



Agenda City Council Meeting

City Council Chambers
Historic City Hall, 830 Boonville

Robert Stephens, Mayor

Zone Councilmembers

Phyllis Ferguson, Zone 1
Justin Bumett, Zone 2
Mike Schilling, Zone 3
Craig Fishel, Zone 4

General Councilmembers

Jan Fisk, General A
Craig Hosmer, General B
Kristi S. Fulnecky, General C
Ken McClure, General D

Upcoming Council Meeting Agenda May 31, 2016 - 6:30 p.m.

Speakers must sign up with the City Clerk to speak to an issue on the agenda.
Speakers are to limit their remarks to three to five minutes.

Note: Sponsorship does not denote Council member approval or support.

1. **ROLL CALL.**
2. **APPROVAL OF MINUTES. May 2, 2016 And May 16, 2016**

Documents: [05-02-2016.PDF](#), [05-16-2016.PDF](#)
3. **FINALIZATION AND APPROVAL OF CONSENT AGENDAS. CITIZENS WISHING TO SPEAK TO OR REMOVE ITEMS FROM THE CONSENT AGENDAS MUST DO SO AT THIS TIME.**
4. **CEREMONIAL MATTERS.**
5. **CITY MANAGER REPORT AND RESPONSES TO QUESTIONS RAISED AT THE PREVIOUS CITY COUNCIL MEETING.**
6. **SECOND READING AND FINAL PASSAGE. Public Hearing Being Continued From May 16, 2016 Council Meeting On Amendments Only For Item Nos. 7 And 8. Citizens May Speak To Amendments Only . May Be Voted On.**
7. **Amended Council Bill 2015-324 Substitute 1. (Fishel) Citizens May Speak To Amendment Only . May Be Voted On.**

A special ordinance amending the General Fund budget of the City of Springfield, Missouri, for

A special ordinance amending the General Fund Budget of the City of Springfield, Missouri, for Fiscal Year 2015-2016, by appropriating the carryover fund balance and increasing expenses in the amount of \$2,913,570.

Documents: [AMENDED2015-324S1.PDF](#)

8. Amended Council Bill 2016-034. (Schilling) Citizens May Speak To Amendment Only. May Be Voted On.

A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 0.4077 acres of property, generally located at 608 and 614 West Mount Vernon Street, from R-SF, Single-Family Residential District, to R-LD, Low-Density Multi-Family Residential District, establishing Conditional Overlay District No. 103; and adopting an updated Official Zoning Map. (Staff, and Planning and Zoning Commission recommend approval.) (By: Mount Vernon 608, LLC; 608 and 614 West Mount Vernon Street; Z-39-2015 & Conditional Overlay District No. 103.)

Documents: [2016-034A.MENDED.PDF](#)

9. RESOLUTIONS.

10. EMERGENCY BILLS.

11. PUBLIC IMPROVEMENTS.

12. GRANTS.

13. AMENDED BILLS.

14. COUNCIL BILLS FOR PUBLIC HEARING. Citizens May Speak. Not Anticipated To Be Voted On.

15. Council Bill 2016-114. (McClure)

A special ordinance setting a preliminary tax levy on real and personal property for current expenses and debt retirement of the City of Springfield, Missouri, and its boards and agencies for Fiscal Year 2016-2017; and declaring an emergency.

Documents: [2016-114.PDF](#)

16. Council Bill 2016-115. (Stephens)

A special ordinance adopting a budget for the City of Springfield, Missouri, for Fiscal Year July 1, 2016 through June 30, 2017, providing that certain amounts shown in the budget document are appropriated for the various departments specified in said budget, and declaring an emergency.

Documents: [2016-115.PDF](#)

17. Council Bill 2016-116. (Fishel)

A special ordinance repealing Special Ordinance No. 26678 and enacting in lieu thereof a special ordinance approving the Petition to Amend and Restate the Petition to Establish the Downtown Springfield Community Improvement District and directing the City Clerk to notify the Missouri Department of Economic Development and the Greene County Clerk of the amendments. (Staff and the Downtown Springfield Community Improvement District Board of Directors recommend approval.)

Documents: [2016-116.PDF](#)

18. Council Bill 2016-117. (Schilling)

A general ordinance amending Section 1-9 of the Springfield City Code, City Limits, by annexing approximately 22.84 acres of City-owned property into the City of Springfield, Missouri generally located on the west side of the 3100 block of South Kauffman Road

Missouri, generally located on the west side of the 3100 block of South Kauffman Road, generally referenced as Annexation A-1-16; and amending the Springfield City Code, Chapter 46, Section 46-1, Boundaries of wards, precincts and council zones, by adding this property to the ward and precinct assigned them by the County Clerk.

Documents: [2016-117.PDF](#)

19. Council Bill 2016-118. (Schilling)

A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 22.84 acres of property, generally located on the west side of the 3100 block of South Kauffman Road, from a County R-1, Suburban Residence District to a GM, General Manufacturing District; establishing Conditional Overlay District No. 108; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: City of Springfield; 3100 block S. Kauffman Road; Z-4-2016.)

Documents: [2016-118.PDF](#)

20. Council Bill 2016-119. (Fisk)

A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 20 acres of property, generally located at 1800 West Republic Street, from a GR, General Retail District with Conditional Overlay District No. 66 to a GR, General Retail District and establishing Conditional Overlay District No. 107; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Judith Groover Trust and Warner Family Trust; 1800 West Republic Street; Z-7-2016 Conditional Overlay District No. 107.)

Documents: [2016-119.PDF](#)

21. Council Bill 2016-120. (Fishe)

A special ordinance authorizing the issuance of Conditional Use Permit No. 422 to allow a bed and breakfast within an R-SF, Residential Single-family District, generally located at 1755 South National Avenue. (The Planning and Zoning Commission recommend denial, Staff recommends approval.)

Documents: [2016-120.PDF](#)

22. Council Bill 2016-121. (Schilling)

A general ordinance amending the Springfield City Code, Chapter 36, Land Development Code, Division 3 - Administration Enforcement and Review; Subdivision III. - Review, Appeals and Amendments; Section 36-363 - Conditional use permits; subsection (3)(g) Contents of application; and subsection (5) Conditions and restrictions. (Staff Recommends approval.)

Documents: [2016-121.PDF](#)

23. Council Bill 2016-122. (McClure)

A general ordinance amending the Springfield City Code, Chapter 36, Land Development Code, Division 5 - Supplemental District Regulations, Section 36-453 - Supplemental open space and yard regulations; Subsection (5)(a)5, Permitted projections and structures in required yards. (Staff Recommends approval.)

Documents: [2016-122.PDF](#)

24. FIRST READING BILLS. Citizens May Speak. Not Anticipated To Be Voted On.

25. Council Bill 2016-123. (Hosmer)

A special ordinance approving a budget adjustment to amend the Fiscal Year budget 2015-2016 for the Department of Environmental Services of the City of Springfield, Missouri, in the amount of \$2,500,000, by appropriating reserves of the Clean Water Fund for continuing the implementation of the Private Inflow and Infiltration (I) Abatement Program.

Documents: [2016-123.PDF](#)

26. Council Bill 2016-124. (Stephens)

A general ordinance amending Chapter 2 of the Springfield City Code, Administration, Article II, City Council, Section 2-32, Special Meetings.

Documents: [2016-124.PDF](#)

27. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.

28. NEW BUSINESS.

The Mayor recommends the following appointments to the Traffic Advisory Board: Rusty MacLachlan and Bruno Schmidt with terms to expire April 1, 2018.

The Mayor recommends the following appointments to the Mayor's Commission on Human Rights and Community Relations: Larry Dinges and Angela Myers to expire October 1, 2016; and Carlye Wannemacher and Damon Duran with terms to expire October 1, 2018.

The Mayor recommends the following appointments to the Tree City USA Citizens Advisory Committee: Nick Baker with term to expire December 1, 2016; and Amanda Stadler and Kelly Guenther with terms to expire December 1, 2018.

The Mayor recommends the following appointment to the Public Housing Authority: Michael Langford with term to expire April 11, 2018.

The City Manager recommends the following appointments to the Airport Board: Robert Fulp with term to expire June 1, 2018; and Michael Hoppman, and Jaimie Trussell with terms to expire June 1, 2019.

Refer to the Plans and Policies Committee the issue of Consent Agenda Item Criteria.

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

29. UNFINISHED BUSINESS.

30. MISCELLANEOUS.

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

32. Council Bill 2016-125. (Burnett)

A special ordinance approving the plans and specifications for the Annual Maintenance Contract for Traffic Control Signals; accepting the bid of Ewing Signal Construction, LLC, for the on-call services contract, and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

Documents: [2016-125.PDF](#)

33. Council Bill 2016-126. (Ferguson)

A special ordinance approving the plans and specifications for the Commercial Street Phase 5 Streetscape Project, Plan No. 2015PW0016; accepting the bid of Hunter Chase & Associates, Inc., for the project, and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

Documents: [2016-126.PDF](#)

34. Council Bill 2016-127. (Fulnecky)

A special ordinance approving the plans and bid specifications and accepting the bid of Davis

Structure & Development Corporation for the Biosolids Treatment Improvements Project Plan No. 2016PW0018s at the Southwest Wastewater Treatment Plant in the amount of \$2,404,127.00; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

Documents: [2016-127.PDF](#)

35. Council Bill 2016-128. (Fulnecky)

A special ordinance approving the plans and specifications for the Jefferson Avenue Streetscape Phase I Project, Plan No. 2015PW0018WTE; accepting the bid of Hunter Chase & Associates, Inc., for that project, and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

Documents: [2016-128.PDF](#)

36. Council Bill 2016-129. (Hosmer)

A special ordinance authorizing the City Manager, or his designee, to accept a grant supplement from the Missouri Department of Health and Senior Services, federally funded by reimbursement from the Centers for Medicare and Medicaid Services for the Children's Health Insurance Program and the Health Services Initiative, and amending the budget of the Springfield-Greene County Health Department for Fiscal Year 2015-2016 in the amount of \$118,695.96 to appropriate the grant supplement.

Documents: [2016-129.PDF](#)

37. Council Bill 2016-130. (Ferguson)

A special ordinance authorizing the Director of Planning and Development to accept the dedication of the public streets and easements, to the City of Springfield, Missouri, as shown on the Preliminary Plat of Highland Gardens Lot 13, Block 8, generally located at 3248 West State 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 the terms of this ordinance. (Staff recommends that City Council accept the public streets and easements.)

Documents: [2016-130.PDF](#)

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

39. Council Bill 2016-131. (Fisk)

A resolution approving the appointment of Wally Nattinger and the reappointment of Cara Walker and Sylvia Jura to the Board of Directors of the Airport Plaza Community Improvement District. (Staff recommends approval.)

Documents: [2016-131.PDF](#)

40. Council Bill 2016-132. (Fulnecky)

A resolution approving the appointment of Stephanie Montgomery, and the reappointments of Stuart Stenger and Stephen Alabach to the Board of Directors of the James River Commons Community Improvement District. (Staff recommends approval.)

Documents: [2016-132.PDF](#)

41. Council Bill 2016-133. (Stephens)

A resolution adopting the updated Springfield-Greene County Emergency Operations Plan as prepared by the Springfield-Greene County Office of Emergency Management.

Documents: [2016-133.PDF](#)

42. CONSENT AGENDA – SECOND READING BILLS. Citizens Have Spoken. May Be Voted On

43. **Council Bill 2016-107. (Burnett)**

A special ordinance authorizing the City Manager, or his designee, to enter into an addendum to the Services Agreement with Greene County for the maintenance of electronic traffic control devices and to update the schedules as needed on an annual basis.

Documents: [2016-107.PDF](#)

44. **Council Bill 2016-108. (Fisk)**

A special ordinance amending the budget for the Public Works Department of the City of Springfield, Missouri, for the fiscal year 2016-2017 in the amount of \$30,000,000, to appropriate the estimated proceeds from the 1/4 Cent Capital Improvement Sales Tax approved by the Springfield voters on April 5, 2016, to be used to fund the 1/4 Cent Sales Tax Capital Improvement Program for 2016-2019.

Documents: [2016-108.PDF](#)

45. **Council Bill 2016-109. (Schilling)**

A special ordinance amending the budget for the Public Works Department of the City of Springfield, Missouri, for fiscal year 2016-2017 in the amount of \$20,000,000, to appropriate the estimated proceeds from the 1/8 Cent Transportation Sales Tax approved by the Springfield voters on April 5, 2016, to be used to fund the high priority transportation investments for 2017-2021.

Documents: [2016-109.PDF](#)

46. **Council Bill 2016-110. (Ferguson)**

A special ordinance approving the sale of real property at 1731 North Clay Avenue to John Oke-Thomas for the amount of \$11,700 and authorizing the issuance of a deed for same.

Documents: [2016-110.PDF](#)

47. **Council Bill 2016-111. (Ferguson)**

A special ordinance approving the sale of real property at 1735 North Clay Avenue to John Oke-Thomas for the amount of \$11,700 and authorizing the issuance of a deed for same.

Documents: [2016-111.PDF](#)

48. **Council Bill 2016-112. (Fulnecky)**

A special ordinance approving the sale of real property at 812 North Concord Avenue to Robert J. Rigsby for \$1,500 and authorizing the issuance of a deed for same.

Documents: [2016-112.PDF](#)

49. **BOARD CONFIRMATIONS.**

Confirm the following appointment to the Board of Equalization: Lyle Foster with term to expire April 1, 2019.

Confirm the following reappointment to the Board of Equalization: Joe Costello with term to expire April 1, 2019.

Confirm the following appointments to the Citizens' Advisory Committee for Community Development: Mary Ann Jennings with term to expire May 1, 2017; Jayne Bullard with term to expire May 1, 2018; and Winter Skelton with term to expire May 1, 2019.

Confirm the following reappointments to the Citizens' Advisory Committee for Community Development: Earle Doman and David Leehy with terms to expire May 1, 2019.

Confirm the following appointment to the Citizens' Advisory Committee for Community Development: [Name] with term to expire May 1, 2019.

Confirm the following appointment to the Citizens Sales Tax Oversight Committee: Shawn Robertson with term May 1, 2018.

Confirm the following reappointment to the Citizens Sales Tax Oversight Committee: Bob Yeager with term to expire May 1, 2019.

Confirm the following appointment to the Springfield-Greene County Environmental Advisory Board: Robert "Melvin" Johnson with term to expire March 1, 2018.

Confirm the following appointments to the Personnel Board: Perry Epperly and Kristoffer Barefield with terms to expire March 1, 2019.

Confirm the following reappointment to the Personnel Board: David Brown with term to expire March 1, 2019.

Confirm the following appointments to the Planning and Zoning Commission: Marian Dee Ogilvy and King Coltrin with terms to expire January 1, 2020.

Confirm the following appointment to the Police Officers' and Fire Fighters' Retirement System Board of Trustees: Derek Fraley with term to expire April 30, 2017; and Nancy Martin-Hinds with term to expire April 30, 2019.

Confirm the following reappointment to the Police Officers' and Fire Fighters' Retirement System Board of Trustees: Justin Milam with term to expire April 30, 2019.

Confirm the following appointment to the Landmarks Board: Wallis Nattinger with term to expire November 1, 2018.

50. **END OF CONSENT AGENDA.**

51. **ADJOURN.**

Persons addressing City Council are asked to step to the microphone and clearly state their name and address before speaking.

All meetings are recorded.

In accordance with ADA guidelines, if you need special accommodations when attending any City meeting, please notify the City Clerk's Office at 864 -1443 at least 3 days prior to the scheduled meeting.

May 2, 2016
Springfield, Missouri

The City Council met in regular session May 2, 2016 in the Council Chambers at Historic City Hall. The meeting was called to order by Mayor Bob Stephens. A moment of silence was observed.

Roll Call

Present: Kristi Fulnecky, Mike Schilling, Justin Burnett, Craig Fishel, Ken McClure, Jan Fisk, Craig Hosmer, and Bob Stephens. Absent: Phyllis Ferguson.

Minutes

There being no additions, deletions or corrections, the minutes of April 18, 2016 and April 26, 2016 were approved as presented.

Consent Agenda

The Consent Agenda was finalized and approved as presented.

CEREMONIAL MATTERS

City Managers report and responses to questions raised at the previous City Council meeting:

Greg Burris, City Manager, responded all questions had been answered. Mr. Burris noted Paul Williams, Chief of Police had provided the April 2016 Springfield Police Department Staffing Statics and the Quarterly Public Safety report for the first quarter 2016. Mr. Burris provided a reminder Convoy of Hope Springfield, a co-sponsored event by Convoy and the City of Springfield will take place at 10 am Saturday, May 7 at the Ozark Empire Fair E-Plex. More than 10,000 individuals are expected to receive no-cost medical care, haircuts, groceries, family portraits, food and more. The day will also include about nine Community Betterment Projects organized in neighborhoods throughout Zone 1. Many local churches have signed up to assist with these activities. He noted the weekend actually kicks off Friday night at 7 pm with a volunteer rally. Mr. Burris noted many of the Councilmembers have signed up to volunteer to greet guests of honor or hand out groceries. Mr. Burris added, several City departments are involved in the planning and staging of this event, including Missouri Job Center, Springfield-Greene County Health Department, City Manager's Office and the Department of Public Information. He also noted it's not too late to volunteer and those interested can register online at convoyofhope.org/springfield.

Mr. Burris noted for the month of March, the Springfield Metropolitan Service Area (MSA) reported an unemployment rate of 4.2%, the same as the previous month and down 0.8 from March 2015. The number of jobs in the metro area rose, resulting in 3.5% growth, and our labor force also increased 2.7% over this time last year. The Springfield MSA has gained over 7,700 jobs while the overall labor force has added almost 6,200 workers since March 2015.

Mr. Burris noted tomorrow marks the second year for Give Ozarks, a 24-online fundraising opportunity for the Community Foundation of the Ozarks' nonprofit partners. About 225 projects from agencies in 70 communities will be open at giveozarks.org from midnight to midnight on Tuesday, May 3, for donors to make secure, tax-deductible online donations. Mr. Burris added there are several worthy causes, including City-related projects to restore the "French Fries" sculpture at the Springfield Art Museum and build a Clock Tower Sculpture in the

Route 66 Corridor near our Birthplace of Route 66 Roadside Park.

Mr. Burris noted the City would like to thank Nathan P. Murphy's for hosting an evening of blues and jazz music tomorrow evening, with proceeds benefiting the Route 66 Fund.

Mr. Burris congratulated all of those recognized last week at the 16th annual Choosing Environmental Excellence Awards banquet. This awards program is organized by the City's Department of Environmental Services and brings together local environmental/conservation agencies and organizations to recognize those who have made special contributions toward their respective missions.

Mr. Burris stated, "While it is with mixed emotions, I extend congratulations, I wanted to say a few things about Judge Becky Borthwick, who was appointed by the Governor last week as the new associate circuit court judge for Greene County. Judge Borthwick has been such a great influence on our community. While handling her caseload at the Springfield Municipal Court, she took the initiative to bring partners together to create Springfield's first Homeless Court. As her recent statewide Women's Justice Award from Missouri Lawyers Weekly attests, Judge Borthwick is a top-notch professional of great character and a burning desire to lift up her community."

Mayor Pro Tem McClure asked if there had been any negative feedback regarding the recent Color Run. Mr. Burris responded there were some complaints pertaining to minor delays, however; overall there were not any significant complaints.

Councilwoman Fulnecky asked for clarification regarding the Police statistics which had been provided. Ms. Fulnecky asked that a 5-year and a 10-year report be provided. Paul Williams, Chief of Police stated this information will be provided.

The following bills appeared on the agenda under Second Reading Bills:

**Carryover Fund
Balance**

Tabled

Sponsor: Stephens. Council Bill 2015-324 Substitute 1. A special ordinance amending the General Fund budget of the City of Springfield, Missouri, for Fiscal Year 2015-2016, by appropriating the carryover fund balance and increasing expenses in the amount of \$3,213,570.

Councilman Hosmer moved to table Council Bill 2015-324 Substitute 1. Mr. Hosmer noted this would allow discussion of the bill in conjunction with the FY17 budget. Councilman Schilling seconded the motion and it was approved by the following vote: Ayes: Fulnecky, Schilling, Burnett, Fishel, McClure, Fisk, and Hosmer. Nays: Stephens. Absent: Ferguson. Abstain: None.

**Rezoning 608, 614, and
618 W Mt. Vernon**

Sponsor: Schilling. Council Bill 2016-034. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 0.81 acres of property, generally located at 608, 614, and 618 West Mount Vernon Street, from R-SF, Single-Family Residential District, to R-LD, Low-Density Multi-Family Residential District; establishing Conditional Overlay District No. 103; and adopting an updated Official Zoning Map. (Staff, and

Planning and Zoning Commission recommend approval.) (By: Mount Vernon 608, LLC; 608, 614 and 618 West Mount Vernon Street; Z-39-2015 & Conditional Overlay District No. 103.)

Councilman Fishel moved to amend Council Bill No. 2016-034 by adding the following conditions to Attachment 3, Conditional Overlay District Provisions, by striking existing paragraph 1. Use Limitations (a) and inserting in lieu thereof the following language: 1. Use Limitations. a. The maximum density for the subject property shall be limited to no more than 4 duplex buildings on the combined tract, for a maximum of eight dwelling units. and adding a new paragraph c. which shall provide: c. Construction of new structures shall be in general conformity with the character of many of the homes in the neighborhood and shall include front porches, gable roofs, traditional double hung windows, lap siding and appropriate trim. The final design shall be reviewed by ARC to confirm compliance with these provisions." Mayor Pro Tem McClure seconded the motion and it was discussed.

Councilman Fishel expressed his belief these amendments are necessary to lower the density and help with the appearance of the proposed. Councilman Hosmer asked for clarification of the amendment. Mary Lilly Smith, Director of Planning and Development noted the proposed amendment will clarify the actual number of units allowed on the lot.

Councilman Hosmer asked if a copy of the proposed motion had been provided to Councilmembers. Ms. Smith answered in the negative, however; noted that the applicant had provided a letter requesting these amendments to City Councilmembers. Mr. Hosmer expressed his concern about being asked to react to a motion without being able to review the motion in advance to determine the impact it would potentially have on the proposed. Mr. Fishel noted the proposed amendment would require the final designs to be reviewed by the Administrative Review Committee (ARC).

Councilman Schilling asked for clarification of the number of beds or the number of people that would be allowed. Ms. Smith noted the City does not regulate the number of beds or people, but only regulates the number of units. Mr. Schilling asked if there was an ordinance pertaining to a limitation on the number of unrelated individuals in a unit. Ms. Smith noted the ordinance limits the number to 3 unrelated individuals in a unit. Mr. Schilling noted based on this there could potentially be 24 unrelated individuals living in these units. He added he believes this number could lead to problems with parking and congestion. Mr. Schilling expressed his belief the proposed would lead to unreasonable density. Ms. Smith noted the applicant would be required to comply with the City's parking requirements for duplexes.

Councilwoman Fulnecky asked for clarification regarding the proposed amendment. Ms. Smith noted this was originally a request from the developer which was received by Council on April 7, 2016.

Council Burnett asked if adequate parking would be required. Ms. Smith responded the applicant would be required to provide parking in compliance with the Zoning Ordinance.

With no further discussion the motion was approved by the following vote: Ayes: Fulnecky, Burnett, Fishel, McClure, Fisk, Hosmer and Stephens. Nays: Schilling. Absent: Ferguson. Abstain: None.

Councilman Schilling moved to amend council bill 2016-034 by removing the property described as 618 West Mt. Vernon from the property proposed to be rezoned. Mayor Pro Tem McClure seconded the motion and it was discussed.

Councilman Schilling expressed his belief the property at 618 West Mt. Vernon should remain single family. He added if this property was included it would be “spot zoning” and he did not feel it was consistent with the surrounding area. He added he would like to see the amount of rental properties in the area limited.

With no further discussion the motion was approved by the following vote: Ayes: Fulnecky, Schilling, Burnett, Fisk, and Hosmer. Nays: Fishel, McClure, and Stephens. Absent: Ferguson. Abstain: None.

Mary Lilly Smith noted notice has been provided and there were individuals in the audience prepared to speak to the proposed amendments.

A public hearing was announced on the amendments to Council Bill 2016-034.

Geoffrey Bulter, the applicant’s representative, spoke in favor of the amendments. Mr. Butler noted the amendments were requested to help clarify the actual number of units allowed in the proposed. He noted this amendment would allow 2 additional duplex units. Additionally, he added this amendment would bring the property into conformity with the character of the neighborhood. Mr. Butler expressed his belief adequate parking would be available for the units behind the units and not on the street.

Councilwoman Fulnecky asked if there had been any neighborhood meetings held to address concerns the neighbors might have. Mr. Butler answered in the negative. He noted the meetings that had been held were not productive.

Councilman Fishel asked for clarification on the lot size and the possibility of the lot being divided. Mr. Butler noted subdividing the lot was not an option.

Mr. Butler also expressed his belief the applicant was not interested in removing the property located at 618 West Mt. Vernon.

Pat Neff spoke in opposition to the amendments expressing her belief the neighborhood would like to maintain single family dwellings in the area. Ms. Neff also expressed her concerns regarding parking, the fence, and the actions being taken not being in compliance with code.

Dixie Decker, the applicant spoke in support of the amendments. She noted the amendment was being made in an effort to clarify the intended use. She discussed the process used in renting these properties and the availability of parking.

Councilwoman Fulnecky asked for clarification of the number of units. Ms. Decker stated there were two buildings with 4 units. Ms. Fulnecky asked for clarification of the parking available for the units. Ms. Decker stated more

parking than required would be available.

Brandy Roberts spoke against the amendments. Ms. Roberts expressed her concern the lot was too narrow for two duplexes. She expressed her belief City codes were not followed in the demolition of the structure located at 618 West Mt. Vernon.

Councilwoman Fulnecky asked for clarification of “stepdown zoning” and how it was determined. Mary Lilly Smithy, Director of Planning and Development noted the Land Use Plan is used to make a determination of the appropriate density.

With no further appearances, the public hearing was continued until the May 31st City Council Meeting.

