Pgs. 4
Filed: 08-05-25

Sponsored by: Carroll

First Reading:

Second Reading:

COUNCIL BILL 2025-182

SPECIAL ORDINANCE

AN ORDINANCE

1 AUTHORIZING the City Manager, or designee, to accept a Missouri Blue Shield
2 Grant Program grant from the State of Missouri, Department of
3 Public Safety in the amount of \$50,000; amending the budget for
4 the Police Department for the Fiscal Year 2025-2026 in the amount
5 of \$50,000; and declaring that this Ordinance qualifies for approval
6 in one reading pursuant to City Charter Section 2.16(25).
7
8

9 WHEREAS, on March 5, 2025, Governor Kehoe announced the Missouri Blue
10 Shield Grant Program to recognize communities dedicated to law enforcement and
11 community safety; and
12

13 WHEREAS, the City of Springfield has obtained the Missouri Blue Shield
14 designation, making the Police Department eligible to receive grants from the Missouri
15 Blue Shield Grant Program; and
16

17 WHEREAS, the Springfield Police Department has been awarded a Blue Shield
18 Grant in the amount of \$50,000; and
19

20 WHEREAS, the Blue Shield Grant Program funds may be used for the purchase
21 of equipment, training, or technology for the Police Department; and
22

23 WHEREAS, the Police Department intends to use the grant funds, if approved, to
24 purchase a new police service dog, replacement cameras, and computer equipment,
25 and to pay for training for Department personnel.
26

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

30 Section 1 – The City Manager, or designee, is hereby authorized to accept
31 Missouri Blue Shield Grant Program funds in the amount of \$50,000 from the State of
32 Missouri, Department of Public Safety, for receipt and use by the Springfield Police
33 Department, and to do those things necessary to accept and carry out the intent of the

grant, including the execution of contracts, provided the form of any such contract is approved by the City Attorney.

Section 2 – The budget of the City’s Police Department, for the Fiscal Year 2025-2026, is hereby amended in the accounts and in the amounts as shown on Budget Adjustment No. 004 in the Amount of \$50,000, a copy of which is attached hereto and incorporated herein by reference as “Exhibit A.”

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

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

Section 5 – The City Council hereby finds and declares that this ordinance authorizes the acceptance of grant funds from the State of Missouri, Blue Shield Grant Program, and may be passed as a one-reading ordinance under City Charter Section 2.16(25) as it relates to a contract for the acceptance of grant funds from a state or federal agency. This ordinance shall be in full force and effect from and after passage.

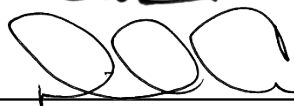
Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form:  _____, Assistant City Attorney

Approved for Council action:  _____, City Manager

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit A

Budget Adjustment
004

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
25060	18	92510	414110	000000		50,000	FY26 BLUE SHIELD GRANT REIMBURSEMENT
Net Revenue Adjustment						\$ 50,000	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
25060	18	92510	501190	000000		\$ 11,500	PD New Police Service Dog
25060	18	92510	501190	000000		4,816	PD Replacement Cameras (2-SVU & CVU)
25060	18	92510	501190	000000		7,785	PD Replacement Mapping Printer
25060	18	92510	501190	000000		5,826	PD Cyber Crimes Computer
25060	18	92510	505690	000000		9,500	PD Command College Tuition (2)
25060	18	92510	501190	000000		6,510	PD Commander I-Pads (4)
25060	18	92510	505690	000000		2,913	PD Mobile Field Force Supervisor training
25060	18	92510	501190	000000		1,150	PD Barcode Printer (FJC)
Net Expenditure Adjustment						\$ 50,000	

Fund Balance Appropriation:

Fund	Title	Amount

Explanation: To amend the FY2025-26 budget by appropriating grant funds from the DPS Blue Shield Grant for law enforcement supplies, equipment and training.

Requested By:

Amanda Livingston 7/16/2025
Department Head Date

Approved By:

 8-05-2025
Director of Finance Date

City Manager Date

Authorization:

Council Bill No. 2025-182
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____