**Alcoholic Beverages at
Special Events**

Sponsor: Fisk, Ferguson, Burnett, & McClure. Amended Council Bill 2016-091. A general ordinance amending the Springfield City Code, Chapter 10, Alcoholic Beverages, Section 10-62 Exception for general merchandise stores, restaurants, and exempt organizations, to increase and expand the area for certain permitted events; Chapter 78, Offenses and Miscellaneous Provisions, Section 78-4 Possession, sale or consumption of alcoholic beverages in public place, to add exemptions for certain permitted events; amending Chapter 106, Traffic and Vehicles, Section 106-50 Use of right-of-way during Artsfest; and including a sunset provision for December 31, 2016.

Council Bill 2016-091. General Ordinance 6275 was approved by the following vote: Ayes: Fulnecky, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer and Stephens. Nays: None. Absent: Ferguson. Abstain: None.

RESOLUTIONS.

The following bills appeared on the agenda under Emergency Bills:

**Central Street/Pythian
Street Phase 1 Corridor
Improvements**

Sponsor: Hosmer. Council Bill 2016-092. A special ordinance approving the plans and specifications for the Central Street/Pythian Street Phase 1 Corridor Improvements Project, Plan No. 2015PW0076WT, accepting the bid of Hartman and Company, Inc. for that project; and authorizing the City Manager, or his designee, to enter into a contract with such bidder; and declaring an emergency.

Dan Smith, Director of Public Works provided a brief overview of the proposed. Mr. Smith stated the proposed was the result of collaboration with Ozarks Technical Community College. Mr. Smith noted the reason the proposed is being presented as an emergency is to allow for the work to be accomplished during the summer when classes are not in session.

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

Mayor Stephens thanked Ozarks Technical Community College and the staff from the Public Works Department for their work on this project.

Council Bill 2016-092. Special Ordinance 26726 was approved by the following

vote: Ayes: Fulnecky, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer and Stephens. Nays: None. Absent: Ferguson. Abstain: None.

PUBLIC IMPROVEMENTS.

GRANTS.

AMENDED BILLS.

The following bills appeared on the agenda under Council Bills for Public Hearing:

**Rezoning 6323 and
6327 South Creeksedge
Court**

Sponsor: McClure. Council Bill 2016-093. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 0.45 acres of property, generally located at 6323 and 6327 South Creeksedge Court, from a Planned Development 209 to a R-SF, Residential Single-family District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Dogwood Ventures, LLC; 6323 & 6327 South Creeksedge Court; Z-3-2016.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated the request is to rezone two lots in the Millwood Subdivision from Planned Development 209 to Residential Single-family zoning. This designation would allow for the development of a single family detached dwelling on each lot. Ms. Smith noted the Growth Management and Land Use Plan identifies the area as appropriate for Low-Density housing and the zoning is appropriate for that land use.

A public hearing was announced on Council Bill 2016-093.

Amanda Kutter, the applicant made herself available for questions.

With no further appearances, the public hearing was closed.

**Rezoning 3026-3156
North Oakland Avenue**

Sponsor: Fulnecky. Council Bill 2016-094. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 3.74 acres of property, generally located at 3026-3156 North Oakland Avenue, from an R-LD, Low-Density Multi-Family Residential District to an R-SF, Single-Family Residential District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Spring Meadow Estates, LTD; 3026-3156 N. Oakland Ave.; Z-5-2016.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated the request is to allow Single-family zoning between the Lowe's Commercial Development and the Residential Single-family neighborhood. Ms. Smith noted this designation would be consistent with the rest of the development.

A public hearing was announced on Council Bill 2016-093. With no appearances, the public hearing was closed.

Rezoning 500 block of South Barnes Avenue

Sponsor: Fishel. Council Bill 2016-095. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 2.6 acres of property, generally located in the 500 block of South Barnes Avenue, from an HM, Heavy Manufacturing with Conditional Overlay District No. 34, to an HM, Heavy Manufacturing with a Conditional Overlay District No. 106; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: O'Reilly Automotive Stores, Inc.; 500 block of South Barnes Avenue; Z-6-2016 Conditional Overlay District No. 106.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. This rezoning would allow the expansion of the O'Reilly Corporate Headquarters. Ms. Smith noted the Growth Management and Land Use Plan identifies the area as appropriate for general industry, transportation and utilities land use.

Councilman Fishel asked if the flooding issues in the area had been addressed. Dan Smith, Director of Public Works stated he will provide information to City Council pertaining to this concern.

A public hearing was announced on Council Bill 2016-095. With no appearances, the public hearing was closed.

Conditional Use Permit No. 417

Sponsor: Ferguson. Council Bill 2016-096. A special ordinance Authorizing the issuance of Conditional Use Permit No. 417 to allow a self-service storage facility within a GR, General Retail District, generally located at 506 West Edgewood Street. (Staff and Planning and Zoning Commission recommend approval.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. Ms. Smith noted the Growth Management and Land Use Plan identifies the area as appropriate for medium intensity retail, office or housing. She added through the condition use permit process a self-storage facility would be permitted if it is developed in general conformance with the site plan.

A public hearing was announced on Council Bill 2016-096.

Rick Wilson, representative for the applicant spoke in support of the proposed. Mr. Wilson expressed his belief the proposed will not create traffic issues and is the best use for a difficult lot to develop.

Councilwoman Fulnecky asked if a fence would be added. Mr. Wilson answered in the affirmative. Ms. Fulnecky asked if proposed had been discussed with the neighbors. Mr. Wilson answered in the affirmative and noted the neighbors were in support and had provided letters of endorsement.

Councilman Schilling asked how many units would be built. Mr. Wilson noted at this point the number of units has not been determined, however; he anticipates between 18 and 22. In response to another question from Mr. Schilling regarding the potential traffic generated by the proposed, Mr. Wilson expressed his belief the proposed would generate very low traffic.

With no further appearances, the public hearing was closed.

**Conditional Use Permit
No. 421**

Sponsor: Burnett. Council Bill 2016-097. A special ordinance authorizing the issuance of Conditional Use Permit No. 421 to allow a reduction of the front yard setback along Elm Street within an R-HD, High-Density Multi-Family residential District and UN, University Combining Overlay District, generally located at 1141 East Elm Street. (Staff and Planning and Zoning Commission recommend approval.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated the request is for a conditional use permit to allow a reduction in front yard setback along Elm Street. Ms. Smith noted the balcony infringes on the setback requirement and was not addressed when the City issued the permit.

A public hearing was announced on Council Bill 2016-097. With no appearances, the public hearing was closed.

**Approving the
mapping of the East
West Arterial**

Sponsor: Fisk. Council Bill 2016-098. A special ordinance approving the mapping of the East West Arterial, generally located between US Highway 65 and Riverbluff Boulevard to Kissick Avenue, pursuant to Section 11.10 of the City Charter of the City of Springfield, Missouri, in order to preserve right-of-way for future public street improvements. (Planning and Zoning Commission recommend approval. Staff request that this item be remanded to Planning and Zoning Commission to consider a review of the mapping if the road is not constructed in five years and to clarify that the mapping only pertains to right-of-way segments within the existing Springfield city limits.)

Mayor Pro Tem McClure moved to remand Council Bill 2016-098 to the Planning and Zoning Commission related to the mapping of the east west arterial asking the Commission to consider including a review of the mapping if the road is not constructed in five years, and to clarify that the mapping only pertains to right-of-way segments located within the existing Springfield City Limits, and also authorizing the Planning and Zoning Commission to reopen its public hearing on this matter to take Public Comment on these issues. Councilman Burnett seconded the motion and it was approved by the following vote: Ayes: Fulnecky, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer and Stephens. Nays: None. Absent: Ferguson. Abstain: None.

The following bills appeared on the agenda under First Reading Bills:

**Special Obligation
Refunding Bonds,
Series 2016**

Sponsor: Hosmer. Council Bill 2016-099. A special ordinance authorizing and directing the issuance, sale and delivery by the City of Springfield, Missouri, of Special Obligation Refunding Bonds, Series 2016, in one or more series in an aggregate principal amount not to exceed \$29,000,000 for the purpose of providing funds to refund the Series 2002 Refunded Bonds, the Series 2005A Refunded Bonds, the Series 2005B Refunded Bonds, the Series 2006 Refunded Bonds, and the Series 2007 Refunded Bonds (as defined below); authorizing and approving certain documents in connection with the issuance of the Bonds; authorizing certain other documents and actions in connection therewith; and declaring an emergency.

Mary Mannix Decker, Director of Finance provided a brief overview of the

proposed. The City periodically reviews the City's outstanding debt to determine if it can be refinanced at a lower interest rate. The City has a policy that dictates when the bonds can be refinanced and the interest rate savings must be equal to 5 percent of the principal outstanding balance of the debt. Ms. Mannix Decker noted the savings on the proposed bonds on average is over 10 percent.

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

Amend Chapter 74

Sponsor: Burnett. Council Bill 2016-100. A general ordinance amending the Springfield City Code, Chapter 74, Nuisance and Housing Code, Article II – Enforcement, Section 74-38(b)(2) - Cost, assessments, and nuisance-abatement lien, to add subparagraph “c,” providing that a special-tax bill shall be prima facie evidence of 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; including a savings and severability clause.

Chris Straw, Director of Building Development Services provided a brief overview of the proposed. Mr. Straw stated this will clarify the language of the code and is in compliance with State law.

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

The following individual appeared on the agenda under Petitions, Remonstrances, and Communications:

Did Not Appear

Mr. Ken Duncan wishes to address City Council

Appeared

Danny Henderson thanked City Council for consideration of his song for the city of Springfield.

The following items appeared on the agenda under New Business:

Recommended

The City Manager recommends the following appointment to the Board of Adjustment: Bryan Fisher with term to expire January 2, 2021.

UNFINISHED BUSINESS.

MISCELLANEOUS.

The following bills appeared on the agenda under Consent Agenda First Reading Bills:

Preliminary Plat of Battlefield Business Center No. 12

Sponsor: Fishel. Council Bill 2016-101. A special ordinance authorizing the Director of Planning and Development to accept the dedication of the public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of Battlefield Business Center No. 12, generally located at 2000-2100 block of West Sunset 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 the terms of this ordinance. (Staff recommends that City Council accept the public streets and easements.)

Preliminary Plat of South Creek Crossing

Sponsor: Fishel. Council Bill 2016-102. A special ordinance authorizing the Director of Planning and Development to accept the dedication of the public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of South Creek Crossing, generally located at 2620 South Campbell Avenue, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with the terms of this ordinance. (Staff recommends that City Council accept the public streets and easements.)

Preliminary Plat of Western Meadows

Sponsor: Ferguson. Council Bill 2016-103. A special ordinance authorizing the Director of Planning and Development to accept the dedication of the public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of Western Meadows, generally located at 800 block of South Waco and Miller Avenues, 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 the terms of this ordinance. (Staff recommends that City Council accept the public streets and easements.)

The following bills appeared on the agenda under Consent Agenda One Reading Bills:

Liquor license for Black Sheep @ Chesterfield Village LLC

Sponsor: Schilling. Council Bill 2016-104. A resolution granting a new liquor license that includes Sunday sales to Black Sheep @ Chesterfield Village LLC doing business as Black Sheep, located at 2160 West Chesterfield Boulevard, Suite F101, Springfield, Missouri, such license to include a 17.5 foot by 31.5 foot patio.

Council Bill 2016-104. Resolution 10266 was approved by the following vote: Ayes: Fulnecky, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer and Stephens. Nays: None. Absent: Ferguson. Abstain: None.

Accept the grant of a License Plate Reader

Sponsor: Fisk. Council Bill 2016-105. A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the Missouri Police Chiefs Charitable Foundation to accept the grant of a License Plate Reader, including installation and hardware, valued at \$15,435; and declaring an emergency.

Council Bill 2016-105. Special Ordinance 26727 was approved by the following vote: Ayes: Fulnecky, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer and Stephens. Nays: None. Absent: Ferguson. Abstain: None.

The following bills appeared on the agenda under Consent Agenda Second Reading Bills:

Texas A & M Engineering Extension Service (TEEX) Contract

Sponsor: Fisk. Council Bill 2016-084. A special ordinance authorizing the City Manager, or his designee, to enter into a contract with Texas A & M Engineering Extension Service (TEEX) to teach a course for the Springfield Police Department.

Council Bill 2016-084. Special Ordinance 26728 was approved by the following vote: Ayes: Fulnecky, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer and Stephens. Nays: None. Absent: Ferguson. Abstain: None.

**Springfield Community
Gardens onto City-
Owned Property**

Sponsor: Fulnecky. Council Bill 2016-086. A special ordinance authorizing the City Manager, or his designee, to grant a license to Springfield Community Gardens ("SCG") and its invitees allowing them to enter onto City-owned property, specifically, Fire Station No. 8 located at 1405 South Scenic Avenue, for the purpose of creating, cultivating and maintaining a community garden.

Council Bill 2016-086. Special Ordinance 26729 was approved by the following vote: Ayes: Fulnecky, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer and Stephens. Nays: None. Absent: Ferguson. Abstain: None.

**Confirm Municipal Court
Judges**

City Council Confirmed the following reappointments for Substitute Municipal Court Judges: Chantel Alberhasky, Dennis Budd, Gregory Dorshorst, and Aaron Jones with terms to expire June 30, 2017.

**Adjourn to Closed
Session**

Mayor Pro Tem McClure moved to hold a closed meeting to discuss legal actions, causes of action, litigation, privileged and confidential communications, pursuant to Section 610.0221 (1), RSMo. 2014 and this meeting, record, and vote be closed and the City Council shall stand adjourned at the end of the closed session.

Councilman Fishel seconded the motion and it was approved by the following vote: Ayes: Fulnecky, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer and Stephens. Nays: None. Absent: Ferguson. Abstain: None.

With no further business to come before Council, the meeting adjourned at approximately 7:48 p.m.

Anita J. Cotter, CMC/MRCC
City Clerk

May 16, 2016
Springfield, Missouri

The City Council met in regular session May 16, 2016 in the Council Chambers at Historic City Hall. The meeting was called to order by Mayor Bob Stephens. A moment of silence was observed.

Roll Call

Present: Phyllis Ferguson, Mike Schilling, Justin Burnett, Craig Fishel, Ken McClure, Jan Fisk, Craig Hosmer, Kristy Fulnecky, and Bob Stephens. Absent: None.

Minutes

No minutes were presented for approval.

Consent Agenda

Mayor Stephens noted there are two procedural items on the Consent Agenda pertaining to appropriation of money from the proceeds of the 1/4 Cent Capital Improvement Sales Tax and 1/8 Cent Transportation tax. He thanked the citizens of Springfield for their overwhelming support of these vital revenue sources.

The Consent Agenda was finalized and approved as presented.

Amended Council Bill No. 2016-064 from the table and refer the bill to the Finance and Administration Committee

Mayor Pro Tem McClure moved to remove Amended Council Bill No. 2016-064 from the table and refer the bill to the Finance and Administration Committee for further consideration and recommendation. Councilman Fishel seconded the motion and it was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

Amended Council Bill 2015-324 Substitute 1 removed from table

Mayor Pro Tem McClure moved to remove Amended Council Bill 2015-324 Substitute 1 which is reflected as item number seven on the agenda, be removed from the table. Councilman Burnett seconded the motion and it was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

CEREMONIAL MATTERS

City Managers report and responses to questions raised at the previous City Council meeting:

Greg Burris, City Manager, responded all questions had been answered.

Mr. Burris noted the April Uniform Crime Report Statistics had been provided. He noted these now include comparison of April 2016 to April 2015 and year-to-date statistics.

Mr. Burris thanked the community and all those who participated and contributed to the Convey of Hope Springfield event on Saturday. He noted over 8,000 individuals were served. Convey of Hope will be working along the with the City and other partner organizations on the Zone Blitz events over the next 18 months.

Mr. Burris stated that John Berry, Deputy Director of Business Services from the

Missouri Secretary of State Office and Representatives from the City of Springfield will host a free educational session at the eFactory at 10:00 am on May 25, 2016. The information provided will include information on setting up a business, required filings, and resources that are available.

The following bills appeared on the agenda under Second Reading Bills:

Carryover Fund Balance

Sponsor: Stephens. Council Bill 2015-324 Substitute 1. A special ordinance amending the General Fund budget of the City of Springfield, Missouri, for Fiscal Year 2015-2016, by appropriating the carryover fund balance and increasing expenses in the amount of \$3,213,570.

Removed from Table and Amended

Councilman Fishel moved to amend Council Bill No. 2015-324 Substitute 1 by removing the Founder's Park - Phase 1 expenditure in the amount of \$300,000 and referring the Founder's Park - Phase 1 improvements to the Community Involvement Committee for further consideration and recommendation. Councilman Schilling seconded the motion and it was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

Marianne Banks, Interim City Attorney noted based on the change in the title of the bill it would be necessary for the City Clerk to read the new title of the bill in an effort to comply with City Code and allow two readings to the bill.

Amended Carryover Fund Balance

Sponsor: Stephens. Amended Council Bill 2015-324 Substitute 1. A special ordinance amending the General Fund budget of the City of Springfield, Missouri, for Fiscal Year 2015-2016, by appropriating the carryover fund balance and increasing expenses in the amount of \$2,913,570.

A public hearing was announced on the amendments to Amended Council Bill 2015-324 Substitute 1. With no appearances, the public hearing was continued until the May 31st City Council Meeting.

Rezoning 608 and 614 West Mt. Vernon

Tabled

Sponsor: Schilling. Amended Council Bill 2016-034. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 0.4077 acres of property, generally located at 608 and 614 West Mount Vernon Street, from R-SF, Single-Family Residential District, to R-LD, Low-Density Multi-Family Residential District; establishing Conditional Overlay District No. 103; and adopting an updated Official Zoning Map. (Staff, and Planning and Zoning Commission recommend approval.) (By: Mount Vernon 608, LLC; 608 and 614 West Mount Vernon Street; Z-39-2015 & Conditional Overlay District No. 103.)

Councilman Fishel moved to table amended Council Bill 2016-034 to the next regularly scheduled City Council meeting. Councilwoman Ferguson seconded the motion and it was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

Rezoning 6323 and 6327 South Creeksedge Court

Sponsor: McClure. Council Bill 2016-093. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 0.45 acres of property, generally located at 6323 and 6327 South

Creeksedge Court, from Planned Development 209 to a R-SF, Residential Single-family District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Dogwood Ventures, LLC; 6323 & 6327 South Creeksedge Court; Z-3-2016.)

Council Bill 2016-093. General Ordinance 6276 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

**Rezoning 3026-3156
North Oakland Avenue**

Sponsor: Fulnecky. Council Bill 2016-094. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 3.74 acres of property, generally located at 3026-3156 North Oakland Avenue, from an R-LD, Low-Density Multi-Family Residential District to an R-SF, Single-Family Residential District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Spring Meadow Estates, LTD; 3026-3156 N. Oakland Ave.; Z-5-2016.)

Council Bill 2016-094. General Ordinance 6277 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

**Rezoning 500 block of
South Barnes Avenue**

Sponsor: Fishel. Council Bill 2016-095. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 2.6 acres of property, generally located in the 500 block of South Barnes Avenue, from an HM, Heavy Manufacturing with Conditional Overlay District No. 34, to an HM, Heavy Manufacturing with a Conditional Overlay District No. 106; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: O'Reilly Automotive Stores, Inc.; 500 block of South Barnes Avenue; Z-6-2016 Conditional Overlay District No. 106.)

Council Bill 2016-095. General Ordinance 6278 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

**Conditional Use Permit
No. 417**

Sponsor: Ferguson. Council Bill 2016-096. A special ordinance Authorizing the issuance of Conditional Use Permit No. 417 to allow a self-service storage facility within a GR, General Retail District, generally located at 506 West Edgewood Street. (Staff and Planning and Zoning Commission recommend approval.)

Council Bill 2016-096. Special Ordinance 26730 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

**Conditional Use Permit
No. 421**

Sponsor: Burnett. Council Bill 2016-097. A special ordinance authorizing the issuance of Conditional Use Permit No. 421 to allow a reduction of the front yard setback along Elm Street within an R-HD, High-Density Multi-Family residential District and UN, University Combining Overlay District, generally located at 1141 East Elm Street. (Staff and Planning and Zoning Commission recommend approval.)

Council Bill 2016-097. Special Ordinance 26731 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Fulnecky, and Stephens. Nays: Hosmer. Absent: None. Abstain: None.

Special Obligation Refunding Bonds, Series 2016

Sponsor: Hosmer. Council Bill 2016-099. A special ordinance authorizing and directing the issuance, sale and delivery by the City of Springfield, Missouri, of Special Obligation Refunding Bonds, Series 2016, in one or more series in an aggregate principal amount not to exceed \$29,000,000 for the purpose of providing funds to refund the Series 2002 Refunded Bonds, the Series 2005A Refunded Bonds, the Series 2005B Refunded Bonds, the Series 2006 Refunded Bonds, and the Series 2007 Refunded Bonds (as defined below); authorizing and approving certain documents in connection with the issuance of the Bonds; authorizing certain other documents and actions in connection therewith; and declaring an emergency.

Mayor Pro Tem McClure commended staff for reviewing these bonds and being fiscally responsible.

Council Bill 2016-099. Special Ordinance 26732 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

Amend Chapter 74

Sponsor: Burnett. Council Bill 2016-100. A general ordinance amending the Springfield City Code, Chapter 74, Nuisance and Housing Code, Article II – Enforcement, Section 74-38(b)(2) - Cost, assessments, and nuisance-abatement lien, to add subparagraph “c,” providing that a special-tax bill shall be prima facie evidence of 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; including a savings and severability clause.

Mayor Pro Tem McClure asked for clarification regarding the action taken by the General Assembly in connection with nuisance properties. Marianne Banks, Interim City Attorney noted there had been some changes pertaining to the noticing of nuisance properties. Greg Burris, City Manager noted this change will make the noticing of nuisance properties more difficult.

Councilwoman Ferguson asked if the ownership of properties by L.L.C.’s make the notification more difficult. Ms. Banks responded there is no change to the difficulty of noticing these properties, which have always been difficult to notice.

Council Bill 2016-100. General Ordinance 6279 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

RESOLUTIONS.

The following bill appeared on the agenda under emergency bills:

Contract with Southern Missouri Judicial Services

Sponsor: Fisk. Council Bill 2016-106. A special ordinance authorizing the City Manager, or his designee, to enter into a contract with Southern Missouri Judicial Services for the transportation of City of Springfield, municipal prisoners and management of the temporary detention rooms for municipal prisoners awaiting

transport and declaring an emergency.

Paul Williams, Chief of Police provided a brief overview of the proposed. He stated utilizing this service will prevent the removal of officers from the field to provide transportation to outside jails. Chief Williams noted the proposed will also provide a temporary detention area for those prisoners awaiting transport. Chief Williams noted this will allow the department to utilize resources in the most efficient way until we gain access to our jail.

Councilwoman Fulnecky asked if this contract will utilize the initial \$500,000 budgeted for temporary jail options. Chief Williams answered affirmatively. Ms. Fulnecky asked for clarification regarding the requirements for numbers to transport prisoners. Chief Williams noted there is not a set number used to determine if a transport will be made.

Councilman Fishel asked if this filled in all current gaps. Chief Williams expressed his belief it would provide a temporary solution. Mr. Fishel thanked Chief Williams for his work on the proposed.

Councilwoman Ferguson asked if Southern Missouri Judicial Services provided private services. Chief Williams answered in the affirmative. Additionally, Chief Williams noted there will be at least one Class A Certified Law Enforcement Officer will be included in holding and each transport. Ms. Ferguson thanked Chief Williams and his staff for the work on the proposed.

Councilman Hosmer asked for clarification of how many cells were available at the Southside Police Station. Chief Williams responded there are three cells which could potentially hold up to 9 individuals. Mr. Hosmer also asked for clarification of the terms of the contract and when they would start utilizing the service. Chief Williams noted they will be paid for hours worked and mileage driven and he anticipates starting on May 31, 2016.

An opportunity was given for citizens to express their views.

Tim Havens spoke in support of the proposed, however, he expressed his concern the prisoners that are released in other counties have no transportation back to Springfield and could lead to someone being hurt. He asked Council to amend the proposed to bring people back to Springfield before 3:00 pm and not on Fridays.

Councilman Hosmer expressed his opinion without having a jail since April 2015 the citizens of Springfield have been in danger and feels this is the best solution for the situation the City has had to deal with.

Greg Burris, City Manager noted both Taney and Miller County have agreed to this proposed plan.

With no further appearances, the public hearing was closed.

Council Bill 2016-106. Special Ordinance 26733 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

PUBLIC IMPROVEMENTS.

GRANTS.

AMENDED BILLS.

COUNCIL BILLS FOR PUBLIC HEARING.

FIRST READING BILLS.

The following individual appeared under Petitions, Remonstrances, and Communications:

Melodee Glossip, Representative of the Springfield Bully Alliance invited Council to a viewing of the documentary “The Champions” on Saturday, June 11 at 5:30 pm. at the White River Brewing Company at 505 West Commercial Street.

Councilwoman Fulnecky asked staff to review action Council had taken and provide an update to City Council.

The following items appeared under New Business:

- Recommended** The Public Involvement Committee recommends the following appointment to the Board of Equalization: Lyle Foster with term to expire April 1, 2019.
- Recommended** The Public Involvement Committee recommends the following reappointment to the Board of Equalization: Joe Costello with term to expire April 1, 2019.
- Recommended** The Public Involvement Committee recommends the following appointments to the Citizens’ Advisory Committee for Community Development: Mary Ann Jennings with term to expire May 1, 2017; Jayne Bullard with term to expire May 1, 2018; and Winter Skelton with term to expire May 1, 2019.
- Recommended** The Public Involvement Committee recommends the following reappointments to the Citizens’ Advisory Committee for Community Development: Earle Doman and David Leehy with terms to expire May 1, 2019.
- Recommended** The Public Involvement Committee recommends the following appointment to the Citizens Sales Tax Oversight Committee: Shawn Robertson with term May 1, 2018.
- Recommended** The Public Involvement Committee recommends the following reappointment to the Citizens Sales Tax Oversight Committee: Bob Yeager with term to expire May 1, 2019.
- Recommended** The Public Involvement Committee recommends the following appointment to the Springfield-Greene County Environmental Advisory Board: Robert “Melvin” Johnson with term to expire March 1, 2018.
- Recommended** The Public Involvement Committee recommends the following appointments to the Personnel Board: Perry Epperly and Kristoffer Barefield with terms to expire

March 1, 2019.

Recommended The Public Involvement Committee recommends the following reappointment to the Personnel Board: David Brown with term to expire March 1, 2019.

Recommended The Public Involvement Committee recommends the following appointments to Recommended the Planning and Zoning Commission: Marian Dee Ogilvy and King Coltrin with terms to expire January 1, 2020.

Recommended The Public Involvement Committee recommends the following appointment to the Police Officers' and Fire Fighters' Retirement System Board of Trustees: Derek Fraley with term to expire April 30, 2017; and Nancy Martin-Hinds with term to expire April 30, 2019.

Recommended The Public Involvement Committee recommends the following reappointment to the Police Officers' and Fire Fighters' Retirement System Board of Trustees: Justin Milam with term to expire April 30, 2019.

Recommended The Public Involvement Committee recommends the following appointment to the Landmarks Board: Wallis Nattinger with term to expire November 1, 2018.

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

UNFINISHED BUSINESS.

MISCELLANEOUS.

The following bills appeared on the agenda under Consent Agenda First Reading Bills:

Agreement with Greene County for maintenance of electronic traffic control devices Sponsor: Burnett. Council Bill 2016-107. A special ordinance authorizing the City Manager, or his designee, to enter into an addendum to the Services Agreement with Greene County for the maintenance of electronic traffic control devices and to update the schedules as needed on an annual basis.

1/4 Cent Capital Improvement Sales Tax Sponsor: Fisk. Council Bill 2016-108. A special ordinance amending the budget for the Public Works Department of the City of Springfield, Missouri, for the fiscal year 2016-2017 in the amount of \$30,000,000, to appropriate the estimated proceeds from the 1/4 Cent Capital Improvement Sales Tax approved by the Springfield voters on April 5, 2016, to be used to fund the 1/4 Cent Sales Tax Capital Improvement Program for 2016-2019

1/8 Cent Transportation Sales Tax Sponsor: Schilling. Council Bill 2016-109. A special ordinance amending the budget for the Public Works Department of the City of Springfield, Missouri, for fiscal year 2016-2017 in the amount of \$20,000,000, to appropriate the estimated proceeds from the 1/8 Cent Transportation Sales Tax approved by the Springfield voters on April 5, 2016, to be used to fund the high priority transportation investments for 2017-2021

1731 North Clay Avenue

Sponsor: Ferguson. Council Bill 2016-110. A special ordinance approving the sale of real property at 1731 North Clay Avenue to John Oke-Thomas for the amount of \$11,700 and authorizing the issuance of a deed for same.

1735 North Clay Avenue

Sponsor: Ferguson. Council Bill 2016-111. A special ordinance approving the sale of real property at 1735 North Clay Avenue to John Oke-Thomas for the amount of \$11,700 and authorizing the issuance of a deed for same.

812 North Concord Avenue

Sponsor: Fulnecky. Council Bill 2016-112. A special ordinance approving the sale of real property at 812 North Concord Avenue to Robert J. Rigsby for \$1,500 and authorizing the issuance of a deed for same.

The following bill appeared on the agenda under Consent Agenda One Reading Bills:

Downtown Springfield Community Improvement District

Sponsor: McClure. Council Bill 2016-113. A resolution authorizing the City Clerk of the City of Springfield, Missouri, to verify the Petition to Amend and Restate the Petition to Establish the Downtown Springfield Community Improvement District submitted by the Downtown Springfield Community Improvement District, should said Petition meet the requirements of Sections 67.1401 to 67.1571 RSMo

Council Bill 2016-113. Resolution 10267 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

The following bills appeared on the agenda under Consent Agenda Second Reading Bills:

Preliminary Plat of Battlefield Business Center No. 12

Sponsor: Fishel. Council Bill 2016-101. A special ordinance authorizing the Director of Planning and Development to accept the dedication of the public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of Battlefield Business Center No. 12, generally located at 2000-2100 block of West Sunset 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 the terms of this ordinance. (Staff recommends that City Council accept the public streets and easements.)

Council Bill 2016-101. Special Ordinance 26734 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

Preliminary Plat of South Creek Crossing

Sponsor: Fishel. Council Bill 2016-102. A special ordinance authorizing the Director of Planning and Development to accept the dedication of the public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of South Creek Crossing, generally located at 2620 South Campbell Avenue, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with the terms of this ordinance. (Staff recommends that City Council accept the public streets and easements.)

Council Bill 2016-102. Special Ordinance 26735 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

Preliminary Plat of Western Meadows

Sponsor: Ferguson. Council Bill 2016-103. A special ordinance authorizing the Director of Planning and Development to accept the dedication of the public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of Western Meadows, generally located at 800 block of South Waco and Miller Avenues, 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 the terms of this ordinance. (Staff recommends that City Council accept the public streets and easements.)

Council Bill 2016-103. Special Ordinance 26736 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

Confirmed

City Council confirmed the following appointment to the Board of Adjustment: Bryan Fisher with term to expire January 2, 2021.

Adjourn

With no further business to come before Council, the meeting adjourned at approximately 7:15 p.m.

Anita J. Cotter, CMC/MRCC
City Clerk

One-rdg. _____
P. Hrngs. _____
Pgs. 4
Filed: 05-16-16

Sponsored by: Fishel

First Reading: _____

Second Reading: _____

AMENDED SUBSTITUTE
COUNCIL BILL NO. 2015-324

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING the General Fund budget of the City of Springfield, Missouri, for Fiscal
2 Year 2015-2016, by appropriating the carryover fund balance and
3 increasing expenses in the amount of \$2,913,570.
4 _____
5

6 WHEREAS, at the close of Fiscal Year 2014-2015, the City had \$4,463,570 in
7 carryover funds in the fund balance of the General Fund; and
8

9 WHEREAS, \$500,000 of the carryover funds were appropriated in Special
10 Ordinance No. 26705 for use in contracts for housing of City inmates; and
11

12 WHEREAS, \$750,000 of the carryover funds are requested to be appropriated
13 separately by Council Bill No. 2016-090,
14

15 WHEREAS, on May 16, 2016, the City Council amended this Council Bill to
16 remove the Founder's Park - Phase 1 expenditure in the amount of \$300,000 from this
17 ordinance and to refer this project to the Community Involvement Committee; and
18

19 WHEREAS, the City Council desires to appropriate the remaining carryover
20 funds of \$2,913,570; and
21

22 WHEREAS, the remaining \$2,913,570 in carryover funds will be used to address
23 a variety of critical one-time capital needs, as shown on "Exhibit A," attached hereto and
24 incorporated herein; and
25

26 WHEREAS, an amendment to the budget of the City, for Fiscal Year 2015-2016,
27 has been approved and recommended by the City Manager.
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 budget of the City for Fiscal Year 2015-2016 is hereby amended

33 in the accounts and in the amounts as shown on Budget Adjustment No.0054, a copy of
34 which is attached hereto and incorporated herein by reference as "Exhibit A."
35

36 Section 2 – The City Council finds the budget adjustment made above has been
37 recommended by the City Manager and that the budget adjustment made herein is
38 necessary to reconcile differences between budgeted revenues and expenditures and
39 actual revenues and expenditures.
40

41 Section 3 – The City Council hereby directs the City Manager to cause the
42 appropriate accounting entries to be made in the books and records of the City.
43

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

47 Passed at meeting: _____
48

49 _____
50
51 Mayor

52
53 Attest: _____, City Clerk
54

55 Filed as Ordinance: _____
56

57
58 Approved as to form: *Marianne Gander Banks*, Interim City Attorney
59

60
61 Approved for Council action: *Greg Burt*, City Manager

One-rdg. _____
P.Hrngs. _____
Pgs. _____
Filed: 05-24-16

SUPPLEMENTAL EXPLANATION TO COUNCIL BILL NO. 2015-324

ORIGINATING DEPARTMENT: Finance

REMARKS: During the May 16, 2016, Council Meeting, a motion was made by Councilman Craig Fishel to amend Council Bill No. 2015-034 Substitute 1, by removing the Founder's Park – Phase 1 expenditure in the amount of \$300,000 and referring the Founder's Park - Phase 1 improvements to the Community Involvement Committee for further consideration and recommendation."

Budgetary adjustments were made to reflect this move and outline how remaining carryover funds will be used to address a variety of critical one-time capital needs. These needs are reflected in the attached "Exhibit A," which is numbered Budget Adjustment No. 0054.

Submitted by:



Tom Rykowski,
Assistant City Attorney

Approved by:



Greg Burris,
City Manager

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit A

BA Number 0054

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
Net Revenue Adjustment						-	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
10110	10	15020	508120	000000	00000	\$ 500,000	Fire Apparatus set-aside
10110	10	15020	508170	000000	00000	475,000	Exhaust Removal Systems - Fire Stations
10110	18	90100	501190	000000	00000	16,330	Ballistic Shields for SGT/Cpl cars
10110	18	90100	501230	000000	00000	21,000	Police Karex Software
10110	20	73020	502710	000000	00000	200,000	Facilities maintenance-Busch Building Carpet
10110	06	13010	509910	000000	00000	650,000	Environmental Liability
10110	11	57510	508120	000000	00000	35,000	Animal Control Vehicle
10110	18	97510	508120	000000	00000	512,000	COPS Grant - Start-up funds
10110	12	16010	504580	000000	00000	130,640	Compensation Consultant
10110	18	97580	504580	000000	00000	15,600	Blacktop Obstacle Course
10110	12	16010	502420	000000	00000	38,000	Recruitment and relocation program
10110	17	65210	504580	000000	00000	175,000	Planning Master Plan Update
10110	17	65210	504580	000000	00000	45,000	Neighborhood cleanups
10110	17	60210	504580	000000	00000	100,000	Kearney Street Economic Development Study
Net Expenditure Adjustment						\$ 2,913,570	

Fund Balance Appropriation:

Fund	Title	Amount
10110	2015 Carryover Funds	(2,913,570)

Explanation: Amend the FY15-16 General Fund by appropriating carryover fund balance and increasing expenditures.

Requested By:

Mary Mann O'Decker 5/24/16
Department Head Date

Approved By:

Mary Mann O'Decker 5/24/16
Director of Finance Date

Authorization:

Council Bill No. Amended 2015-324 S1
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____

City Manager Date

One-rdg. _____
P. Hrngs. _____
Pgs. 44
Filed: 05-03-16

Sponsored by: Schilling

First Reading: _____

Second Reading: _____

AMENDED

COUNCIL BILL NO. 2016-034

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, Zoning Maps, by
2 rezoning approximately 0.4077 acres of property, generally located at 608
3 and 614 West Mount Vernon Street, from R-SF, Single-Family Residential
4 District, to R-LD, Low-Density Multi-Family Residential District;
5 establishing Conditional Overlay District No. 103; and adopting an
6 updated Official Zoning Map. (Staff, and Planning and Zoning Commission
7 recommend approval.)
8
9

10 WHEREAS, an application has been filed for a zoning change of the property
11 described in "Exhibit B" of this Ordinance, generally located at 608, 614, and 618 West
12 Mount Vernon Street, from R-SF, Single-Family Residential, to R-LD, Low-Density
13 Multi-Family Residential District, and establishing Conditional Overlay District No. 103;
14 and
15

16 WHEREAS, the owners of all the property to be rezoned have petitioned for the
17 creation of a Conditional Overlay District in accordance with the provisions of Section
18 36-407 the Land Development Code (Zoning Ordinance); and
19

20 WHEREAS, following proper notice, a public hearing was held before the
21 Planning and Zoning Commission, a copy of the Record of Proceedings from said public
22 hearing being attached hereto as "Exhibit A;" and said Commission made its
23 recommendation; and
24

25 WHEREAS, proper notice was given of a public hearing before the City Council,
26 and that said hearing was held in accordance with the law; and
27

28 WHEREAS, at the request of the owners, certain conditions were added to the
29 Conditional Overlay District requirements at the May 2, 2016 City Council meeting; and
30

31 WHEREAS, on May 2, 2016, the City Council voted to remove 618 West Mount
32 Vernon Street from the rezoning bill.

33
34 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
35 SPRINGFIELD, MISSOURI, as follows, that:
36

37 Section 1 – The property described in "Amended Exhibit B" of this Ordinance be,
38 and the same hereby is, rezoned from R-SF, Single-Family Residential, or such zoning
39 district as is designated on the Official Zoning Map adopted by the City Council, to R-
40 LD, Low-Density Multi-Family Residential District, and establishing Conditional Overlay
41 District No. 103; and the Springfield Land Development Code, Section 36-306 thereof,
42 Zoning Maps, is hereby amended, changed and modified accordingly.
43

44 Section 2 – The property described by "Amended Exhibit B" of this ordinance will
45 be subject to Conditional Overlay District No. 103, which is attached hereto as
46 "Amended Exhibit C - Attachment 3" and incorporated herein as if copied verbatim, and
47 the requirements of R-LD, Low-Density Multi-Family District zoning will be modified by
48 said Conditional Overlay District for development within this property.
49

50 Section 3 – The City Council hereby directs the City Manager, or his designee, to
51 update the City's digital zoning map to reflect this rezoning, and City Council adopts the
52 map thereby amended as the Official Zoning Map of Springfield, Missouri, as provided
53 for in the Springfield Land Development Code, Section 36-306, Official Zoning Maps
54 and Rules of Interpretation.
55

56 Section 4 – The Official Zoning Map herein adopted shall be maintained and
57 archived in the same digital form in which this Council has approved its adoption.
58

59 Section 5 – This ordinance shall be in full force and effect from and after
60 passage.
61

62 Passed at meeting: _____
63

64 _____
65 Mayor
66

67 Attest: _____, City Clerk
68

69 Filed as Ordinance: _____
70

71 Approved as to form: A. Chalcraft, W. W. W. W., Assistant City Attorney
72

73 Approved for Council action: J. B. B., City Manager
74

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

SUPPLEMENTAL EXPLANATION #4 TO COUNCIL BILL NO. 2016-034

ORIGINATING DEPARTMENT: LAW

PURPOSE: Amended Exhibits for Amended Bill/Protest Petition Changes

BACKGROUND: The City Council amended the Council Bill for this proposed rezoning on May 2, 2016, which required that two exhibits to the documents attached to the Council Bill be revised.

The first amendment changed conditions set forth in "Exhibit C- Attachment 3," Conditions of the Overlay District.

The second amendment removed the property located at 618 West Mount Vernon Street from any zoning change, and as such adjusted the boundary for protest petitions under Missouri State Law.

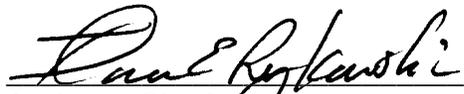
REMARKS: The Council Bill has been amended to reflect the two amendments approved by the City Council at the meeting on May 2, 2016. An "Amended Exhibit B" and an "Amended Exhibit C - Attachment 3" are attached to this explanation to be incorporated into the Amended Bill if approved by the City Council.

As a result of the boundary adjustment the protest area changed due to the removal of the property at 618 West Mount Vernon Street. Eight valid protests were received from the adjusted area totaling 23.64% of the property. As such, the protest petitions filed in opposition to the rezoning were insufficient to trigger the super majority and a simple majority is required to pass this bill.

(Prior to the boundary adjustments, as previously reported, the protest petitions were sufficient to trigger the 2/3 majority requirement for passage. The resulting boundary change moved all but the 8 protesters from the 185 foot buffer.)

Because of the provisions of Section 2-57 of the Springfield City Code, the zoning amendment cannot be considered until seven members of the Council are present unless two meetings shall pass at which the amendment would otherwise have been on final passage. After two such meetings, five members of the Council at the third meeting may place the matter on final passage.

Submitted by:

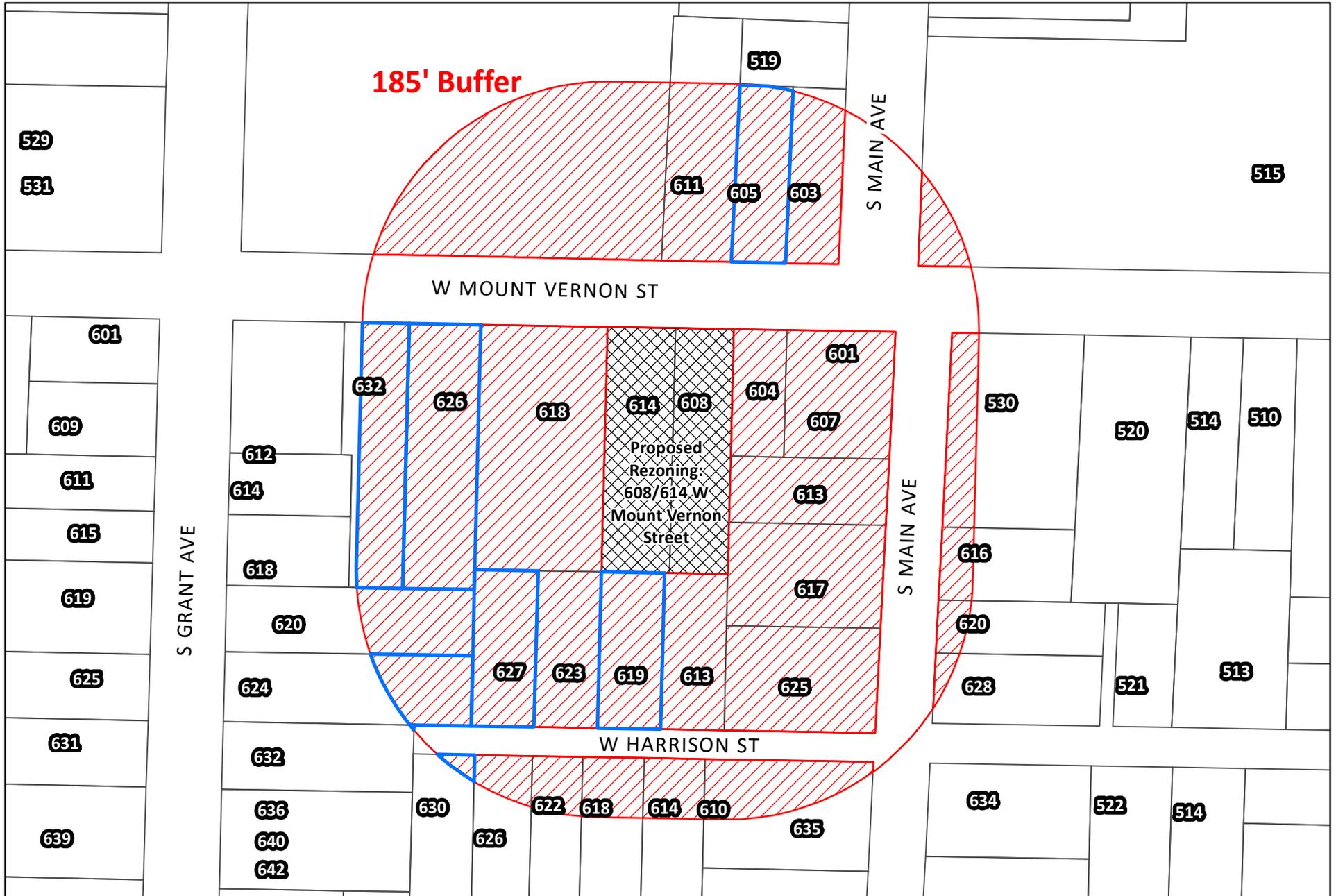

Assistant City Attorney

Approved by:


City Manager

 Total Area For Protesters & Non Protesters: 161,401 SF

 Total Area For Protesters: 38,158 SF; 23.64% Of Total Area



Zoning Protest - Z-39-2015 / COD 103



May 5, 2016



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AMENDED EXHIBIT B

LEGAL DESCRIPTION

ZONING CASE Z-39-2015 & CONDITIONAL OVERLAY DISTRICT NO. 103

608-614 West Mount Vernon:

Beginning at the NorthWest corner of the North one half (N1/2) of the NorthEast Quarter (NE1/4) of the SouthEast Quarter (SE1/4) of Section 23, Township 29, Range 22; thence south twenty (20.0) feet and East 17 poles and 65 ½ feet for a beginning point, thence East 44 feet, thence South 185 feet, thence West 44 feet, thence North 185 feet to the point of beginning.

And

Beginning at a point 294.5 feet east of the SouthEast corner of Grant Avenue and Mount Vernon Street in the City of Springfield, thence east 51.5 feet, thence South 185 feet, thence west 51.5 feet, thence north to the point of beginning, in the City of Springfield, Greene County, Missouri.

AMENDED EXHIBIT C – ATTACHMENT 3

CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-39-2015 & CONDITIONAL OVERLAY DISTRICT NO. 103

The requirements of *Section 36-382.* of the *Springfield Zoning Ordinance* shall be modified herein for development within this district.

1. Use Limitations:

- a. The maximum density for the subject property shall be limited to no more than 4 duplex buildings on the combined tract, for the maximum of eight dwelling units.
- b. All subject properties shall be combined into one lot following the Subdivision Regulations if there are any existing non-conformities.
- c. Construction of new structures shall be in general conformity with the character of many of the homes in the neighborhood and shall include front porches, gabled roofs, traditional double hung windows, lap siding and appropriate trim. The final design shall be reviewed by ARC to confirm compliance with these provisions.

One-rdg. _____
P.Hrngs. _____
Pgs. 4
Filed: 5-2-16

SUPPLEMENTAL EXPLANATION #3 TO COUNCIL BILL NO. 2016-034

ORIGINATING DEPARTMENT: LAW

PURPOSE: Report on Protest to Rezoning (Z-39-2015/COD 103)

BACKGROUND: There have been no additional protest petitions received since the prior report of April 18, 2016.

The threshold has been met as Nine protest petitions had been timely filed with the City Clerk as of April 18, 2016. A report was prepared by the Department of Information Systems and filed with the City Attorney's Office on April 18, 2016, indicating that the protest petition within the 185 foot buffer account for 30.57% of the total area of the buffer and therefore does meet the threshold set forth by statute.

REMARKS: The protest petition filed in opposition to the rezoning are sufficient to trigger a 2/3 majority of all members for approval, having reached the 30% statutory requirement.

Because of the provisions of Section 2-57 of the Springfield City Code, the zoning amendment will not be able to be considered until seven members of the Council are present unless two meetings shall pass at which the amendment would otherwise have been on final passage. After two such meetings, five members of the Council at the third meeting may place the matter on final passage.

Submitted by:



Intrim City Attorney

Approved by:



City Manager

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

SUPPLEMENTAL EXPLANATION #2 TO COUNCIL BILL NO. 2016-034

ORIGINATING DEPARTMENT: LAW

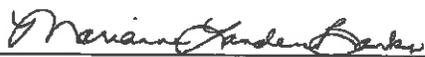
PURPOSE: Report on Protest to Rezoning (Z-39-2015/COD 103)

BACKGROUND: Nine protest petitions have been timely filed with the City Clerk as of April 18, 2016. A report has been prepared by the Department of Information Systems and filed with the City Attorney's Office on April 18, 2016, indicating that the protest petition within the 185 foot buffer account for 30.57% of the total area of the buffer and therefore does meet the threshold set forth by statute.

REMARKS: The protest petition filed in opposition to the rezoning are sufficient to trigger a 2/3 majority of all members for approval, having reached the 30% statutory requirement.

Because of the provisions of Section 2-57 of the Springfield City Code, the zoning amendment will not be able to be considered until seven members of the Council are present unless two meetings shall pass at which the amendment would otherwise have been on final passage. After two such meetings, five members of the Council at the third meeting may place the matter on final passage.

Submitted by:



Intrim City Attorney

Approved by:



City Manager

April 18, 2016

Tom Rykowski
City Attorney's Office

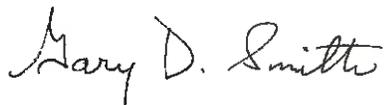
RE: Protest Petitions for Z-39-2015 / COD 103

Dear Tom,

After examining the protest petitions and properties surrounding the subject property at 608/614/618 W Mount Vernon St, I find the percentage of petitioners land lying within the 185 FT buffer to be 30.57% (58,591 SF). The total number of protester properties within the buffer area is nine.

The list of eligible protesters choosing to sign the petition and illustration of the proposed zoning area are attached. Let me know if you have any questions or need additional information.

Sincerely,



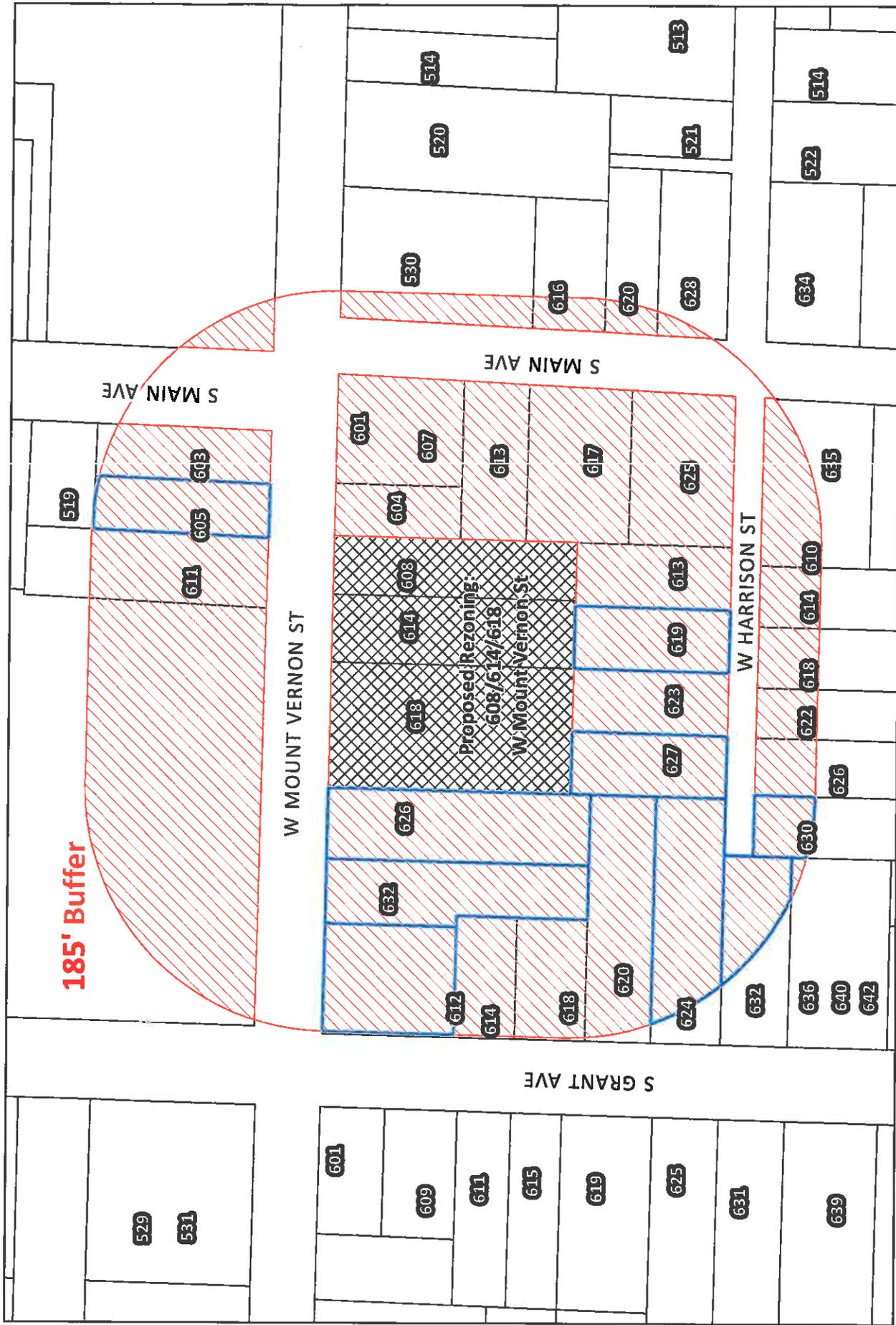
Gary D Smith
Information Systems GIS

CC: City Clerk, Planning Director

 Total Area For Protesters & Non Protesters: 191,640 SF



Total Area For Protesters: 58,591 SF; 30.57% Of Total Area



Zoning Protest - Z-39-2015 / COD 103



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3 of 4
April 14, 2016

AREA/SQUARE FT	ADDRESS	PROPERTY OWNER NAME	PERCENT OF TOTAL	VALID PERCENT
186.19	640 S Grant Ave		0.10%	
4386.31	635 S Main Ave		2.29%	
2093.77	614 W Harrison St		1.09%	
2093.91	618 W Harrison St		1.09%	
1720.38	622 W Harrison St		0.90%	
1968.48	626 W Harrison St		1.03%	
2023.01	630 W Harrison St	Peter Hendricks	1.06%	1.06%
3579.53	632 S Grant Ave	Jeffery David O'Neill	1.87%	1.87%
420.91	628 S Main Ave		0.22%	
8410.76	624 S Grant Ave	Robert Green	4.39%	4.39%
9082.68	625 S Main Ave		4.74%	
889.12	620 S Main Ave		0.46%	
8982.64	620 S Grant Ave		4.69%	
5645.30	613 W Harrison St		2.95%	
5609.98	619 W Harrison St	Peggy Patrick	2.93%	2.93%
5640.82	623 W Harrison St		2.94%	
5614.49	627 W Harrison St	Baiely Grace	2.93%	2.93%
1362.45	616 S Main Ave		0.71%	
9143.33	617 S Main Ave		4.77%	
4818.99	618 S Grant Ave		2.51%	
5942.96	613 S Main Ave		3.10%	
4192.62	612 S Grant Ave		2.19%	
3256.14	530 W Mount Vernon St		1.70%	
7763.17	607 S Main Ave		4.05%	
3839.90	604 W Mount Vernon St		2.00%	
10799.70	626 W Mount Vernon St	Alan Neff	5.64%	5.64%
8983.55	632 W Mount Vernon St	Alan Neff	4.69%	4.69%
8200.23	638 W Mount Vernon St	Alan Neff	4.28%	4.28%
1655.72	515 W Mount Vernon St		0.86%	
35905.43	506 S Grant Ave		18.74%	
4955.19	603 W Mount Vernon St		2.59%	
5370.13	605 W Mount Vernon St	Sharon L. Klebofski	2.80%	2.80%
12.63	519 S Main Ave		0.01%	
7089.90	611 W Mount Vernon St		3.70%	
191640.35			100.00%	30.57%

One-rdg. _____
P. Hrngs. _____
Pgs. 4
Filed: 2-8-16

SUPPLEMENTAL EXPLANATION TO COUNCIL BILL NO. 2016-034

ORIGINATING DEPARTMENT: LAW

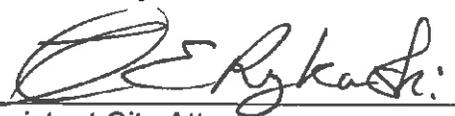
PURPOSE: Report on Protest to Rezoning (Z-39-2015/COD 103)

BACKGROUND: Eight protest petitions have been timely filed with the City Clerk as of February 8, 2016. A report has been prepared by the Department of Information Systems and filed with the City Attorney's Office on February 8, 2016, indicating that the protest petition within the 185 foot buffer account for 26.18% of the total area of the buffer and does not meet the threshold required by statute.

REMARKS: The protest petition filed in opposition to the rezoning is insufficient to trigger a 2/3 majority for approval, having not reached the 30% statutory requirement. A simple majority is all that is required for passage.

Because of the provisions of Section 2-57 of the Springfield City Code, the zoning amendment will not be able to be considered until seven members of the Council are present unless two meetings shall pass at which the amendment would otherwise have been on final passage. After two such meetings, five members of the Council at the third meeting may place the matter on final passage.

Submitted by:



Assistant City Attorney

Approved by:



City Manager

February 4, 2016

Tom Rykowski
City Attorney's Office

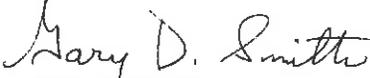
RE: Protest Petitions for Z-39-2015 / COD 103

Dear Tom,

After examining the protest petitions and properties surrounding the subject property at 608/614/618 W Mount Vernon St, I find the percentage of petitioners land lying within the 185 FT buffer to be 26.18% (50,181 SF). The total number of protester properties within the buffer area is eight.

The list of eligible protesters choosing to sign the petition and illustration of the proposed zoning area are attached. Let me know if you have any questions or need additional information.

Sincerely,


Gary D Smith
Information Systems GIS

CC: City Clerk, Planning Director



Total Area For Protesters & Non Protesters: 191,640 SF



Total Area For Protesters: 50,181 SF; 26.18% Of Total Area



Zoning Protest - Z-39-2015 / COD 103



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February 4, 2016

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1720.38	622 W Harrison St		0.90%	
1968.48	626 W Harrison St		1.03%	
2023.01	630 W Harrison St	Peter Hendricks	1.06%	1.06%
3579.53	632 S Grant Ave	Jeffery David O'Neill	1.87%	1.87%
420.91	628 S Main Ave		0.22%	
8410.76	624 S Grant Ave		4.39%	
9082.68	625 S Main Ave		4.74%	
889.12	620 S Main Ave		0.46%	
8982.64	620 S Grant Ave		4.69%	
5645.30	613 W Harrison St		2.95%	
5609.98	619 W Harrison St	Peggy Patrick	2.93%	2.93%
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4955.19	603 W Mount Vernon St		2.59%	
5370.13	605 W Mount Vernon St	Sharon L. Klebofski	2.80%	2.80%
12.63	519 S Main Ave		0.01%	
7089.90	611 W Mount Vernon St		3.70%	
191640.35			100.00%	26.18%

EXPLANATION TO COUNCIL BILL NO: 2016- 034

FILED: 01-19-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 0.81 acres of property generally located at 608, 614 and 618 West Mount Vernon Street from an R-SF, Single-Family Residential District to a R-LD, Low-Density Multi-Family Residential District; and establishing Conditional Overlay District No. 103.

BACKGROUND INFORMATION: ZONING CASE NUMBER Z-39-2015/CONDITIONAL OVERLAY DISTRICT NO. 103

The applicant is proposing to rezone the subject property from a R-SF, Single-Family Residential District to a R-LD, Low-Density Multi-Family Residential District with Conditional Overlay District No. 103. The proposed Conditional Overlay District will restrict the residential density to 11 dwelling units per acre or less and require a combination of all subject properties. A landscaped buffer yard "Type B" at least 15 feet wide is required between any adjacent R-SF District and no portion of a structure shall be higher than forty-five (45) degree bulk plane where the property adjoins a R-SF District.

The Growth Management and Land Use Plan of the Comprehensive Plan designate this area as appropriate for Medium or High Density Housing uses. The plan recommends townhouses and multi-family apartments where there is good traffic access, when located between low-density housing and non-residential land uses, and at high-amenity locations. The Major Thoroughfare Plan classifies Mount Vernon Street as a collector roadway which supports the proposed land use.

REMARKS: The Planning and Zoning Commission held a public hearing on January 7, 2016, and recommended approval, by a vote of 5 to 0, of the proposed zoning on the tract of land described on the attached sheet (see the attached Record of Proceedings, "Exhibit A").

The Planning and Development staff recommends the application be approved with the requirements of Conditional Overlay District No. 103 (see the attached Development Review Staff Report, "Exhibit C").

FINDINGS FOR STAFF RECOMMENDATION:

1. The Growth Management and Land Use Plan of the Comprehensive Plan identify this as an appropriate area for Medium or High Density Housing. The requested R-LD, Low-Density Multi-Family Residential zoning is consistent with this recommendation. The Growth Management and Land Use Plan also encourage a variety of housing types that would enable developers to compete more effectively and provide a greater housing choice for residents.

2. Supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use; Major Goal 4, Develop the community in a sustainable manner; Objective 4a, Increase density in activity centers and transit corridors.
3. This request is consistent with the City's policies to promote infill development and increased intensity where investments have already been made in public services and infrastructure. The request will change the status of two non-conforming uses and make them conforming.
4. The Major Thoroughfare Plan classifies Mount Vernon Street as a collector roadway which supports the proposed land use.
5. The proposed conditional overlay district will lower the residential density similar to the R-TH, Residential Townhouse District. The R-TH District zoning district allows duplexes. The development requirements in the R-LD District are adequate for mitigating any other potential impacts of the proposed development on the adjoining properties.

Submitted by:


Daniel Neal, Senior Planner

Reviewed by:


Mary Lilly Smith, Director

Approved by:


Greg Burris, City Manager

EXHIBITS:

- Exhibit A, Record of Proceedings
- Exhibit B, Legal Description
- Exhibit C, Development Review Staff Report

ATTACHMENTS:

- Attachment 1, Department Comments
- Attachment 2, Neighborhood Meeting Summary
- Attachment 3, Conditional Overlay District Provisions
- Attachment 4, Neighborhood Correspondence

EXHIBIT A

RECORD OF PROCEEDINGS Planning and Zoning Commission January 7, 2016

Z-39-2015 w/COD #103
608, 614 & 618 West Mt. Vernon Street
Applicant: Mt. Vernon 608, LLC

Mr. Hosmer stated that this is a request to rezone approximately 0.81 acres of property generally located at 608, 614 and 618 West Mount Vernon Street from an R-SF, Single-Family Residential District to a R-LD, Low-Density Multi-Family Residential District; and establishing Conditional Overlay District No. 103.

The Growth Management and Land Use Plan of the Comprehensive Plan identify this as an appropriate area for Medium or High Density Housing. The requested R-LD, Low-Density Multi-Family Residential zoning is consistent with this recommendation.

The Major Thoroughfare Plan classifies Mount Vernon Street as a collector roadway which supports the proposed land use.

The history of this property is prior to 1995 these properties were originally zoned as C-3, Commercial District, which allowed for both commercial and all types of residential uses. In 1995 the city wide reclassification rezoned these properties to R-MD, Medium-Density Multi-Family Residential District. In 1998, the West Central Neighborhood Strategic Plan was adopted and identified these properties as appropriate for R-SF, Single Family zoning. In 1998-99, the City rezoned this area to R-SF. In 2001, the City adopted the Growth Management and Land Use Element of the Comprehensive Plan that identified these properties as appropriate for Medium-to High-Density Housing. Staff recommends approval.

Mr. Baird opened the public hearing.

Mr. Geoff Butler, 319 N. Main, this property was originally zoned C-3, then in 1995 after the reclassification all of the properties in the community had to be remapped because C-3 did not allow residential at all. 618 W. Mt. Vernon is the largest piece and it has a dilapidated single family residence, which is a one bedroom house. All the other rooms that might qualify for a bedroom does not have any windows. It cannot be considered a two or three bedroom home and it has been added onto several times. It needs to be demolished and new construction placed there. Interesting part of the remapping, it was remapped to multi-family and all the property owners in the community had an opportunity to present, but since those properties were multi-family, they were probably fine with it. I do not know what happened to get it rezoned RS-F and if the property owners knew and only the owners can rezone their property and yet it was rezoned to RS-F making two of the properties non-conforming uses, which means if it is destroyed they would have to build a single family home. We are trying to make the two properties conforming and redevelop the third property. We think it is an appropriate use, it is on a collector street and it is a good place for a low density multi-family housing.

Mr. Cline reaffirmed that was being rebuilt, but knocking down the little house and put something there. He asked whether the duplexes are remaining as duplexes.

Mr. Butler said that they are remaining duplexes and have been significantly rehabilitated over the last year since they have been acquired. They haven been gutted and rebuilt and in the past, they were not that nice and all of the problems that the neighborhood had there were from the prior owners, who did not keep the property up. My client, their organization, has a history of buying properties and significantly investing in their area and improving the properties. These two properties on the east side have been significantly invested and they have been redone and with that come a better and more affluent tenant and they can charge more rent because it is a nicer property. That is the goal that we are going to invest in the community and invest in the area and make that something worth while.

Mr. Doennig, in requesting the change to RL-D with the Conditional Overlay District, are you trying to create something of hybrid between the RL-D district and the R-TH district.

Mr. Butler stated that the R-TH only allows one building, a duplex on one lot.

Mr. Doennig asked because of the two duplexes on one lot.

Mr. Butler stated that they have 2 duplexes and R-TH will not be appropriate, because R-TH only allows 11 units per acre, but the only way to get 11 units per acre would be to sub-divide into multiple lots and can't meet the subdivision regulations to do it. We want to put a four-plex in and there is plenty of room for parking so R-TH would be great if were not tied to one lot per building.

Mr. Doennig asked if they wanted to avoid the minor subdivision and do it the way as mentioned.

Mr. Butler stated that they could not do it with a subdivision because they cannot create enough lots to get 11 units an acre and use the R-TH with conditional overlay district to reduce the density to what is appropriate.

Mr. Gene Beauchamp, 3220 W. Meadowlark Circle, has a rental house that touches this area at 614 West Harrison. Approves for this project to go forward, but two concerns. Parking is a problem, fire trucks cannot go down Main Street if a vehicle is parked on the right and the left, it is totally impossible. Wants to make sure that the rental or lease agreement is enforced, because it will enforce the parking. The second item are the civil war artifacts, Mr. James Cox, who belongs to the Civil War Round Table and other organizations. The area is part of the old battle of Springfield, there should be many bullets and other artifacts buried so whoever is digging, they need to be aware of any artifacts. When Hammon's Tower was built, they had to look for civil war artifacts and it is very important. Please observe for anything of artifacts that may be there.

Mr. Baird stated that he would hope that anyone working on the site that they do pay attention, because it is a historical part of the area and the City. Mr. Baird then asked if Mr. Beauchamp was more concerned with people parking on the street or what the specific concern.

Mr. Beauchamp stated that people may stay longer and can't park on Main Street, so they would need to be very careful and enforce the parking by the landlord.

Ms. Kathleen Cowens, 741 S. Market Avenue, and is the president of West Central Neighborhood Alliance. The West Central board voted in favor of retaining the RS-F zoning. Retaining the present zoning is probably the main West Central priority by stabilizing the neighborhood and community by promoting ownership occupant housing. It has been a consistent goal for the West Central Neighborhood for the past 25 years or more and has found many references or policies promoting owner occupied homes. The West Central board is in full support of the wishes of Alan and Patricia Neff as well as many others. They have been long time residents and have changed their corner of the neighborhood and living in a lovely home. West Central has been really working hard at stabilizing the neighborhood. There has been a lot of focus on decreased home ownership and increased crime. With an apartment dwelling, there is an increase of noise, and people coming and going and believe that college students will be the targeted tenants. She also stated that she is aware that the Planning and Zoning commission is consistent with the Comprehensive Plan, the adopted goals, objectives, and policies related to community development. She also stated concerns regarding the future and what might happen to the properties and is not aware of anyone in the neighborhood is supportive of the zoning change or the four unit apartment complex.

Mr. Cline asked when the West Central board vote occurred.

Ms. Cowens stated that it was taken this week via e-mail. Six people said yes, one person abstained, one is out of town and two people did not respond.

Mr. Cline asked if the West Central vote was known to the Planning staff.

Ms. Cowens stated that they did not know of the vote.

Mr. Cline asked about a plan for the neighborhood, is it part of the Comprehensive Plan or something that the West Central neighborhood has put together for itself.

Ms. Cowens said that it would be in conjunction with the City.

Mr. Baird stated that it be a good plan if anytime you could get a group of people together and move in one direction.

Ms. Patricia Neff, 632 W. Mt. Vernon, our home was built in 1895 and has been familiar with this neighborhood for 60+ years. In 1995 I came forward requesting the zoning to be changed to RS-F. Our home at that time was commercial and changed our home from a 3-plex to a single family home. We have been working for the 35 years to restore our Victorian home and the house next door and help promote a better neighborhood. In 1999 when the duplexes were built they were rented to low income person and become a consent crime, a consent noise, disturbance, fighting, and the police were consistently being called. I'm asking that the zoning stay as is so we can rebuild the neighborhood. She also stated that she is concerned with the run off water because if there is a lot of rain, the water flows down the street and gathers on the corner.

Mr. Cline asked if the duplexes would be targeted towards students.

Ms. Neff stated that she thought they would be for students.

Mr. Rose asked how the addresses are divided up.

Mr. Hosmer stated that there are three lots, 608, 614, and 618 W. Mt. Vernon. The parcels are ownership and not subdivision parcels.

Ms. Brandy Roberts, 626 W. Mt. Vernon concerned with more density in the neighborhood and another concern was an incident taken place July 25, 2013 at the duplexes was a shooting. This is a very dense neighborhood, it requires two police squads and we have a lot of crime in the neighborhood and want to keep with single family homes.

Ms. Dixie Decker, 1122 E. Walnut, property owner of the addresses in question. We have spent \$100,000 fixing up the properties to make it a better street and neighborhood. We have several properties in this area and provide parking for each of them and have improved the community and the streets.

Mr. Baird asked if they give thought to the neighborhood while designing or do they just have a plan to as to what is being built.

Ms. Decker stated that the interior design typically does not change and there is a standard operating procedure. On the exterior we try to comply with what the neighborhood already looks like. That is the goal when we start planning.

Mr. Baird also asked if they primarily rent to students.

Ms. Decker stated that there are a lot of students in the area, however most of the time the parents are involved because we charge a higher rental price and that typically brings parents and kids together on the leases.

Mr. David Eslick, 3311 S. Elmira, on the Landmarks Board is in favor and has seen the work the Decker's have done. They have done a very good of matching the architecture on Walnut Street with the neighborhood. The properties that I have seen them redo have significantly improved the neighborhoods.

Ms. Phyllis Netzer, 845 S. Missouri Avenue, does not want to speak, however has filled out one of the forms.

Ms. Terry Knapp, 931 W. Monroe Terrace, a member on the West Central Neighborhood and would not to see the neighborhood being turned into what developers whatever they want to do. The goal of West Central neighborhood is to make it single family homes and this defeats the purpose.

Mr. Cline stated that he is familiar with the neighborhood and knows about the crime in the neighborhood. He asked if Ms. Knapp was aware of criminal property problems of the new owners.

Ms. Knapp replied that she is not aware of any of criminal property problems but stated that she does not want the neighborhood denser and wants to keep the single family home.

Mr. Baird closed the public hearing.

Mr. Baird stated that he usually drives by the neighborhood and does a cursory look. The cursory drive in the area looked like a great place for this development and is a difficult one after reading the public comments.

Mr. Edwards stated the Neighborhood Associations are the key to keeping what we have in the community. This case is not cut and dry and the applicants do own the property and have the rights to petition this council for the zoning change. The zoning change is not out of line with the neighborhood and I plan to support this case, but hope that the landlords will do right by the neighborhood and I believe it will be an improvement.

Mr. Rose, stated he has no trouble supporting the rezoning the lots of the duplexes, however hesitates on the single family house that is on a single family zoned lot. I ultimately support this rezoning because I believe it will be the best outcome for the neighborhood.

Mr. Cline stated that he does not believe that it about concepts of density however more with the kinds of neighbors that lower income people make and more to do with landlords that are not paying attention. I will support this and Butler Rosenbury is good company and is impressed with the owners that spoke. I am troubled by what appears to a blanket assumption that density, renters, poor people equal problems. This is good rezoning and I am voting yes.

Mr. Doennig stated that the decision on 608 & 614 is easy, bringing properties that are compatible to a zoning by its current use. The single family residence is more of a problem as I feel that we really need to work very hard in Springfield to preserve the existing house stock. When looking at the surrounding neighborhood we have RL-D and R-TH zoning all around, I believe that the developer with respect to the conditional overlay district is reasonable and hope they will be something to the neighborhood that will add value and plan to vote yes.

COMMISSION ACTION:

Mr. Edwards motions that we approve Z-39-2015 w/COD #103 (608, 614 & 618 West Mt. Vernon Street). Mr. Rose seconded the motion. The motion **carried** as follows: Ayes: Baird, Edwards, Doennig, Cline, and Rose. Nays: None. Abstain: None. Absent: Ray, Shuler, and Cox



Bob Hosmer, AICP
Principal Planner

EXHIBIT B
LEGAL DESCRIPTIONS
ZONING CASE Z-39-2015 & CONDITIONAL OVERLAY DISTRICT NO. 103

608-614 West Mount Vernon:

Beginning at the NorthWest corner of the North one half (N1/2) of the NorthEast Quarter (NE1/4) of the SouthEast Quarter (SE1/4) of Section 23, Township 29, Range 22; thence south twenty (20.0) feet and East 17 poles and 65 ½ feet for a beginning point, thence East 44 feet, thence South 185 feet, thence West 44 feet, thence North 185 feet to the point of beginning.

And

Beginning at a point 294.5 feet east of the SouthEast corner of Grant Avenue and Mount Vernon Street in the City of Springfield, thence east 51.5 feet, thence South 185 feet, thence west 51.5 feet, thence north to the point of beginning, in the City of Springfield, Greene County, Missouri.

618 West Mount Vernon:

Beginning at the NorthWest corner of the North one half (N1/2) of the NorthEast Quarter (NE1/4) of the SouthEast Quarter (SE1/4) of Section 23, Township 29, Range 22; thence south twenty (20.0) feet; thence east twelve (12) rods for a beginning point; thence South eighteen (18) rods; thence east five (5) rods and thirteen (13) feet; thence North eighteen (18) rods; thence west five (5) rods and thirteen (13) feet to the beginning; except the South one hundred and twenty five (125.0) feet all in Springfield, Greene County, Missouri except that part taken, deeded or used for road purposes.

Development Review Staff Report

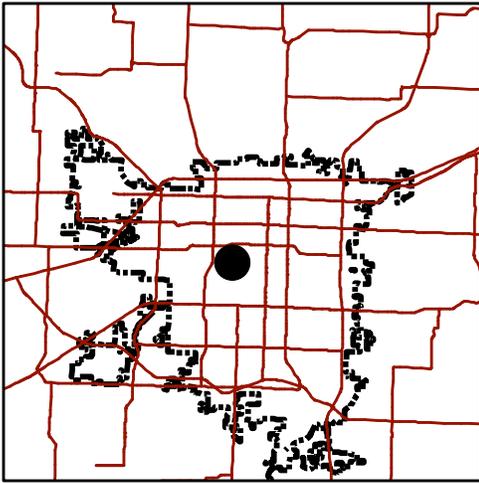
Planning & Development - 417/864-1031
 840 Boonville - Springfield, Missouri 65802

Z-39-2015/Conditional Overlay District No. 103

Location: 608, 614 & 618 W. Mount Vernon Street

Current Zoning: R-SF, Single-Family Residential

Proposed Zoning: R-LD, Low-Density Multi-Family Residential
 & COD #103



LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-39-2015 & CONDITIONAL OVERLAY DISTRICT NO. 103

PURPOSE: To rezone approximately 0.81 acres of property generally located at 608, 614 and 618 West Mount Vernon Street from an R-SF, Single-Family Residential District to a R-LD, Low-Density Multi-Family Residential District; and establishing Conditional Overlay District No. 103.

REPORT DATE: December 30, 2015

LOCATION: 608, 614 and 618 West Mount Vernon Street

APPLICANT: Mount Vernon 608, LLC

TRACT SIZE: Approximately 0.81 acres

EXISTING USES: Two existing legal non-conforming duplexes and a single-family residence

PROPOSED USES: Retain existing duplexes and multi-family residential uses

FINDINGS FOR STAFF RECOMMENDATION:

1. The Growth Management and Land Use Plan of the Comprehensive Plan identifies this as an appropriate area for Medium or High Density Housing. The requested R-LD, Low-Density Multi-Family Residential zoning is consistent with this recommendation. The Growth Management and Land Use Plan also encourages a variety of housing types that would enable developers to compete more effectively and provide a greater housing choice for residents.
2. Supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use Major Goal 4: Develop the community in a sustainable manner. Objective 4a, Increase density in activity centers and transit corridors.
3. This request is consistent with the City's policies to promote infill development and increased intensity where investments have already been made in public services and infrastructure. The request will change the status of two non-conforming uses and make them conforming. This will provide investment security for improvements on the property.
4. The Major Thoroughfare Plan classifies Mount Vernon Street as a collector roadway which supports the proposed land use.

- The proposed conditional overlay district will lower the residential density similar to the R-TH, Residential Townhouse District. The R-TH District is the least dense zoning district that allows duplexes. The development requirements in the R-LD District are adequate for mitigating any other potential impacts of the proposed development on the adjoining properties.

RECOMMENDATION:

Staff recommends **approval** of this request

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-TH & R-MD	Public School and single-family residence uses
East	R-SF	Duplex and single-family residences
South	R-SF	Single-family residences
West	R-SF	Single-family residence

COMPREHENSIVE PLAN:

- The Growth Management and Land Use Plan of the Comprehensive Plan designates this area as appropriate for Medium or High Density Housing uses. The plan recommends townhouses and all multi-family apartment buildings in this category, which are located where there is good traffic access, located between low-density housing and non-residential land uses, and at high-amenity locations. The Major Thoroughfare Plan classifies Mount Vernon between Grant and Campbell as a collector roadway which supports the proposed land use. The Growth Management and Land Use Plan also encourages a variety of housing types that would enable developers to compete more effectively and provide a greater housing choice for residents.

HISTORY:

- These properties were originally zoned as C-3, Commercial District, prior to the 1995 City-wide reclassification. This district allowed for both commercial and all types of residential uses. The 1995 reclassification rezoned these properties to R-MD, Medium-Density Multi-Family Residential District. In 1998, the West Central Neighborhood Strategic Plan was adopted and identified these properties as appropriate for R-SF zoning. In 1998-99, the City rezoned this area to R-SF. In 2001, the City adopted the Growth Management and Land Use Element of the Comprehensive Plan that identified these properties as appropriate for Medium-to High-Density Housing.

STAFF COMMENTS:

1. The applicant is proposing to rezone the subject property from an R-SF, Single-Family Residential District to an R-LD, Low-Density Multi-Family Residential District with Conditional Overlay District No. 103. The proposed Conditional Overlay District (Attachment 3) will restrict the residential density to 11 dwelling units per acre or less. The applicant is also proposing to combine the subject properties at 608, 614 and 618 West Mount Vernon Street. The proposed rezoning to R-LD will make the two existing duplexes conforming uses and allow the property at 618 West Mount Vernon to be redeveloped for higher density. The existing structures at 608 and 614 West Mount Vernon St. were converted to duplexes around 1998, but were being used as 4-plexes before then. The applicant also owns the property at 604 West Mount Vernon which was initially a part of this request but has since been removed from consideration.
2. The R-LD District is intended to accommodate multi-family developments at densities up to approximately eighteen (18) units per acre and is intended to have all vehicular access from a collector or higher classified street without traversing minor streets in adjoining residential neighborhoods. The applicant is requesting a conditional overlay district that will restrict the maximum density to eleven (11) dwelling units per acre. The Multi-Family Location and Design Guidelines are not required for multi-family developments at eleven (11) dwelling units per acre or less. The current R-SF, Single-Family Residential District allows for a maximum residential density of 7 du/ac. The proposed conditional overlay district will restrict the residential density to 11 dwelling units per acre which is similar to the R-TH, Residential Townhouse District. This is a difference of 4 du/ac. While both the R-TH and R-LD Districts allow duplexes, the primary difference is that the R-TH District only allows one duplex per lot while the R-LD allows for multiple duplexes or units on a single lot.
3. If the existing duplexes are not rezoned and brought into a conforming status, then in the event that any building or structure is damaged or destroyed, by any means, to the extent of more than seventy-five (75) percent of the replacement cost of the building or structure at the time such damage occurred, such building or structure shall not be restored unless it shall thereafter conform to the regulations for the zoning district in which it is located.
4. A traffic study was not warranted by Public Works Traffic Division since the rezoning from R-SF to R-LD with COD #103 on such small lots will not generate a significant amount of additional traffic. The Major Thoroughfare Plan classifies Mount Vernon Street as a collector roadway which supports the proposed land use.
5. The property to the east, south and west of the subject property is zoned R-SF, Single Family Residential. The normal bufferyard required between R-LD and R-SF zoning would be a landscaped Bufferyard "Type B" at least 15 feet wide. For

each one-hundred (100) linear feet of bufferyard, there must be one (1) canopy tree, one (1) understory tree, one (1) evergreen trees and six (6) shrubs. There are no required structures (i.e. solid fence, wall or hedge) in Bufferyard "B". The subject property qualifies for narrow and shallow lot exemptions because it is less than 200 feet wide and deep, however, the landscaping and structure requirements for the alternative bufferyard are more restrictive. All structures shall remain below a forty-five (45) degree bulk plane as measured from the boundaries of any R-SF district. The property to the north is zoned R-TH and R-MD, therefore no bufferyards are required across Mount Vernon Street.

6. The standard development requirements in the R-LD District are otherwise adequate for mitigating potential impacts of the multi-family uses on the adjoining single-family residential properties. No portion of a multi-family structure shall be higher than forty-five (45) degree bulk plane where the property adjoins an R-SF District. The standard requirements for noise, lighting, odor and signage will be covered by the Zoning Ordinance.
7. The proposed rezoning was reviewed by City departments and comments are attached (Attachment 1).

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting with property owners, residents and any registered neighborhood association within 500 feet of the subject properties on November 18, 2015. A summary of the meeting is attached (Attachment 2).

PUBLIC COMMENTS:

The property was posted by the applicant or their representative on December 17, 2015 at least 10 days prior to the public hearing. The public notice was advertised in the Daily Events at least 15 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. Thirty-one (31) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request.

CITY COUNCIL MEETING:

January 25, 2016

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-39-2015 & CONDITIONAL OVERLAY DISTRICT NO. 103

BUILDING DEVELOPMENT SERVICES COMMENTS:

1. Building Development Services does not have any issues with R-LD zoning with the COD to reduce the density.

TRAFFIC DIVISION COMMENTS:

1. No traffic issues with the proposed zoning request. The requested rezoning will not generate a significant amount of traffic to trigger a traffic study.

STORMWATER COMMENTS:

1. There are no stormwater issues with rezoning this property. Please note, however, that development (or re-development) of the property will be subject to the following conditions at the time of development.
2. Any increase in impervious area will require the development to meet current detention and water quality requirements. Existing impervious surfaces currently in good condition can be credited as existing impervious surface. Existing gravel surfaces meeting the above definition are eligible for 50% credit.
3. A payment in lieu of construction of detention facilities is not an option for this site due to existing downstream flooding problems.
4. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right-of-way, or drainage easement.

CLEAN WATER SERVICES COMMENTS:

1. No objections to rezoning

CITY UTILITIES:

1. No objection. CU has all facilities available to provide service.

ATTACHMENT 2: NEIGHBORHOOD MEETING SUMMARY

1. Request change to zoning from: **R-SF** to **R-LD with COD (11 units per Acre)**
(existing zoning) *(proposed zoning)*
2. Meeting Date & Time: **November 18, 2015 4:00 - 6:30 pm**
3. Meeting Location: **618 W Mt Vernon**
4. Number of invitations that were sent: **190**
5. How was the mailing list generated: **By City**
6. Number of neighbors in attendance (attach a sign-in sheet): **11**
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.)

See attached

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

See attached

November 18, 2015

Neighborhood Meeting Notes

Rezoning 604, 608, 614, 618 W Mount Vernon

Below is a summary of concerns expressed:

They do not want renters. They want Homeowners. They said that renters don't take care of the properties and in the past let the property run down and then the druggies and prostitutes move in.

Our response: We are investing in the area and improving property values in the area and with that investment comes higher rents and a better more affluent renter. Zoning does not address ownership. It merely addresses whether the tract of land can have one dwelling or more than one. A multifamily residential building could have four or five units in it and all could be owned under a condominium ownership.

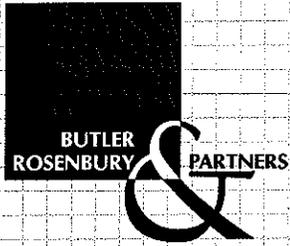
They would prefer that the three existing duplexes be converted to single family homes rather than rezone them to allow multifamily housing which they already are.

Our Response: These are already legal non conforming uses but if they get damaged by a storm or a fire, they could not be rebuilt as anything other than a single family home without the rezoning. This property was zoned C-3 Commercial prior to 1995 when the new zoning went into effect. However, they were remapped as R-SF incorrectly and should have been zoned multifamily at that time. This corrects that mistake.

They are opposed to removing the 618 property (which is an older single family property) from the zoning application so that the others could be properly zoned.

Our Response: We offered to just rezone the three duplexes and they would not consider it. The 618 property is in very poor shape. It is a one bedroom home and the floors sag, the roof leaks and sags and it cannot be renovated to make it a desirable property without spending more money than it is worth. It would never sell or rent in a manner that the investment could be returned.

We could not find any common ground on things which would satisfy them except leaving it all RSF and converting the duplexes to single family homes.



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Architecture
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 Planning
 Project Management

NEIGHBORHOOD MEETING
 REZONING - 604 - 618 MT VERNON
 NOV 18 2015
 4:00 - 6:30 PM

NAME	ADDRESS	PHONE #
S. David Carr	500 W MT VERNON S.	849-3941
PAT Noff	632 W. MT Vernon	864-5700
Alan Jeff	632 W MT Vernon	
Brandy Roberts	626 W. Mt. Vernon	417-894-7849
Phyllis Aetzer	845 S MISSOURI	866-8776
Kathleen Cowens	741 S Market Ave	865-7427
Tammy Ann Kaye	931 W. Memorial Terrace	865-3158
Rusty Worley	807 W Walnut	569-8866
Caron Parnell	800 W. Walnut	314.825.6498
John Dukewits	941 W LOMBARD	417 766 6818
KARL JASINSKI	626 S. MARKET AVE. 626, 630, 630.	810-922-4556

BRANDON DICKMAN | ROZA HOMES
 DIXIE VAUGHN

GEOFF BUTLER | BUTLER ROSENBERG



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Planning
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October 28, 2015

To: Nearby Neighbors of the properties at 604, 608, 614 and 618 West Mount Vernon

Re: Proposed Rezoning

Greetings,

I am representing the property owners of the above properties on West Mount Vernon. There are three lots there which they want to rezone from R-SF single family residential to R-LD Residential low density. 608 and 614 Mount Vernon are existing duplex units which are being rehabbed. The property at 618 Mount Vernon will be demolished and a new multi-family building with five units is planned there. 604 Mount Vernon is an existing single family house which will eventually be combined with 608 and 614 when that needs to be redone.

The purpose of this letter is to let you know of the upcoming zoning process and to invite you to a Neighborhood meeting that we are holding on **Wednesday evening November 18th between 4:00 PM and 6:30 PM.** The meeting will be held at **618 Mount Vernon.** There will be no formal presentation so you can come by any time during that period and I will be there to answer any questions you might have.

If you do not have time to come by please feel free to call me to discuss your concerns. My contact information is at the bottom of the first page of this letter.

Sincerely,

BUTLER, ROSENbury & PARTNERS, INC.

A handwritten signature in red ink, appearing to be "Geoffrey H. Butler", written over a red line.

Geoffrey H. Butler, AIA
Architect & Partner

GHB

CC: City of Springfield – Planning and Zoning Commission

Geoffrey H. Butler, AIA
Architect & Partner
Direct Line: 417.521.6106
Mobile: 417.848.6000
Email: butler@brpae.com

319 North Main, Suite 200
Springfield, MO 65806
Phone: 417.865.6100
Fax: 417.865.6102
www.brpae.com



Architecture
Engineering
Planning
Project Management

YOUR **VISION.** OUR **FOCUS.**

December 4, 2015

To: Nearby Neighbors of the properties at 608, 614 and 618 West Mount Vernon

Re:: Proposed Rezoning

Greetings,

I am representing the property owners of the above properties on West Mount Vernon. There are lots there which they want to rezone from R-SF single family residential to R-LD Residential low density with a Conditional Overlay District limiting the density to 11 units per acre. 608 and 614 Mount Vernon are existing duplex units which are being rehabbed. The property at 618 Mount Vernon will be demolished and a new fourplex multi-family building is planned there. Previously 604 Mount Vernon was a part of this zoning but it has been removed from the application.

The purpose of this letter is to let you know that 604 Mount Vernon was removed from the request and that the zoning public hearing has been tabled until January 7th. Also please find the Notice form which was inadvertently omitted from our last letter to the neighborhood. We apologize for any inconvenience this might have caused.

Please feel free to call me any time to discuss your concerns. My contact information is at the bottom of the first page of this letter.

Sincerely,

BUTLER, ROSENbury & PARTNERS, INC.

A handwritten signature in red ink, appearing to be "Geoffrey H. Butler", written over a red circular stamp or seal.

Geoffrey H. Butler, AIA
Architect & Partner

GHB

CC: City of Springfield – Planning and Zoning Commission

Geoffrey H. Butler, AIA
Architect & Partner
Direct Line: 417.521.6106
Mobile: 417.848.6000
Email: butler@brpae.com

319 North Main, Suite 200
Springfield, MO 65806
Phone: 417.865.6100
Fax: 417.865.6102
www.brpae.com

ATTACHMENT 3
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-39-2015 & CONDITIONAL OVERLAY DISTRICT NO. 103

The requirements of *Section 36-382.* of the *Springfield Zoning Ordinance* shall be modified herein for development within this district.

1. Use Limitations:

- a. The maximum density for the subject properties are eleven (11) dwelling units per acre.
- b. All subject properties shall be combined into one lot following the Subdivision Regulations if there are any existing non-conformities.

NOTICE

Enclosed you have received a notice of a "Neighborhood Meeting" submitted by the applicant to discuss a change in land use or zoning in your neighborhood. For all development applications involving an advertised public hearing, City Council requires developers to hold a neighborhood meeting and invite the property owners within 500 feet of the property and to the officers of neighborhood association on file with the Department.

A "Neighborhood Meeting" is held early enough to provide adequate time for the developer to negotiate with the neighborhood in order to resolve any issues and provide any proposed changes to City staff to evaluate and include in City staff reports.

If the developer submits, an application for a change in land use or zoning the property will be posted, there will be public notifications in the newspaper and notification by mail to the property owners within 185 feet of the project.

The Land Use or Zoning Change Process:

1. Application
2. Neighborhood Meeting (500 feet notification from subject property)
3. Planning and Zoning Commission Public Hearing (185 feet notification from subject property)
4. 1st City Council Public Hearing (185 feet notification from subject property)
5. 2nd City Council Meeting to decide either to approve or to deny the change in land use or zoning

City staff is available to meet with you or your neighborhood association representative(s) to discuss the proposed change in land use or zoning and answer questions at 417-864-1611.

Staff submits a report with a recommendation one week prior to the date of the public hearing at the Planning and Zoning Commission. You can provide comments on the attached "Comment Card" by mail or by email at zoning@springfieldmo.gov. Please include your name, address and telephone number as well as the address of the project in your correspondence.

Bob Hosmer, AICP Principal Planner
City of Springfield Development Review Office
840 Boonville Ave, Springfield Missouri 65801

Comment Card: mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	12-9-2015	Telephone No.	417-689-0341
YOUR NAME:	Phyllis Netzer		
YOUR ADDRESS:	845 S MISSOURI AVE		
PROJECT ADDRESS:	600 BLK of Mount Vernon St.		

COMMENTS: The people of this neighborhood have fought, argued for at least 15 years to have single family zoning as much as possible. There have been multiple RFD and above constructed in the last several years.

~~The~~ WCN has been a blighted neighborhood for several years. Until we, everyone, make efforts for more home ownership and less multi-family we will never be able to crawl out of this "Blighted" label. IT is a shame to have these beautiful old homes upgraded in Density.

City of Springfield, Missouri - Development Review Office - 840 Boonville, Springfield, MO 65802 - 417.864.1611 Phone / 417.864.1882 Fax

So someone, who doesn't live in the neighborhood, can make a few more bucks,

CAN YOU MAIL ANOTHER FORM TO ME?

NOTICE

Enclosed you have received a notice of a "Neighborhood Meeting" submitted by the applicant to discuss a change in land use or zoning in your neighborhood. For all development applications involving an advertised public hearing, City Council requires developers to hold a neighborhood meeting and invite the property owners within 500 feet of the property and to the officers of neighborhood association on file with the Department.

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Bob Hosmer, AICP Principal Planner
City of Springfield Development Review Office
840 Boonville Ave, Springfield Missouri 65801

Comment Card: mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	12-21-15	Telephone No.	863-1205
YOUR NAME:	Peggy J. Patrick		
YOUR ADDRESS:	619 West Harrison St, Springfield, MO 65806		
PROJECT ADDRESS:	608, 614, & 618 West Mt. Vernon St.		
COMMENTS:	<p>I believe that the duplexes at 608 & 614 W. Mt. Vernon should remain as R-SF - single family residential.</p> <p>I believe the home at 618 W. Mt. Vernon should be rehabbed and remain as R-SF - single family residential.</p> <p>Peggy J. Patrick</p>		

NOTICE

Enclosed you have received a notice of a "Neighborhood Meeting" submitted by the applicant to discuss a change in land use or zoning in your neighborhood. For all development applications involving an advertised public hearing, City Council requires developers to hold a neighborhood meeting and invite the property owners within 500 feet of the property and to the officers of neighborhood association on file with the Department.

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Staff submits a report with a recommendation one week prior to the date of the public hearing at the Planning and Zoning Commission. You can provide comments on the attached "Comment Card" by mail or by email at zoning@springfieldmo.gov. Please include your name, address and telephone number as well as the address of the project in your correspondence.

Bob Hosmer, AICP Principal Planner
 City of Springfield Development Review Office
 840 Boonville Ave, Springfield Missouri 65801

Comment Card: mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	DEC 30 2015	Telephone No.	417-8645700
YOUR NAME:	PATRICIA NEFF & Alan NEFF		
YOUR ADDRESS:	638 632 W. MT Vernon St. Spd, MO 65806		
PROJECT ADDRESS:	608, 614 & 618 W. MT Vernon St. Springfield, MO 65806		
COMMENTS:	We are the property owners of 638, 632, 626 MT Vernon - IN 1995 I spoke before the City Council on the zoning to R-SF. OUR Home at 632 was a 3 unit, our property at 626 was a 2 unit the were changed to Single Family we reside at 632 W MT Vernon this has been our dwelling for the past 35 years. We wish to see this neighborhood over come its current reputation I believe leaving the current properties as R-SF is the only hope for this block Please DO NOT Rezone		

City of Springfield, Missouri - Development Review Office - 840 Boonville, Springfield, MO 65802 - 417.864.1611 Phone / 417.864.1882 Fax

Patricia Neff
Alan Neff

NOTICE

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1. Application
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Staff submits a report with a recommendation one week prior to the date of the public hearing at the Planning and Zoning Commission. You can provide comments on the attached "Comment Card" by mail or by email at zoning@springfieldmo.gov. Please include your name, address and telephone number as well as the address of the project in your correspondence.

Bob Hosmer, AICP Principal Planner
City of Springfield Development Review Office
840 Boonville Ave, Springfield Missouri 65801

Comment Card: mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	12/30/15	Telephone No.	417-894-7849
YOUR NAME:	Brandy Roberts		
YOUR ADDRESS:	6210 W. Mt. Vernon		
PROJECT ADDRESS:	1218-1214-1208 W. Mt. Vernon		

COMMENTS: I am concerned about the current density of our neighborhood. I am also concerned about the high crime rate in direct correlation to the density. I am not in favor of the rezoning of 1218-1214-1208 W. Mt. Vernon. The duplexes 1214 & 1208 have been constant culprits of rotating crime & violence. 1218 W. Mt. Vernon is a nice livable home that should not be demolished to build a multi-dwelling unit. It's absurd. In the 8 years I have lived next door to 1218 it has never been an issue. ~~about~~ This block doesn't need anymore Density!

RECEIVED
 DEC 18 2015
 BY: *Alvin Clowers* - 3:50 pm

**ZONING PROTEST PETITION TO THE
 CITY COUNCIL OF SPRINGFIELD, MISSOURI**

Please take notice that the undersigned property owners acknowledge that they are the owners of either the land (exclusive of streets and alleys) included in such proposed change or within an area determined by line drawn parallel to and one hundred eighty-five (185) feet distance from the boundaries of the district proposed to be changed and that said owners do protest and object to said proposed rezoning of Planning and Zoning Commission Case No. 2-39-2015 Capitol, City Council Bill No., _____ (if applicable). This protest is given in contemplation of the provisions of City Code and applicable laws. Petitions must be filed with the City Clerk's Office.

Printed Name of Owner:	Owner(s) Address:	Property Address (if different):	Owner(s) Signature(s)
Alan Neff	632 West Mt Vernon	626 Mt. Vernon	<i>Alan Neff</i>
PATRICIA NEFF	"	"	<i>Patricia Neff</i>
Alan Neff	"	638 West Mt Vernon	<i>Alan Neff</i>
PATRICIA NEFF	"	"	<i>Patricia Neff</i>
Alan Neff	"	632 W. Mt. Vernon	<i>Alan Neff</i>
PATRICIA NEFF	"	"	<i>Patricia Neff</i>

PLEASE NOTE:

ALL OWNERS OF RECORD MUST SIGN THE PETITION IN ORDER FOR THEIR PROPERTY TO BE INCLUDED IN THE REQUIRED THIRTY PERCENT (30%).

THE NOTARY EXECUTING THIS PETITION MUST WITNESS ALL SIGNATURES.

STATE OF MISSOURI
 COUNTY OF GREENE ss.

On this 2nd day of December, 2015, before me personally appeared the above named person(s) to me known to be the person or persons described in and who executed the foregoing instrument and acknowledged that he (or they) executed the same as his (or their) free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal on the day and year first above written.

Judy K. White

 Notary Public

(SEAL)

JUDY K. WHITE
 Notary Public - Notary Seal
 State of Missouri
 Commissioned for Greene County
 My Commission Expires: October 20, 2019
 Commission Number: 16897552

My Commission Expires: October 20, 2019

RECEIVED
 DEC 30 2015
 BY: Anita Climer 9:29am

**ZONING PROTEST PETITION TO THE
 CITY COUNCIL OF SPRINGFIELD, MISSOURI**

Please take notice that the undersigned property owners acknowledge that they are the owners of either the land (exclusive of streets and alleys) included in such proposed change or within an area determined by line drawn parallel to and one hundred eighty-five (185) feet distance from the boundaries of the district proposed to be changed and that said owners do protest and object to said proposed rezoning of Planning and Zoning Commission Case No. Z-39-2015 w/COD #103, City Council Bill No., _____ (if applicable). This protest is given in contemplation of the provisions of City Code and applicable laws. Petitions must be filed with the City Clerk's Office.

Printed Name of Owner:	Owner(s) Address:	Property Address (if different):	Owner(s) Signature(s)
Peter Hendricks	630 W. Harrison ST		
Carolyn Hendricks	630 W. Harrison ST		

PLEASE NOTE:

ALL OWNERS OF RECORD MUST SIGN THE PETITION IN ORDER FOR THEIR PROPERTY TO BE INCLUDED IN THE REQUIRED THIRTY PERCENT (30%).

THE NOTARY EXECUTING THIS PETITION MUST WITNESS ALL SIGNATURES.

STATE OF MISSOURI
 COUNTY OF GREENE ss.

On this 29 day of December, 2015, before me personally appeared the above named person(s) to me known to be the person or persons described in and who executed the foregoing instrument and acknowledged that he (or they) executed the same as his (or their) free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal on the day and year first above written.

(SEAL)


 Notary Public

My Commission Expires: 5-31-2019

SHIRLEY J. ALLEN
 Notary Public - Notary Seal
 State of Missouri
 Commissioned for Polk County
 My Commission Expires: May 31, 2019
 Commission Number: 15439482

**ZONING PROTEST PETITION TO THE
CITY COUNCIL OF SPRINGFIELD, MISSOURI**

RECEIVED
DEC 30 2015
BY: *Chris Meyer* 2:25pm

Please take notice that the undersigned property owners acknowledge that they are the owners of either the land (exclusive of streets and alleys) included in such proposed change or within an area determined by line drawn parallel to and one hundred eighty-five (185) feet distance from the boundaries of the district proposed to be changed and that said owners do protest and object to said proposed rezoning of Planning and Zoning Commission Case No. Z-39-2015 COD#103 City Council Bill No., _____ (if applicable). This protest is given in contemplation of the provisions of City Code and applicable laws. Petitions must be filed with the City Clerk's Office.

Printed Name of Owner:	Owner(s) Address:	Property Address (if different):	Owner(s) Signature(s)
<i>Jeffrey DAVID O'Neill</i>	<i>632 S GRANT AVE</i>		<i>Jeffrey D O'Neill</i>

PLEASE NOTE:

ALL OWNERS OF RECORD MUST SIGN THE PETITION IN ORDER FOR THEIR PROPERTY TO BE INCLUDED IN THE REQUIRED THIRTY PERCENT (30%).

THE NOTARY EXECUTING THIS PETITION MUST WITNESS ALL SIGNATURES.

STATE OF MISSOURI
COUNTY OF GREENE ss.

On this 22nd day of December, 2015, before me personally appeared the above named person(s) to me known to be the person or persons described in and who executed the foregoing instrument and acknowledged that he (or they) executed the same as his (or their) free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal on the day and year first above written.

(SEAL)

Shirley J. Allen
Notary Public

My Commission Expires: 5-31-2019

SHIRLEY J. ALLEN
Notary Public - Notary Seal
State of Missouri
Commissioned for Polk County
My Commission Expires: May 31, 2019
Commission Number: 15439482

**ZONING PROTEST PETITION TO THE
CITY COUNCIL OF SPRINGFIELD, MISSOURI**

RECEIVED
DEC 30 2015
BY: *Richie* 2:25pm

Please take notice that the undersigned property owners acknowledge that they are the owners of either the land (exclusive of streets and alleys) included in such proposed change or within an area determined by line drawn parallel to and one hundred eighty-five (185) feet distance from the boundaries of the district proposed to be changed and that said owners do protest and object to said proposed rezoning of Planning and Zoning Commission Case No. Z-39-2015 COD#103 City Council Bill No., _____ (if applicable). This protest is given in contemplation of the provisions of City Code and applicable laws. Petitions must be filed with the City Clerk's Office.

Printed Name of Owner:	Owner(s) Address:	Property Address (if different):	Owner(s) Signature(s)
<i>Peggy J. Patrick</i>	<i>619 W. Harrison St.</i>	<i>—</i>	<i>Peggy J. Patrick</i>

PLEASE NOTE:

ALL OWNERS OF RECORD MUST SIGN THE PETITION IN ORDER FOR THEIR PROPERTY TO BE INCLUDED IN THE REQUIRED THIRTY PERCENT (30%).

THE NOTARY EXECUTING THIS PETITION MUST WITNESS ALL SIGNATURES.

STATE OF MISSOURI
COUNTY OF GREENE ss.

On this 17th day of December, 2015, before me personally appeared the above named person(s) to me known to be the person or persons described in and who executed the foregoing instrument and acknowledged that he (or they) executed the same as his (or their) free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal on the day and year first above written.

(SEAL)

Robin Lynn McDaniel
Notary Public

My Commission Expires: November 08, 2019

ROBIN LYNN McDANIEL
Notary Public - Notary Seal
State of Missouri
Commissioned for Greene County
My Commission Expires: November 08, 2019
Commission Number: 15548377

**ZONING PROTEST PETITION TO THE
CITY COUNCIL OF SPRINGFIELD, MISSOURI**

RECEIVED
JAN 06 2015
BY: *Cheri Meyer* 11:19 am

Please take notice that the undersigned property owners acknowledge that they are the owners of either the land (exclusive of streets and alleys) included in such proposed change or within an area determined by line drawn parallel to and one hundred eighty-five (185) feet distance from the boundaries of the district proposed to be changed and that said owners do protest and object to said proposed rezoning of Planning and Zoning Commission Case No. Z-39-2015 COD#103 City Council Bill No., _____ (if applicable). This protest is given in contemplation of the provisions of City Code and applicable laws. Petitions must be filed with the City Clerk's Office.

Printed Name of Owner:	Owner(s) Address:	Property Address (if different):	Owner(s) Signature(s)
<i>Bailey Grace</i>	<i>427 W Harrison St Springfield, MO 65806</i>		<i>Bailey Grace</i>

PLEASE NOTE:

ALL OWNERS OF RECORD MUST SIGN THE PETITION IN ORDER FOR THEIR PROPERTY TO BE INCLUDED IN THE REQUIRED THIRTY PERCENT (30%).

THE NOTARY EXECUTING THIS PETITION MUST WITNESS ALL SIGNATURES.

STATE OF MISSOURI
COUNTY OF GREENE ss.

On this 5th day of January, 2016, before me personally appeared the above named person(s) to me known to be the person or persons described in and who executed the foregoing instrument and acknowledged that he (or they) executed the same as his (or their) free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal on the day and year first above written.

Marguerite A. Phipps

Notary Public

My Commission Expires: Nov 25, 2018

(SEAL)
MARGUERITE A. PHIPPS
Notary Public - Notary Seal
STATE OF MISSOURI
Greene County
My Commission Expires Nov. 25, 2018
Commission #14631721

From: [Karl Jasinski](#)
To: Zoning@springfieldmo.gov
Cc: [Kathleen Cowens](#)
Subject: Proposed rezoning of 608, 614 and 618 West Mount Vernon
Date: Thursday, January 07, 2016 10:34:15 AM

Dear City Zoning staff and Planning Commission,

Regarding the zoning change request by the "new owner/Roza Homes" of the above properties, I truly hope that the city planning depart staff has decided not to recommend a Multi-Family rezone of the three historic "built-as" single family homes, and I truly hope the Planning Commission members hear the voices of the concerned residents regarding this proposal and what the desire for their neighborhood is; for we are the invested ones who live here and will be effected by the rezone request. I have yet to talk to one neighbor that approves of this.

In the past, I've served on a Planning Commission for three years and take a great interest in zoning and planning, I can't see how the above request is consistent with the neighboring properties and I certainly don't agree with additional multi-family units or a rezone at this location. The West Central Neighborhood is a majority of Built-as single family historic homes, many poorly subdivided into non conforming multiple units- most of these properties are now poised for conversion back to single family(and we are seeing this trend happening now on every street) as a building boom of multi-family units in the downtown area will absorb most of the downtown/West Central neighborhood rental market. I ask the commission to please not reverse a positive trend that is happening now in our lovely neighborhood.

I applaud Roza Homes with for wonderful job they do in restoring and improving properties throughout the city and the improvements they've already made to the above properties.

Thank you for your time, I apologize this letter did not get sent out sooner and I hope it can be submitted in tonight's meeting.

All my best,

Karl Jasinski
627 South Market Ave.
Springfield, MO. 65806

Karl Jasinski
DESIGNS
Branson - Sarasota - Fenton
810-922-4556

One-rdg. _____
P. Hrngs. X
Pgs. 5
Filed: 05-24-16

Sponsored by: McClure

First Reading: _____

Second reading: _____

COUNCIL BILL NO. 2016- 114

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 SETTING a preliminary tax levy on real and personal property for current expenses
2 and debt retirement of the City of Springfield, Missouri, and its boards and
3 agencies for Fiscal Year 2016-2017; and declaring an emergency.
4
5

6 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD,
7 MISSOURI, as follows, that:
8

9 Section 1 – There is hereby levied for Fiscal Year July 1, 2016, through June 30,
10 2017, a tax upon the \$100.00 valuation of all real and personal property within or having
11 its taxable status within the corporation limits of the City subject to taxation, and upon the
12 \$100.00 valuation of all property in the City, subject to taxation and assessed to any
13 railroad, telegraph, telephone, street, railway or bridge company, according to the last
14 assessed valuation of the said properties of such companies fixed by the following
15 purposes, to wit:
16

17 (a) For municipal purposes as authorized by Article X Section 4(b) of the
18 Constitution of the State of Missouri and approved by the voters of the City, a rate of
19 \$0.2620;
20

21 (b) For the establishment and maintenance of public parks in the City, for the
22 aforesaid fiscal year, a rate of \$0.1837;
23

24 (c) For maintenance and operation of public health service in the City, for the
25 aforesaid fiscal year, a rate of \$0.1252;
26

27 (d) For the establishment and maintenance of an art museum in the City, for the
28 aforesaid fiscal year, a rate of \$0.0385.
29

30 These levies are subject to revision based on the levies certified by the Greene
31 County Clerk.
32

33 Section 2 – The City Council finds that the Director of Finance of the City has

34 presented to the City Council the following information:

35
36 (1) The assessed valuations by category of real, personal and other tangible
37 property for the preceding year and this year are as follows:

38		2015 FINAL	2016 ESTIMATED
39	SOURCE	VALUATION	VALUATION
40	Real Estate	\$2,328,147,204	\$2,351,428,676
41	Personal Property	<u>515,195,427</u>	<u>520,347,381</u>
42	Total	<u>\$2,843,342,631</u>	<u>\$2,871,776,057</u>

43
44
45
46
47 (2) The amount of revenue required to be produced from the property tax as set
48 forth in the annual budget is \$19,231,991.

49
50 (3) The tax rates proposed to generate this revenue and their estimated yield are
51 as follows:

52		PROPOSED	
53	PURPOSE	TAX LEVY	YIELD
54	Art Museum	\$ 0.0385	\$ 1,105,634
55	Public Parks	0.1837	5,275,453
56	Public Health	0.1252	3,595,464
57	Debt Service	<u>0.2620</u>	<u>7,524,053</u>
58	Total	\$ <u>0.6094</u>	\$ <u>17,500,604</u>

59
60
61
62
63 Section 3 – The City Council finds that proper notice was published containing the
64 information set forth in Section 2 above, and a public hearing has been held regarding
65 the proposed rates of taxes.

66
67 Section 4 – Within such time so as to permit the aforesaid taxes to be extended
68 upon the assessment books, the levy so established herewith shall be certified by the
69 City Clerk to the Director of Finance and to the County Collector of Greene County,
70 Missouri, who shall proceed to extend the aforesaid taxes for the year upon the
71 assessment books, in the appropriate columns.

72
73 Section 5 – The City Council hereby finds and declares that an emergency exists
74 in that this ordinance relates to the fixing of the preliminary tax rates for the Fiscal Year
75 beginning July 1, 2016. Therefore, this ordinance shall be in full force and effect from
76 and after passage.

77 Passed at meeting: _____

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93

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Rhonda Lewaden, Assistant City Attorney

Approved for Council action: [Signature], City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 114

FILED: 05-24-16

ORIGINATING DEPARTMENT: Finance

PURPOSE: To set the real and personal property preliminary tax levy for the City of Springfield for Fiscal Year 2016-2017 at a level of \$0.6094 per \$100 assessed valuation; and declaring an emergency.

REMARKS: This ordinance is a companion bill to the adoption of the annual City operating budget and sets the preliminary tax levy on real and personal property. The tax levy is assessed on all property on the tax rolls as of January 1, 2016. Notices have been published calling a public hearing for the purpose of setting the tax levy for the City of Springfield budget for 2016-2017. A copy of the notice is attached hereto setting forth the estimate of the assessed valuations and the tax revenues for 2016.

The tax levies established by this ordinance are based upon State law. The State Auditor is required to review and approve all levies and determine that they meet the statutory test and the Constitutional Test or Hancock Amendment. These tests factor in growth in assessed value and the Consumer Price Index. After checking all relevant information, the State Auditor provides the City of Springfield with a statement showing the tax rate ceiling, which is an amount that the levies cannot exceed without a vote of the people.

The projected levy for Fiscal Year 2016-2017 will be \$0.6094 per \$100 assessed valuation in the Proposed Budget. The actual levy may be adjusted in August, 2016, based on the tax levies provided by the State Auditor.

This bill is presented as an emergency. City Council is not expected to vote on this bill after the first reading. The bill is presented as an emergency to allow changes to the ordinance after the first reading and prior to final approval by City Council.

Recommended by:



Mary Mannix Decker, Director of Finance

Approved by:



Greg Burris, City Manager

Exhibit A

**CITY OF SPRINGFIELD
PUBLIC HEARING NOTICE**

SUBJECT: Setting tax levy for the City of Springfield budget for 2016-2017

DATE AND TIME: May 31, 2016 at 6:30 P.M.

PLACE: City Council Chambers, City Hall, 830 Boonville Avenue, Springfield, Missouri 65802

SUPPLEMENTAL INFORMATION: To provide citizens of the City of Springfield, Missouri, the opportunity to submit written and oral comments on the City's tax levy. Estimated assessed valuations for 2016 are:

<u>SOURCE</u>	<u>VALUATION</u>
Real Property	\$2,351,428,676
Personal Property	<u>520,347,381</u>
 Total	 <u><u>\$2,871,776,057</u></u>

The proposed City budget for 2016-2017 reflects the following yield on this estimated valuation:

<u>FUND</u>	<u>TAX LEVY</u>	<u>YIELD</u>	<u>SURTAX</u>	<u>TOTAL</u>
Art Museum	\$.0385	\$ 1,105,634	\$ 109,283	\$ 1,214,917
Public Parks	.1837	5,275,453	521,972	5,797,425
Public Health	.1252	3,595,464	355,661	3,951,125
Debt Service	<u>.2620</u>	<u>7,524,053</u>	<u>744,471</u>	<u>8,268,524</u>
 Total	 <u>\$.6094</u>	 <u>\$17,500,604</u>	 <u>\$1,731,387</u>	 <u>\$19,231,991</u>

The City of Springfield tax levies will be finalized in August 2016 when the Greene County Clerk provides the City with the certified levy amounts.

Address written comments to Anita Cotter, City Clerk, P. O. Box 8368, Springfield, MO 65801-8368. Written comments received before or at the hearing will be in the hearing record.

Anita Cotter, City Clerk
City of Springfield, Missouri

One-rdg. _____
P. Hrngs. X
Pgs. 7
Filed: 05-24-16

Sponsored by: Stephens

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 115

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 ADOPTING a budget for the City of Springfield, Missouri, for Fiscal Year July 1, 2016
2 through June 30, 2017, providing that certain amounts shown in the
3 budget document are appropriated for the various departments specified
4 in said budget, and declaring an emergency.
5
6

7 WHEREAS, the City Manager submitted a budget for Fiscal Year 2016-2017 to
8 City Council; and
9

10 WHEREAS, a public hearing was held on the budget on the 31st day of May,
11 2016.
12

13 NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
14 SPRINGFIELD, MISSOURI, as follows, that:
15

16 Section 1 – A budget for Fiscal Year 2016-2017 for the City of Springfield,
17 Missouri, is hereby adopted entitled “CITY OF SPRINGFIELD PROPOSED ANNUAL
18 BUDGET, July 1, 2016 – June 30, 2017,” providing total revenues of \$338,038,109 and
19 appropriations for all funds of \$338,038,109; a copy of which is on file with the City
20 Clerk. Budgeted revenues and appropriations are detailed and incorporated herein as
21 “Exhibit A.”
22

23 Section 2 – The lease obligations under various agreements between the City
24 and the Public Building Corporation of the City of Springfield, Missouri, as well as all
25 other similar lease obligations subject to annual appropriations, are hereby authorized
26 for renewal for the fiscal year beginning July 1, 2016, and continuing through June 30,
27 2017, and the funds for such payments as set forth in the budget stand appropriated.
28

29 Section 3 – From the effective date of the budget, to wit: July 1, 2016, the several
30 amounts shown therein as adopted are hereby appropriated for the various
31 departments, offices, and agencies specified therein. All expenditures of the City shall
32 be limited to the appropriations provided for the departments, offices, and agencies, as
33 noted in “Exhibit A” attached hereto.

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Section 4 – The City Manager is directed to cause the proper accounting entries to be made in the books and records of the City so as to reflect the revenues and appropriations for the aforesaid fiscal year, and he is further directed to file a certified copy of the adopted budget for said fiscal year with the City Clerk.

Section 5 – The City Council hereby finds and declares that an emergency exists in that this ordinance relates to the adoption of a budget for the City for the Fiscal Year July 1, 2016, and continuing through June 30, 2017, providing revenues and appropriations for the various functions and activities of City government; therefore, this ordinance shall be in full force and effect from and after passage.

Passed at meeting: _____

Mayor

Attest: _____, Acting City Clerk

Filed as Ordinance: _____

Approved as to form: Rhonda Lewsader, Assistant City Attorney

Approved for Council action: [Signature], City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 115

FILED: 05-24-16

ORIGINATING DEPARTMENT: Finance

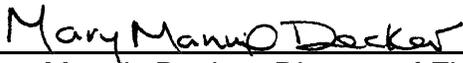
PURPOSE: To adopt the Fiscal Year 2016-2017 Budget for the City of Springfield and to declare an emergency.

REMARKS: The Finance Department recommends the adoption of a Proposed Budget totaling \$338,038,109 as submitted by the City Manager, which is on file with the City Clerk's office, entitled "CITY OF SPRINGFIELD PROPOSED ANNUAL BUDGET, July 1, 2016, – June 30, 2017." The proposed budget was reviewed and discussed by City Council on May 3, 2016, May 10, 2016, May 17, 2016 and May 24, 2016. There was opportunity for public input at a public hearing held on May 31, 2016.

The proposed budget revenues and appropriations are detailed in "Exhibit A" of the Ordinance.

This Ordinance is presented as an emergency as it relates to and meets the requirements of adopting a budget for the City. City Council is not expected to vote on this ordinance after the first reading. The ordinance is presented as an emergency to allow changes to the ordinance after the first reading and prior to final approval by City Council.

Submitted by:



Mary Mannix Decker, Director of Finance

Approved by:



Greg Burris, City Manager

Revenues

Schedule of Actual and Projected Revenues (All Fund Types):

	General Fund	Special Revenue Funds	Grant Funds	Capital Projects Funds	Debt Service Funds
TAXES					
Sales (General)	\$ 45,400,000	\$ -	\$ -	\$ -	\$ -
Sales (Capital Improvement)	-	-	-	9,775,000	-
Sales (Law Enforcement)	-	7,800,000	-	-	-
Sales (Transportation)	-	-	-	4,887,500	-
Sales (Parks)	-	10,130,000	-	-	-
Sales (911)	-	5,597,150	-	-	-
Sales (Public Safety Pension)	-	35,320,000	-	-	-
Use	3,000,000	3,300,000	-	-	-
Property	-	11,758,777	-	-	8,287,027
Payment In Lieu of Taxes	13,670,000	-	-	-	-
Gross Receipts	6,110,000	639,540	-	-	-
Cigarette	780,000	-	-	-	-
Room	106,500	2,779,500	-	-	-
Tourism	-	2,351,000	-	-	-
	69,066,500	79,675,967	-	14,662,500	8,287,027
LICENSES AND FINES					
Occupational Licenses	3,720,000	-	-	-	-
Permits	1,599,000	375,000	-	-	-
Fines and Forfeitures	768,000	-	-	-	-
Court Costs	170,000	-	-	-	-
	6,257,000	375,000	-	-	-
CHARGES AND FEES					
Charges for Services	525,000	3,131,591	-	775,000	-
User Fees	-	9,282,888	-	-	152,000
Aviation Fuel Sales	-	-	-	-	-
Sale of Goods	75,000	550,000	-	-	-
Rentals	-	147,600	-	-	-
	600,000	13,112,079	-	775,000	152,000
INTERGOVERNMENTAL					
Gasoline Taxes	-	4,400,000	-	-	-
State of Missouri	-	2,120,797	-	-	-
Greene County	-	3,041,352	-	-	-
Grants -	-	-	-	-	-
Airport	-	-	-	-	-
Community Development	-	-	3,272,233	-	-
Workforce Development	-	-	6,109,222	-	-
WIC Program	-	-	1,521,862	-	-
Police	-	-	1,336,923	-	-
Other	-	276,952	7,104,997	-	-
	-	9,839,101	19,345,237	-	-
Interest on Investments	180,000	58,050	-	5,000	-
Special Assessment Tax Bills	-	-	-	-	1,768,744
Interest on Tax Bills	-	-	-	-	-
Bond and Loan Proceeds	-	-	-	-	-
Reserve	-	1,387,492	17,345	305,883	60,500
Other Miscellaneous Revenues	608,125	4,774,866	-	1,625,000	1,474,800
	788,125	6,220,408	17,345	1,935,883	3,304,044
REVENUES BEFORE TRANSFERS	76,711,625	109,222,556	19,362,583	17,373,383	11,743,072
TRANSFERS	4,045,889	1,735,963	330,681	1,340,000	11,525,400
LESS ELIMINATIONS	-	(157,000)	-	-	(5,710,600)
TRANSFERS FROM OTHER FUNDS	4,045,889	1,578,963	330,681	1,340,000	5,814,800
TOTAL REVENUES	\$ 80,757,514	\$ 110,801,519	\$ 19,693,263	\$ 18,713,383	\$ 17,557,872

Revenues

Schedule of Actual and Projected Revenues (All Fund Types):

	Enterprise Funds	Internal Service Funds	Proposed 2016-17 Total	Adopted 2015-16 Total	Actual 2014-15 Total
TAXES					
Sales (General)	\$ -	\$ -	\$ 45,400,000	\$ 42,500,000	\$ 42,577,894
Sales (Capital Improvement)	-	-	9,775,000	9,775,000	10,305,368
Sales (Law Enforcement)	-	-	7,800,000	7,300,000	7,307,607
Sales (Transportation)	-	-	4,887,500	4,887,500	5,152,662
Sales (Parks)	-	-	10,130,000	9,725,000	10,127,574
Sales (911)	-	-	5,597,150	5,107,978	4,284,232
Sales (Public Safety Pension)	-	-	35,320,000	33,075,000	30,772,390
Use	-	-	6,300,000	6,550,000	5,866,657
Property	-	-	20,045,805	19,489,489	19,501,994
Payment In Lieu of Taxes	-	-	13,670,000	14,467,000	14,614,850
Gross Receipts	-	-	6,749,540	6,912,000	6,851,768
Cigarette	-	-	780,000	800,000	788,564
Room	-	-	2,886,000	2,779,022	2,882,247
Tourism	-	-	2,351,000	2,226,000	2,286,999
	-	-	171,691,995	165,593,989	163,320,808
LICENSES AND FINES					
Occupational Licenses	-	2,000	3,722,000	3,742,000	3,716,614
Permits	100,000	-	2,074,000	1,925,500	1,977,129
Fines and Forfeitures	-	-	768,000	1,243,000	1,192,139
Court Costs	-	-	170,000	390,717	582,779
	100,000	2,000	6,734,000	7,301,217	7,468,661
CHARGES AND FEES					
Charges for Services	51,006,000	4,313,824	59,751,415	58,271,211	54,205,275
User Fees	11,281,500	-	20,716,388	20,016,789	20,338,776
Aviation Fuel Sales	4,655,000	-	4,655,000	5,012,000	3,961,771
Sale of Goods	263,500	65,000	953,500	740,500	1,134,930
Rentals	5,267,000	-	5,414,600	3,940,600	4,881,540
	72,473,000	4,378,824	91,490,903	87,981,100	84,522,291
INTERGOVERNMENTAL					
Gasoline Taxes	-	-	4,400,000	4,300,000	4,219,813
State of Missouri	-	-	2,120,797	2,235,320	1,978,344
Greene County	-	-	3,041,352	2,690,787	2,301,894
Grants -					
Airport	3,000,000	-	3,000,000	3,000,000	2,868,055
Community Development	-	-	3,272,233	3,218,217	3,049,121
Workforce Development	-	-	6,109,222	5,795,945	6,864,663
WIC Program	-	-	1,521,862	1,534,697	1,528,591
Police	-	-	1,336,923	992,119	1,459,156
Other	-	-	7,381,949	7,997,999	3,868,977
	3,000,000	-	32,184,338	31,765,084	28,138,614
Interest on Investments	2,080,000	-	2,323,050	2,346,154	1,846,505
Special Assessment Tax Bills	-	-	1,768,744	1,605,811	584,950
Interest on Tax Bills	-	-	-	-	100,335
Bond and Loan Proceeds	-	-	-	-	4,487,334
Reserve	-	87,601	1,858,822	11,888,202	-
Other Miscellaneous Revenues	250,225	8,000	8,741,016	7,447,118	4,678,457
	2,330,225	95,601	14,691,632	23,287,286	11,697,582
REVENUES BEFORE TRANSFERS	77,903,225	4,476,425	316,792,868	315,928,676	295,147,956
TRANSFERS	23,689,305	7,736,633	50,403,871	49,165,191	59,196,491
LESS ELIMINATIONS	(23,291,030)	-	(29,158,630)	(31,124,405)	(37,500,472)
TRANSFERS FROM OTHER FUNDS	398,275	7,736,633	21,245,241	18,040,786	21,696,019
TOTAL REVENUES	\$ 78,301,500	\$ 12,213,058	\$ 338,038,109	\$ 333,969,462	\$ 316,843,975

Appropriations

Summary of Expenditures and Appropriations (All Fund Types):

	<u>2014-15</u> <u>Actual</u>	<u>2015-16</u> <u>Adopted</u>	<u>2016-17</u> <u>Proposed</u>
<u>GENERAL FUND</u>			
Building Development Services	\$ 2,421,591	\$ 2,640,453	\$ 2,728,199
City Attorney	3,193,335	2,290,383	2,237,652
City Clerk	434,306	495,469	456,000
City Manager	2,277,486	2,846,752	2,041,845
Finance	6,049,482	6,534,065	6,761,569
Fire	19,428,945	19,719,115	20,368,806
Human Resources	1,468,209	1,686,673	1,775,152
Information Systems	4,502,918	3,629,982	3,808,916
Mayor and City Council	234,351	283,865	278,500
Municipal Court	1,702,776	1,843,795	1,891,660
Planning and Development	1,655,499	1,814,242	1,825,336
Police	27,686,700	27,151,620	28,060,414
Public Information Department	538,353	594,957	630,147
Public Works	7,292,137	7,612,034	7,893,317
TOTAL GENERAL FUND	78,886,086	79,143,405	80,757,514
<u>SPECIAL REVENUE FUNDS</u>			
Art Museum	1,610,406	1,991,159	1,919,144
Community Improvement Districts	1,398,810	1,584,022	1,585,750
Convention and Visitors Bureau	3,151,438	3,284,200	3,457,375
Emergency Communications	4,380,214	5,107,978	5,597,150
Hotel/Motel Tax	2,116,739	2,226,000	2,351,000
Law Enforcement Sales Tax	7,762,362	7,842,084	8,271,650
Miscellaneous Special Revenue	723,446	1,796,750	2,156,000
Police Special Revenue	934,303	1,745,749	2,075,591
Public Health Services	6,237,148	7,062,497	7,383,801
Public Parks	10,718,219	10,800,607	11,127,458
Public Parks City/County Wide Sales Tax	13,426,742	14,265,885	15,241,929
Public Safety Pension Sales Tax	30,772,390	33,075,000	35,320,000
Public Works - Transportation	11,215,591	11,550,000	11,750,000
Road and Bridge Maintenance Fund	613,092	1,760,000	1,875,000
Teleable Special Revenue	629,565	662,130	689,670
TOTAL SPECIAL REVENUE FUNDS	95,690,464	104,754,062	110,801,519

Appropriations

	<u>2014-15 Actual</u>	<u>2015-16 Adopted</u>	<u>2016-17 Proposed</u>
<u>GRANT REVENUE FUNDS</u>			
Community Development	2,854,372	8,672,464	9,797,778
Fire Grants	1,164,707	-	-
Park Grants	353,634	262,978	-
Police Grants	531,866	1,059,841	1,599,604
Public Health Grants	2,171,629	2,096,171	651,797
WIC Program	1,394,654	1,547,696	1,534,862
Workforce Development	6,886,622	5,795,945	6,109,222
TOTAL GRANT REVENUE FUNDS	<u>15,357,485</u>	<u>19,435,096</u>	<u>19,693,263</u>
<u>CAPITAL PROJECTS FUNDS</u>			
Capital Improvements Sales Tax	20,539,772	14,662,500	14,662,500
Developer Agreement Projects	143,641	40,000	40,000
Public Works/Other Improvements	2,876,098	9,430,000	4,010,883
TOTAL CAPITAL PROJECTS FUNDS	<u>23,559,511</u>	<u>24,132,500</u>	<u>18,713,383</u>
<u>DEBT SERVICE FUNDS</u>			
General Obligation Bonds	2,023,475	1,605,811	1,768,744
Leasehold Revenue Bonds	7,991,159	7,613,338	9,142,327
Special Obligation Bonds	8,289,245	7,861,500	6,646,800
TOTAL DEBT SERVICE FUNDS	<u>18,303,879</u>	<u>17,080,649</u>	<u>17,557,872</u>
<u>ENTERPRISE FUNDS</u>			
Airport	20,597,904	23,011,000	23,956,500
Clean Water Services	34,430,017	41,725,000	43,385,000
Golf	2,697,253	3,000,000	3,035,000
Solid Waste	5,582,815	9,600,000	7,925,000
TOTAL ENTERPRISE FUNDS	<u>63,307,988</u>	<u>77,336,000</u>	<u>78,301,500</u>
<u>INTERNAL SERVICE FUNDS</u>			
Print Shop	210,720	237,712	238,824
Self-Insurance	5,040,839	7,150,039	7,793,234
Service Center	3,355,815	4,700,000	4,181,000
TOTAL INTERNAL SERVICE FUNDS	<u>8,607,374</u>	<u>12,087,751</u>	<u>12,213,058</u>
TOTAL ALL FUND TYPES	<u><u>\$ 303,712,788</u></u>	<u><u>\$ 333,969,462</u></u>	<u><u>\$ 338,038,109</u></u>

One-rdg. _____
P. Hrngs. X
Pgs. 23
Filed: 05-24-16

Sponsored by: Fishel

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 116

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 REPEALING Special Ordinance No. 26678 and enacting in lieu thereof a special
2 ordinance approving the Petition to Amend and Restate the Petition to
3 Establish the Downtown Springfield Community Improvement District
4 and directing the City Clerk to notify the Missouri Department of
5 Economic Development and the Greene County Clerk of the
6 amendments. (Staff and the Downtown Springfield Community
7 Improvement District Board of Directors recommend approval).
8
9

10 WHEREAS, Sections 67.1401 to 67.1571 RSMo. ("Community Improvement
11 District Act") authorize the governing body of any municipal corporation, upon proper
12 petition requesting the formation or amendment of an existing Community Improvement
13 District's petition, and after a public hearing, to adopt an ordinance establishing or
14 amending the Community Improvement District's petition; and
15

16 WHEREAS, the Downtown Springfield Community Improvement District (DTCID)
17 was established by General Ordinance No. 4924 on September 7, 1999 for a period of 7
18 years; and
19

20 WHEREAS, the DTCID's petition was amended and the DTCID was
21 reestablished by Special Ordinance 25085 on October 30, 2006 for a period of 10
22 years; and
23

24 WHEREAS, said District's legal description and map of its current boundaries
25 and proposed boundaries are attached hereto in "Attachment 2 –Exhibit A and Exhibit
26 B" respectfully; and
27

28 WHEREAS, on October 17, 2015, a petition for the amendment and restatement
29 of the DTCID was filed with the City Clerk of the City of Springfield, Missouri (the "City");
30 and
31

32 WHEREAS, the Amended and Restated Petition was approved by City Council
33 on January 25, 2016 by Special Ordinance No. 26678; and

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WHEREAS, it was subsequently determined that the Petition approved by Special Ordinance No. 26678 did not meet the requirements of the Community Improvement District Act, since the Petition lacked the required signatures of property owners collectively owning more than fifty percent of the assessed value of property in the proposed expansion area; and

WHEREAS, the DTCID has since gathered more signatures and have provided these additional signatures to the City Clerk; and

WHEREAS, City Council authorized the City Clerk to verify the Petition by Resolution No. 10267; and

WHEREAS, the City Clerk verified that the petition complied with the Community Improvement District Act and set a public hearing with all proper notice being given in accordance with the Community Improvement District Act or other applicable law; and

WHEREAS, the City Council held a public hearing on May 31, 2016, which was continued to June 13, 2016, at which all persons interested in the amendment and restatement of the petition, and consequently its duration, powers and boundaries, were allowed an opportunity to speak and at which time the City Council heard all protests and received all endorsements; and

WHEREAS, the City Council finds that notice of the amendment and restatement of the petition to create the DTCID and the public hearing thereon had been held in which all reasonable protest, objections and endorsements have been heard in accordance with Section 67.1431 of the Community Improvement District Act; and

WHEREAS, the City Council further finds that the amended petition to create the DTCID is proper in that it meets all of the requirements of Section 67.1421 and 67.1441 of the Community Improvement District Act.

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

Section 1 – Special Ordinance No. 26678 is hereby repealed in its entirety and this ordinance is hereby enacted in lieu thereof.

Section 2 – There is hereby approved a petition to amend and restate the petition that created the DTCID, with said amendments altering provisions and restrictions of the petition including the expanding of the DTCID's boundaries, increasing police presence and public safety, providing additional image enhancement funds for branding and gateways, extending the life of the DTCID by 15 years, and increasing the DTCID sales and use tax from a quarter-cent to a half-cent (subject to approval by the qualified voters of the DTCID), and that the DTCID shall remain within the City as a political subdivision of the State of Missouri having the powers and purposes set forth in the

80 amended petition, the original of which is on file with the City Clerk and is incorporated
81 herein by reference as if copied verbatim. The DTCID shall include the contiguous tracts
82 of real estate described in "Attachment 2 – Exhibit A," also attached to the Petition and
83 attached hereto and incorporated by reference, and shall be governed by a board of
84 directors consisting of eleven (11), thirteen (13), or fifteen (15) members as determined
85 by the board of directors by resolution adopted from time to time, members shall be
86 appointed by the Mayor of the City of Springfield, Missouri, and confirmed by the City
87 Council of the City of Springfield, Missouri, and shall have the authority to levy the
88 assessments and establish a sales tax in amounts not to exceed the rates set forth in
89 the Petition.

90
91 Section 3 – The term of existence of the DTCID shall be as set out in the
92 amended petition approved herein.

93
94 Section 4 – The City Clerk is hereby directed to prepare and file with the Missouri
95 Department of Economic Development the report specified in Subsection 6 of Section
96 67.1421 of the Community Improvement District Act, and to further notify the Office of
97 the Greene County Clerk of the DTCID's amended petition and continued existence
98 past its previously amended termination date of December 31, 2016.

99
100 Section 5 – This Ordinance shall be in full force and effect from and after its
101 passage.

102
103 Passed at meeting: _____

104
105 _____
106 Mayor

107
108
109 Attest: _____, City Clerk

110
111 Filed as Ordinance: _____

112
113 Approved as to form: Richard J. Weder, Assistant City Attorney

114
115 Approved for Council action: Greg B. Smith, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 116

FILED: 05-24-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To repeal Special Ordinance No. 26678 and to enact in lieu thereof a special ordinance approving the Petition to Amend and Restate the Petition to Establish the Downtown Springfield Community Improvement District. (Staff and the Downtown Springfield Community Improvement District Board of Directors recommend approval).

BACKGROUND: The Downtown Springfield Community Improvement District (DTCID) was first established in 1999 and continued in 2006. It is set to expire on December 31, 2016. The DTCID currently provides sidewalk cleaning; parking enforcement; and image enhancement projects such as brochures, banners, and event funding for the property within its boundaries in downtown Springfield. The DTCID's work has improved the cleanliness and vibrancy of downtown and has provided a clean, safe, and friendly environment, which supports the public and private investments that have been made to date. The DTCID currently levies a quarter-cent sales tax and a special assessment on real property inside the District.

The DTCID Board of Directors prepared the Petition to Amend and Restate the Petition to Establish the DTCID (Amended and Restated Petition) and filed it with the Springfield City Clerk on October 17, 2016. The Amended and Restated Petition contains a number of new initiatives that the DTCID Board of Directors would like to implement. These new initiatives include expanding the DTCID boundaries to include the Boonville Avenue and West College Street/West Walnut Street corridors, increasing police presence and public safety, providing additional image enhancement funds for branding and gateways, extending the life of the District for an additional 15 years, and increasing the DTCID sales and use tax from a quarter-cent to a half-cent (subject to approval by the qualified voters in the DTCID). An information sheet regarding the proposed DTCID continuation is attached as "Attachment 1."

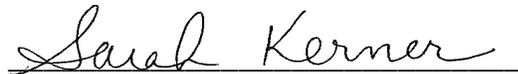
The Amended and Restated Petition was approved by City Council on January 25, 2016. However, it was discovered shortly thereafter that the Amended and Restated Petition did not meet all the statutory requirements for approval. State law requires the Amended and Restated Petition to contain the signatures of property owners collectively owning more than 50 percent of real property by assessed value and by more than 50 percent per capita of all owners of real property inside both the existing District boundaries and the proposed expansion areas. The Amended and Restated Petition satisfied this requirement with regard to the existing District boundaries and the combined existing and expanded area, however it lacked the required signatures in the expansion areas.

The DTCID has since gathered additional signatures and presented them to the Clerk for verification. The City Council directed the City Clerk to re-verify the October 17 signatures by Resolution No. 10267. The City Clerk verified all signatures relating to this bill on May 17, 2016, with assistance from Hogan Land Title Company to confirm ownership. The Amended and Restated Petition, as corrected, is now being presented to City Council for approval.

The City Clerk has certified that the corrected Amended and Restated Petition satisfies the statutory requirements for approval. For the existing DTCID area, which will be renewed by this Petition, it contains the signatures of 59.81 percent (125 out of 209) of the real property owners in the District, whom collectively own 74.33 percent of the total assessed value of real property inside the District. For the expansion areas of the DTCID, the Petition contains the signatures of 62.71 percent (37 out of 59) of the real property owners in the expansion areas, whom collectively own 50.70 percent of the total assessed value of real property.

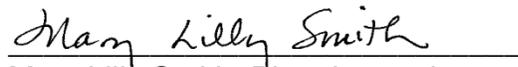
This bill supports the following Field Guide 2030 goal(s): Chapter 3, Economic Development; Major Goal 7, Continue the development and revitalization of center city Springfield.

Submitted by:



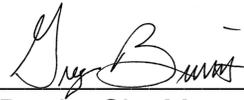
Sarah Kerner, Interim Economic
Development Director

Recommended by:



Mary Lilly Smith, Planning and
Development Director

Approved by:



Greg Burris, City Manager



Established in 1999, the Downtown Springfield Community Improvement District has provided the “clean, safe, and friendly” services that are foundational for revitalization.

Downtown Milestones

- Since 1999, assessed values have grown from \$8.2M to \$36.4M (10.4% annually).
- Since 2002, the number of lofts have increased from 45 to 815 (59 per year).
- Since 2007, taxable sales have grown from \$45.1M to \$55.2M (3% annually).
- The assessed values with the proposed expanded boundaries will be \$47.7M.

Core Services of the current Downtown Springfield CID include:

Maintenance and Parking

- Cleaning of public sidewalks, gathering spaces, alleys, and parking lots.
- Removing snow on designated routes as needed.
- Power washing sidewalks.
- Enforcing parking ordinances on public streets and public parking lots
- Identifying public parking through publication of guides in print and online.

Image Enhancement

- Maintaining the www.itsalldowntown.com website and social media sites.
- Enhancing public ways with banners, flower hanging baskets, and trash cans.
- Facilitating community events to be held Downtown.

Safety and Security

- Provide and/or coordinate supplemental police patrols for daytime hours and special events.
- Promoting the Business Watch program.
- Planning for safety with facility improvements and technology.

The extended Downtown Springfield CID petition includes:

- Expanding boundaries to include the Boonville and College/Walnut corridors.
- Increasing police presence and public safety
- Additional image enhancement funds for Downtown branding and gateways.
- 15-year term – beginning January 2016
- Increasing sales tax rate from quarter-cent to half-cent in DSCID Boundary

Questions?

Contact Barb Baker, CID Manager, at 831-6200 or barb@itsalldowntown.com

ATTACHMENT 2

**PETITION TO AMEND AND RESTATE
THE PETITION TO ESTABLISH THE
DOWNTOWN SPRINGFIELD
COMMUNITY IMPROVEMENT DISTRICT**

Springfield, Greene County, Missouri

Submitted October 17, 2015

**PETITION TO AMEND AND RESTATE THE PETITION TO ESTABLISH THE
DOWNTOWN SPRINGFIELD COMMUNITY IMPROVEMENT DISTRICT**

To the City Council of the City of Springfield, Greene County, Missouri (the “City”)

The undersigned (the “Owners”), being the owners of record of more than fifty percent (50%) by assessed value of the real property within the boundaries of the Downtown Springfield Community Improvement District (the “District”) and represent more than fifty percent (50%) per capita of all owners of real property within the boundaries of the District, do hereby petition and request that the City approve and establish the Downtown Springfield Community Improvement District in order to fund all or part of the cost of services and public improvements provided and made within the District under the authority of Sections 67.1401 to 67.1571, RSMo. (the “Community Improvement District Act” or “Act”) in accordance with this Petition.

1. Legal Description and Map of District Boundaries; Property Areas; Ownership.

The legal description of the District is attached hereto as Exhibit A. A map illustrating the District boundaries is attached hereto as Exhibit B. The boundaries of the District are contiguous. The Owners are the owners of more than 50% by assessed value of the real estate within the District and represent more than 50% per capita of all owners of real property within the boundaries of the District.

Name of District.

The name of the District is the “Downtown Springfield Community Improvement District.”

2. Signatures May Not Be Withdrawn Later Than Seven Days After Submittal.

Notice has been provided to all Petition signers that their signatures may not be withdrawn later than seven (7) days after the filing of this Petition with the City Clerk. This notice is included on each signature page attached to this Petition.

3. Five-Year Plan.

A five-year plan stating a description of the purposes of the District, the services it will provide, the improvements it will make, and an estimate of costs of these services and improvements to be incurred is attached hereto as Exhibit C and Exhibit C-1

4. Type of District.

The District will be a political subdivision of the State of Missouri.

5. Board of Directors.

The District will be governed by a board of directors (the “**Board**”), whose members shall be appointed by the Mayor of the City of Springfield (the “**Mayor**”) with the consent of the City Council of Springfield (the “**City Council**”) in accordance with the qualifications as established by law and as set forth below.

There shall be 11, 13, or 15 director positions on the District’s board of directors as determined by the board of directors by resolution adopted from time to time.

A. Qualifications.

Each Director shall meet the following requirements:

1. Be at least eighteen (18) years of age; and
2. Be either an owner of real property within the District as defined in the Act (“Property Owner”), the legally authorized representative of an owner of real property in the District (“Property Owner Representative”), an owner of a business operating within the District (“Business Owner”), the legally authorized representative of an owner of a business operating within the District (“Business Owner Representative”), or a registered voter residing in the District (“Registered Voter”); and
3. Be nominated pursuant to a slate submitted by the Board to the City Council pursuant to the nominating procedures set forth below.

B. Representation

1. A minimum of seven (7) directors must be either Property Owners or Property Owner Representatives that are not exempt from real property taxes;
2. A minimum of two (2) directors must be Business Owners or Business Owner Representatives and must not own real property located within the District;
3. A minimum of one (1) director must be a Registered Voter, so long as there are registered voters living in the District; and
4. A minimum of one (1) director must be the authorized representative of a Property Owner that is exempt from real property taxes, so long as such owners exist.

Each director may represent more than one of the foregoing categories.

The failure of the Board to meet representation requirements set forth in this **Section 6.B.** shall not affect the Board's authority to hold meetings, exercise any of the District's powers or take any action that is otherwise lawful.

C. Nominating Committee

The Board shall appoint a nominating committee of five (5) persons, with:

1. At least one (1) owner of real property within the District having a cumulative assessed value in the top one-half by assessed value of all owners of real property in the District;
2. At least one (1) owner of real property within the District having a cumulative assessed value in the bottom one-half by assessed value of all owners of real property within the District;
3. At least one (1) registered voter living within the District; and
4. At least one (1) business owner owning a business in the District.

In addition to the aforementioned criteria, all such persons must be at least eighteen (18) years of age. Each member of the nominating committee may represent more than one of the foregoing categories. A person is not required to be a member of the Board to be eligible to serve on the nominating committee.

D. Nominating Process

1. The nominating committee shall submit a slate to the Board for its approval. In preparing each slate, the nominating committee shall adhere to the following criteria:
 - a. Each person nominated must meet the qualifications specified in **Section 6.A.** of this Petition; and
 - b. The nominating committee must ensure that the slate submitted maintains the Board representation as set forth in **Section 6.B.** of this Petition.
2. Once a slate has been approved by the Board, the slate shall be submitted to the City Clerk by the Board. The City Clerk shall immediately deliver the slate to the Mayor. The Mayor may appoint the successor Directors according to the slate submitted, and the City Council shall consent by resolution to the appointment; or the Mayor or the City Council may reject the slate submitted and request in writing, with written reasons for rejection of the slate, that the Board submit an alternate slate.

3. If an alternate slate is requested, the Board shall submit an alternate slate to the City Clerk. The City Clerk shall immediately deliver the alternate slate to the Mayor. The Mayor may appoint the successor Directors according to the alternate slate submitted, and the City Council shall consent by resolution to the appointment; or, the Mayor or the City Council may reject the alternate slate submitted and request that the Board submit another alternate slate.
4. The procedure described above shall continue until the successor Directors are appointed by the Mayor with the consent of the City Council.

E. Successor Directors.

Successor directors shall be appointed as provided herein. The proposed directors shall meet the qualifications and satisfy the representation criteria set for in Sections 6.A. and B. of this Petition. The initial Board was duly constituted, serving such terms as provided by law. Hereafter, all successor directors shall serve four (4) year terms.

F. Removal

Any director may be removed for cause or to ensure the representation requirements set forth in **Section 6.B.** of this Petition are met, pursuant to the provisions of the Act.

In the event for any reason a Director is not able to serve his or her full term or is removed from the Board for any reason (“Exiting Director”), any vacancy to the Board shall be filled by appointment of an interim director (“Interim Director”) which shall be nominated by the remaining Directors and appointed by the Mayor as described above. Notwithstanding anything to the contrary, any Director’s failure to meet the qualification requirements set forth in this Article, either in a Director’s individual capacity or in a Director’s representative capacity, shall constitute cause for the Board to take appropriate action to remove said Director. Provided, however, that the failure to meet such representation requirements shall not affect the Board’s authority to hold meetings, exercise any of the District’s powers or take any otherwise lawful action, assuming a lawful quorum to do so.

6. Total Assessed Value.

As of the date of submittal, the total assessed value of all real property located within the District is \$39,151,240.

7. Determination of Blight.

The District does not seek a determination of blight.

10. Life of District.

The District will continue to exist and function for a period of fifteen (15) years following the effective date of the ordinance establishing the District or until December 31, 2030, whichever last occurs.

11. Maximum Rates of Business License Tax, Real Property Tax and Sales Tax.

A. License and Real Estate Taxes.

The District will not impose business license taxes or real estate taxes.

B. Sales and Use Taxes.

The District may impose a sales and use tax, at a maximum rate of one-half (1/2) cent, on all retail sales made in the District that are subject to taxation pursuant to Sections 144.010 to 144.525, R.S.Mo., except sales of motor vehicles, trailers, boats or outboard motors and sales to or by public utilities (the "CID Sales Tax").

12. Maximum Rates of Special Assessments and the Method of Assessment.

A. The District may impose a special assessment against real property within its boundaries at a maximum rate of \$0.75 per one hundred dollars (\$100) of assessed value upon receipt of a petition that is signed by:

1. Owners of real property collectively owning more than fifty percent by assessed value of real property within the boundaries of the district; and
2. More than fifty percent per capita of the owners of all real property within the boundaries of the district.

B. The special assessment petition shall be substantially similar to the Petition attached as Exhibit D.

13. Limitations on Borrowing Capacity.

The District will have the authority to borrow funds from any public or private source and issue obligations and provide security for the repayment of same as provided by the Act and as otherwise provided by law.

14. Limitations on Revenue Generation.

The parties who have executed this Petition do not desire to establish any limitations on the revenue generation of the District.

15. Other Limitations on District Powers.

The District will have the authority and powers granted to community improvement districts and political subdivisions under the Act and as otherwise provided by law.

16. Annual Reports and Meetings.

The District shall comply with the reporting and meeting requirements described in Sections 67.1471 and 105.145, R.S.Mo., and acknowledges that such meetings shall be open to the public.

17. Request for Ordinance Establishing District.

The parties who have executed this Petition respectfully request the City Council to establish the District in accordance with this document.

18. Severability.

If any provision of this Petition shall be held or deemed to be invalid, inoperative or unenforceable as applied in any particular case, or in all cases, because it conflicts with any other provision or provisions or this Petition or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other case or circumstance, or of rendering any other provision contained in this Petition invalid, inoperative or unenforceable to any extent whatsoever.

[Remainder of page left intentionally blank. Signature Pages follow]

CLERK'S RECEIPT OF PETITION

This Petition to Amend and Restate the Petition to Establish the Downtown Springfield Community Improvement District was filed in the office of the City Clerk of Springfield, Missouri on the 17th day of October, 2015.



Anita J. Cotter, CMC/MRCC
City Clerk

[SEAL]



EXHIBIT A

District Legal Description

Beginning at the intersection of the centerline of Campbell Avenue and the northernmost centerline of Elm Street; thence east along centerline of Elm Street to a point approximately 180 feet east of the east right-of-way line of Kimbrough Avenue; thence north 265.17 feet to the northeast corner of Lot 2 of John S. Kimbrough's Third Addition; thence east 79.00 feet to the southeast corner of Lot 1 of said John S. Kimbrough's Third Addition; thence north 232.30 feet to the south right-of-way line of Walnut Street; thence northwesterly to a point on the north right-of-way line of Walnut Street approximately 250.5 feet east of the east right-of-way line of Kimbrough Avenue; thence north approximately 212 feet; thence east to a point approximately 300 feet east of the east right-of-way line of Kimbrough Avenue; thence north to a point on the centerline of St. Louis Street; thence west along the centerline of St. Louis Street to a point approximately 147 feet east of the east right-of-way line of Kimbrough Avenue; thence north to a point on the centerline of East Trafficway Street; thence west to the intersection of the centerlines of East Trafficway Street and Kimbrough Avenue, which is also known as Benton Avenue and as Memorial Plaza; thence north along the centerline of Benton Avenue and Memorial Plaza to the centerline of Phelps Street; thence west along the centerline of Phelps Street to the centerline of Jefferson Avenue; thence north along the centerline of Jefferson Avenue approximately 360' to the centerline of Tampa Street; thence west along the centerline of Tampa Street to the centerline of Robberson Avenue; thence north along the centerline of Robberson Avenue to the centerline of Chestnut Expressway; thence west along the centerline of Chestnut Expressway to the centerline of Campbell Avenue; thence south along the centerline of Campbell Avenue approximately 910 feet to the centerline of Tampa Street; thence west along the centerline of Tampa Street to the centerline of Main Avenue; thence south along the centerline of Main Avenue to a point 276.33 feet south of the north line of Section 23, Township 29 North, Range 22 West; thence west to the west right-of-way line of Main Avenue, being at the northeast corner of a tract of land currently owned by the City of Springfield as described in a Quit-Claim Deed recorded in Book 2006 at page 18815-06 of the Greene County Recorder's office; thence westerly, along the north line of said tract of land, to the centerline of Grant Avenue as defined by the centerline of the Grant Avenue viaduct structure and pavement; thence south, along said centerline of Grant Avenue, approximately 642 feet to the intersection with the northeasterly extension of the south right-of-way line of a 20 feet wide alley as partially dedicated and defined on the final plat of R.A. McCluer's Addition; thence southwest, along said south right-of-way line extension, being a line 140 feet north of and parallel with the north right-of-way line of College Street, to a point 150 feet northeast of the northeast corner of Lot 60 in said R.A. McClure's Addition; thence south to the centerline of College Street; thence southwest, along the centerline of College Street, to the centerline of Douglas Avenue; thence south, along the centerline of Douglas Avenue, to the centerline of Walnut Street; thence east, along the centerline of Walnut Street to the centerline of Main Avenue; thence south, along the centerline of Main Avenue to a point approximately 197.5 feet south of the south right-of-way line of Walnut Street; thence east to the west right-of-way line of Market Avenue; thence northeasterly to the centerline of Market Avenue, at a point approximately 190 feet south of the south right-of-way line of Walnut Street; thence east, along the centerline of a 20 feet wide alley as shown on

the final plat of John S. Phelps Addition, a distance of 183.38 feet to the centerline of a 16.75 feet wide alley as shown on said final plat of John S. Phelps Addition; thence south, along said centerline of the alley, to the centerline of Elm Street; thence east, along the centerline of Elm Street to the centerline of Campbell Avenue; thence north, along the centerline of Campbell Avenue to the point of beginning.

EXHIBIT B

Map of District Boundaries

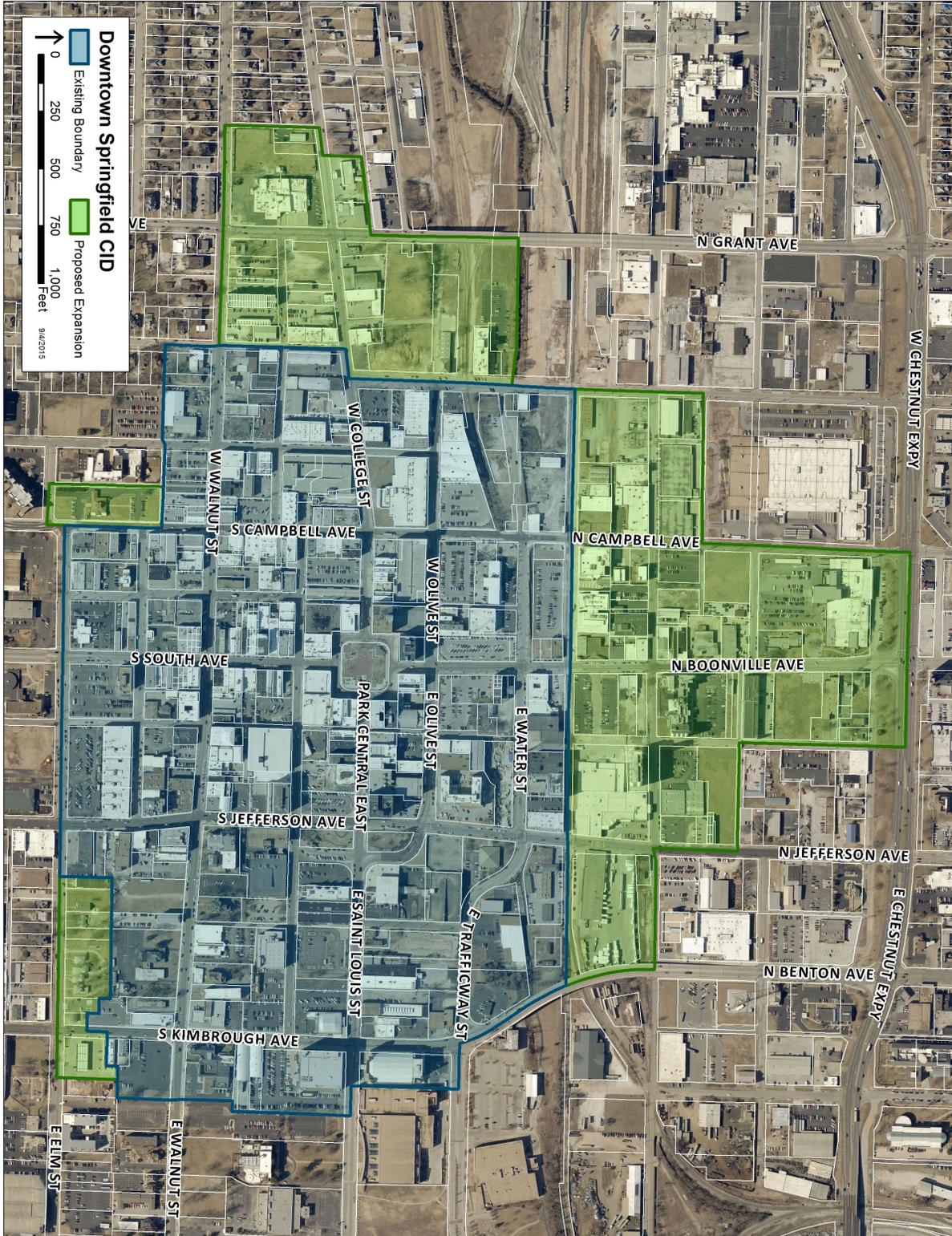


EXHIBIT C

Five-year Plan

A. Purpose of the District. The purposes of the District are to:

- 1) Provide or cause to be provided for the benefit of the District, certain improvements and services described in Paragraphs B and C of this Exhibit;
- 2) To levy and collect the CID Sales Tax and Special Assessments against real property in order to provide a source of repayment for the CID Projects and related expenses; and
- 3) Such other purposes as authorized by the Act.

B. Services. The services to be performed by the District shall include, but not be limited to, the following:

- 1) The District will generally provide for:
 - a. Cleaning and maintenance of public sidewalks, alleys, and parking lots;
 - b. Removal of litter and sweeping of sidewalks as well as sidewalk cleaning, and snow removal on snow routes as needed;
 - c. Removal of trash from public sidewalk receptacles;
 - d. Operation of shared private trash collection;
 - e. Enforcement of parking on public ways and public lots;
 - f. Coordination of police, safety and security presence;
 - g. Creation of information and image enhancement, such as maintaining a website, publishing visitor guides and maps, installing and maintaining street furniture and banners on public property, as well as additional services approved by the Board;
 - h. Acquisition of personal property or any interest in such property consistent with the District's mission and intent, and;
 - i. Administrative services and personnel (contracted and/or hired employees) necessary to manage the District as approved by the Board.
- 2) The District may also provide for:
 - a. Additional police, safety and security services;
 - b. Acquisition of real property or any interest in such property consistent with the District's mission and intent;
 - c. Sell, lease, exchange, transfer, assign or otherwise encumber or dispose of any real or personal property or any interest in such property;

- d. Provide assistance to and/or to construct, install, repair, maintain and equip any useful, necessary or desired improvement; and
 - e. Enter into contracts for services consistent with the mission and intent of the District.
- 3) Adopting bylaws, passing resolutions, and otherwise governing the District in the manner required by the Act and the revised statutes of the State of Missouri;
 - 4) Developing funding sources, including the levying of the CID Sales Tax and Special Assessments against real property, necessary in order to pay for the required expenses, costs and expenses of the District and to pay for the CID Projects in a manner authorized by the Act;
 - 5) Providing such accountings, reports and communications as are required by the Act and the Agreement; and,
 - 6) Providing such other services as are authorized by the Act.
- C. Budget.** The estimated five-year budget for the District is attached to and made a part of this Petition as Exhibit C-1.

EXHIBIT C-1

Five-Year Budget

	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
Revenue						
Sales Tax ¹	\$145,000	\$290,000	\$295,800	\$301,700	\$308,000	\$314,000
Special Assessments ²	\$170,000	\$220,000	\$224,400	\$229,000	\$234,000	\$238,000
Extended Parking						
Passes	\$10,000	\$8,000	\$8,000	\$5,500	\$5,500	\$6,000
Guide & Banner Ads	\$3,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
Voluntary Contributions	\$22,000	\$35,500	\$36,000	\$36,000	\$37,000	\$37,000
<u>Interest Income</u>	<u>\$2,000</u>	<u>\$2,000</u>	<u>\$2,000</u>	<u>\$2,000</u>	<u>\$2,000</u>	<u>\$2,000</u>
Total Revenues	\$352,000	\$560,500	\$571,200	\$579,200	\$591,500	\$602,000
Expense	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>
Administration	\$7,500	\$7,500	\$8,000	\$8,000	\$8,500	\$8,500
Management Contract	\$60,000	\$60,000	\$61,200	\$62,200	\$63,600	\$65,000
Renewal Reserve	\$2,600	\$2,750	\$3,000	\$3,000	\$3,000	\$3,000
Image Enhancement	\$52,500	\$111,000	\$113,000	\$114,000	\$116,000	\$118,000
Maintenance	\$152,000	\$240,500	\$245,000	\$249,000	\$254,000	\$259,000
Parking	\$35,400	\$26,750	\$27,000	\$27,500	\$28,000	\$28,500
<u>Safety & Security</u>	<u>\$42,000</u>	<u>\$112,000</u>	<u>\$114,000</u>	<u>\$115,500</u>	<u>\$118,400</u>	<u>\$120,000</u>
Total Expenses	\$352,000	\$560,500	\$571,200	\$579,200	\$591,500	\$602,000
Net Revenue	\$0	\$0	\$0	\$0	\$0	\$0

¹ The sales and use taxes were based on a rate of one-half (1/2) cent. The maximum sales tax rate authorized by this petition is one-half (1/2) cent.

² Special assessments on real property were calculated using the 2015 rate of \$0.4020 per \$100 of assessed valuation. For properties entitled to real property tax abatement, the assessed values of such properties were based on the assessed valuation they would otherwise have if they were not entitled to tax abatement as determined by the county assessor. The maximum special assessment rate is \$0.7500 per \$100 of assessed valuation. Beginning in 2016, the special assessment rate may be increased by the lesser of 3% per year or the percentage increase of the U.S. Consumer Price Index.

Exhibit D

**PETITION TO IMPOSE SPECIAL ASSESSMENTS
IN DOWNTOWN SPRINGFIELD
COMMUNITY IMPROVEMENT DISTRICT**

The following property owners petition the Board of the Downtown Springfield Community Improvement District ("**District**") to impose a special assessment on the property described in the Petition to create the District. This petition is to be effective upon approval by the City of Springfield of such Petition to create the District.

The Downtown Springfield Community Improvement District ("District") shall be authorized to levy special assessments against real property benefited within the District for the purpose of providing revenue to complete the services identified in **Exhibit D** of the Petition to create the District, attached hereto for reference. Such special assessments to be levied against each tract, lot or parcel of real property listed below within the district which receives special benefit as a result of such service and/or projects, the cost of which shall be allocated among this property per one hundred dollars (\$100) of assessed value in an amount not to exceed \$0.7500 dollars per \$100 assessed valuation.

Such authorization to levy the special assessment shall expire on December 31, 2030. The tracts of land, with common addresses and legal descriptions, located in the District which will receive special benefit from this service and/or projects are attached hereto on **Exhibits A-C** of the Petition to create the District, attached hereto for reference.

Beginning in the year 2016, such maximum rates may, at the discretion of the Board of Directors of the District, increase by the lesser of 3% per year or the percentage increase in the U.S. Consumer Price Index for all Urban Consumers: U.S. City Average for all items (prepared by the United States Department of Labor Bureau of Labor Statistics) for the twelve (12) month period ending on the last day of the two months preceding the date on which the District determines new levy rates of the assessment. For purposes of property that is entitled to real property tax abatement, the assessed value of such property shall be deemed to be that assessed value which such property would have had if it were not entitled to such tax abatement as determined by the county assessor.

Name

Signature

Property

STATE OF MISSOURI)
) ss.
COUNTY OF GREENE)

Before me personal appeared _____, to me personally known to be the individual described in and who executed the foregoing instrument.

Witness my hand and official seal this _____ day of _____, 2015.

Notary Public in and for said County and State
(Type, print or stamp the Notary's name below his or her signature)

My commission expires:

One-rdg. _____
P. Hrngs. X
Pgs. 13
Filed: 05-24-16

Sponsored by: Schilling

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016-117

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING Section 1-9 of the Springfield City Code, City Limits, by annexing
2 approximately 22.84 acres of City-owned property into the City of
3 Springfield, Missouri, generally located on the west side of the 3100 block
4 of South Kauffman Road, generally referenced as Annexation A-1-16; and
5 amending the Springfield City Code, Chapter 46, Section 46-1,
6 Boundaries of wards, precincts and council zones, by adding this property
7 to the ward and precinct assigned them by the County Clerk.
8
9

10 WHEREAS, a verified petition requesting annexation was filed by the owners of
11 all fee interests of record in all tracts of real property located within the area proposed to
12 be annexed, as described in "Exhibit A" attached hereto; and
13

14 WHEREAS, said petition was presented to the City Council more than fourteen,
15 but less than sixty days prior to the public hearing thereon; and
16

17 WHEREAS, proper notice was published at least seven days prior to the public
18 hearing; and
19

20 WHEREAS, the City Council now makes a determination regarding the
21 annexation of said real property.
22

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

26 Section 1 – The City Council, after holding public hearing, hereby determines that
27 the annexation of the property described in "Exhibit A," attached hereto and
28 incorporated herein by reference, is reasonable and necessary to the proper
29 development of the City, and the City has the ability to furnish normal municipal services
30 to the area annexed within a reasonable time.
31

32 Section 2 – Section 1-9, City Limits, is hereby amended by adding thereto the
33 land described in "Exhibit A," generally located on the west side of the 3100 block of

34 South Kauffman Road, and contiguous to the city limits, which land shall be in addition
35 to all territory included within the corporate limits of the City.

36
37 Section 3 – Section 46-1, Boundaries of wards, precincts and council zones, is
38 hereby amended by placing the property described on "Exhibit A" into the appropriate
39 ward and precinct as determined by the County Clerk in accordance with the provisions
40 of State law.

41
42 Section 4 – The City Clerk is directed to: (1) file three certified copies of this
43 annexation ordinance with the Clerk of Greene County; and (2) forward to the Missouri
44 Director of Revenue by U.S. registered mail or certified mail, a certified copy of this
45 ordinance, accompanied by a map of the City clearly showing the territory added
46 thereto.

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: A. Charles T. Wiedner, Assistant City Attorney

61
62 Approved for Council action: Greg B. Bunker, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 117

FILED: 05-24-26

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To adopt an ordinance to annex approximately 22.84 acres of City-owned property into the City of Springfield, Missouri, generally located on the west side of the 3100 block of South Kauffman Road, generally referenced as Annexation A-1-16.

BACKGROUND INFORMATION: The Springfield-Greene County Health Department and Environmental Services Department are requesting annexation of City-owned property generally located in the 3100 block of South Kauffman Road. The property involved in this annexation was acquired by the City of Springfield in 2003 as a buffer area for the Southwest Treatment Plant and the Public Works salt facility. The City is proposing a new animal shelter and adoption facility at this location. The City is also processing an application to rezone the property from a County R-1, Suburban Residence District to a GM, General Manufacturing District concurrently with the annexation request. The GM, General Manufacturing District is the least intense district to allow the existing and proposed uses.

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 has the ability to furnish normal services within a reasonable period of time. 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 (see "Exhibit B - Attachment 2," Annexation Schedule).

The annexation is consistent with the *Springfield Comprehensive and Growth Management and Land Use Plans*.

The annexation supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use; Major Goal 4, Develop the community in a sustainable manner; Objective 4a, Increase density in activity centers and transit corridors.

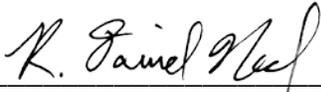
STAFF RECOMMENDATIONS:

1. The area to be annexed is contiguous to the City of Springfield and all City services can be provided to the property.
2. The *Growth Management and Land Use Plan* of the *Comprehensive Plan* supports the annexation because it enhances government efficiencies through rational and simplified city boundaries.
3. The proposed annexation will facilitate the development of the site for a new animal shelter/adoption facility which will benefit the community.

REMARKS: The area to be annexed as shown in "Exhibit A" is contiguous to the City of Springfield. See "Exhibit B" for the location of the City-owned property to be annexed.

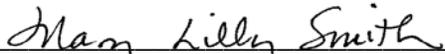
Staff recommends approval of the annexation.

Submitted by:



R. Daniel Neal, Senior Planner

Recommended by:



Mary Lilly Smith, Director

Approved by:



Greg Burris, City Manager

EXHIBITS:

Exhibit A, Legal Description

Exhibit B, Development Review Staff Report

ATTACHMENTS:

Attachment 1, Department and Agency Review

Attachment 2, Annexation Schedule

Attachment 3, Annexation Survey

Exhibit A

A tract of land being a part of the Northwest Quarter of the Southwest Quarter of Section 5, Township 28 North, Range 22 West, Greene County, Missouri which is described as follows:

Commencing an existing railroad spike at the Southeast corner of the said Northwest Quarter of the Southwest Quarter; Thence along the South line of the said Northwest Quarter of the Southwest Quarter, N88°32'02"W a distance of 33.31 feet to the West right of way of Kauffman Road and the True Point of Beginning; Thence continuing N88°32'02"W a distance of 1314.01 feet to an existing iron pin capped LS-267D at the Southwest corner of the said Northwest Quarter of the Southwest Quarter; Thence along the West line of the said Northwest Quarter of the Southwest Quarter, N02°07'35"E a distance of 760.05 feet; Thence leaving said West line, S88°32'02"E a distance of 1298.95 feet to the West right of way of Kauffman Road; Thence along the said West right of way, S00°28'58"W a distance of 535.30 feet to an existing 1/2" iron pin; Thence continuing along said right of way, S02°12'11"W a distance of 224.79 feet to the Point of Beginning. Bearings used in this description are based on the Missouri Coordinate System of 1983, Central Zone. Tract contains an area of 994,731.7 Square Feet (22.84 acres), more or less.



2/16/2016

Development Review Staff Report

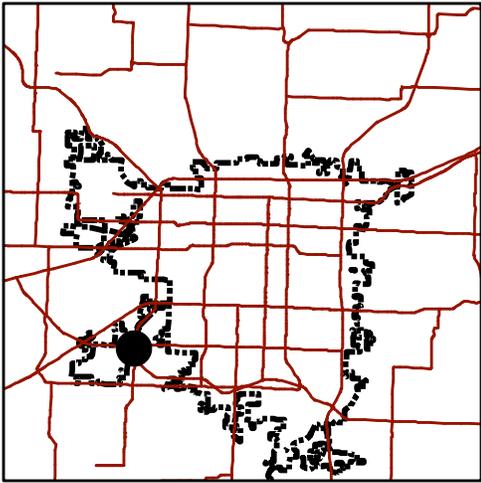
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Annexation A-1-16

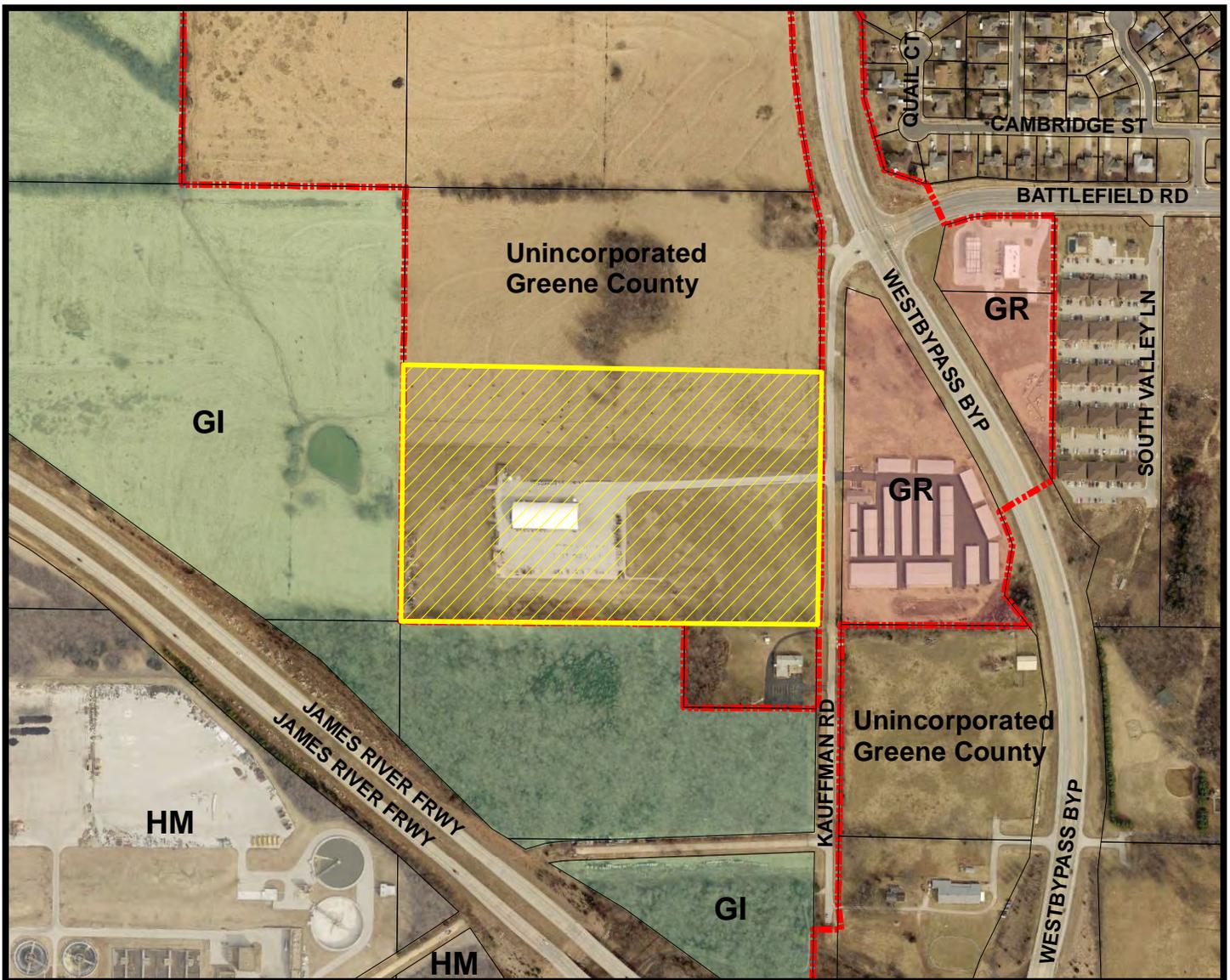
Location: 3100 block S. Kauffman Rd.

Current Zoning: County R-1, Suburban Residence District

Proposed Zoning: GM, General Manufacturing District



LOCATION SKETCH



- Area of Proposal



1 inch = 500 feet

DEVELOPMENT REVIEW STAFF REPORT
ANNEXATION A-1-16

TRACT DESCRIPTION:

The legal description of the property involved in annexation A-1-16 is attached as Exhibit A.

EXISTING LAND USE:

The subject property is currently being used for a Public Works Salt Facility and buffer land for the Southwest Treatment Plant.

CURRENT ZONING:

The City-owned property is currently zoned Greene County R-1, Suburban Residence District. A request to rezone the subject properties to a GM, General Manufacturing District is being processed and will be presented to concurrently City Council.

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* states that City annexations should enhance governmental efficiencies through rational and simplified City boundaries and reduce any potential inter-jurisdictional conflict.

ENVIRONMENTAL CONSTRAINTS:

The proposed annexation area may contain a sinkhole, but is not within a floodplain area.

STREETS AND HIGHWAYS:

This proposed annexation will not include any right-of-way. Kauffman Road is already inside the city limits.

RURAL FIRE DISTRICT JURISDICTION:

The City-owned property to be annexed is currently served by the Battlefield Fire Protection District.

ATTACHMENT 1
DEPARTMENT & AGENCY REVIEW
ANNEXATION A-1-16

FIRE DEPARTMENT:

1. **Service** – The primary Fire Station responding to this area would be Station #6 located at 2620 W Battlefield, which is 2.06 miles from the NE corner of the property. Fire Station #8 located at 1405 S Scenic is the secondary station responding to this location, which is 3.93 miles from the NE corner of the property.
2. **ISO area** – The proposed annexation is currently outside the recommended ISO 1.5 mile (ISO diamond) response distance by just over ½ of a mile for the 1st due unit. *This is not significantly greater than the ISO recommendation, so it will not have a significant impact on our ISO rating.*
3. **Response times/Standards of Cover** – Estimated response time was calculated by actual driving time under normal driving conditions. The 1st due company has an estimated total response time of 6 minutes and 30 seconds. The 2nd due company has an estimated total response time of 8 minutes and 45 seconds. It is likely the standard of coverage benchmark could be met for single company responses but it is unlikely the benchmark could be met for a full 1st alarm response which requires 3 engines, 2 Trucks, 1 Rescue and 2 Battalion Chiefs to arrive on scene within 11 minutes and 24 seconds. *The department expects that it is able to meet the initial unit and the effective response force baseline and benchmarks, so it will not negatively affect our 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 9, 8, 1	11 – 13 minutes	10 minutes 20 seconds	13 minutes 18 seconds

4. **Water Supply** – Currently there is water supply to service the proposed area to be annexed. There is one hydrant on the Northeast corner of the property on Kauffman and a second hydrant 400' north of the property on Kauffman. Depending on the specifics of the development, additional hydrants may be required. *The Fire Department does not have any concerns with the water supply for this annexation.*
5. **Impact** - The Fire Department expects the call volume to this property to be low under its current zoning. *The Fire Department does not have any concerns with the operational impact to the department.*

Fire Department Recommendation: *Based upon all of the relevant factors, the Fire Department is supportive of this annexation.*

POLICE DEPARTMENT:

Police Recommendations: No objections or impact to the PD.

SANITARY SERVICES:

No objections to annexation; however, tract does not have access to public sewer. Public sewer will either have to be extended to the property or BDS will have to permit a septic system if building permits are to be obtained.

STORMWATER:

No stormwater issues with proposed annexation.

The property is located in the South Creek drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of any flooding problems in the area. Detention and water quality need to be provided for any increase in impervious area. A Buyout in lieu of on-site stormwater detention cannot be determined based on the information provided. Since the project will be disturbing more than one (1) acre, a land disturbance permit will be required. There is an existing detention basin serving this property. There appears to be a sinkhole on the property.

Please note that development (or re-development) of the property will be subject to the following conditions at the time of development:

1. Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10 and 100 year rain events.
2. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements.
3. Payment in lieu of construction of detention facilities is not an option for this site due to existing downstream flooding problems.
4. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right-of-way, or a drainage easement.
5. Public improvement plans will be required for any concentrated runoff crossing lot lines as well as for detention and/or water quality features serving more than one lot. These improvements must be constructed or escrowed prior to final plat approval or issuance of a building permit.
6. Drainage easements will be required where concentrated flow drains from one lot to another or from offsite onto the proposed subdivision. Such easement shall be sized for the 100-year peak flow rate.

7. Based upon City contour and sinkhole information, it appears a sinkhole and/or sinkhole watershed may exist on this site. For this reason, a sinkhole evaluation – to include geological and hydrological evaluation – must be completed by a qualified professional engineer or geologist for this site.
8. Detailed stormwater calculations will have to be submitted before any permits can be approved.

Public Works Stormwater Division	Response
Which Drainage Basin is this located?	South Creek
Is property located in Floodplain?	No
Is property located on a sinkhole?	Potential sinkhole in middle of property
Is stormwater buyout an option?	Not enough information

TRAFFIC ENGINEERING:

No traffic issues with annexing this property. Kauffman Road is currently inside the city limits.

PUBLIC GROUNDS:

No comments.

HEALTH DEPARTMENT:

No comments.

BUILDING DEVELOPMENT SERVICES:

Need to re-address the existing development (3301 S Kauffman Road). There is another development south of this that is addressed as 3233 S. Kauffman Rd., which is not part of the annexation.

ECONOMIC DEVELOPMENT:

No significant economic impact is anticipated with this request because it is City-owned property.

NON-CITY AGENCIES REVIEW
ANNEXATION A-1-16

CITY UTILITIES:

The annexation will have no fiscal impact on CU. Note that there is a cost recovery agreement in place for the water main on the property. This information has been forwarded to the City Law Department.

GREENE COUNTY:

Greene County Highway Department has no facilities adjacent to this area.

MoDOT:

MoDOT has no facilities adjacent to this area.

AT&T:

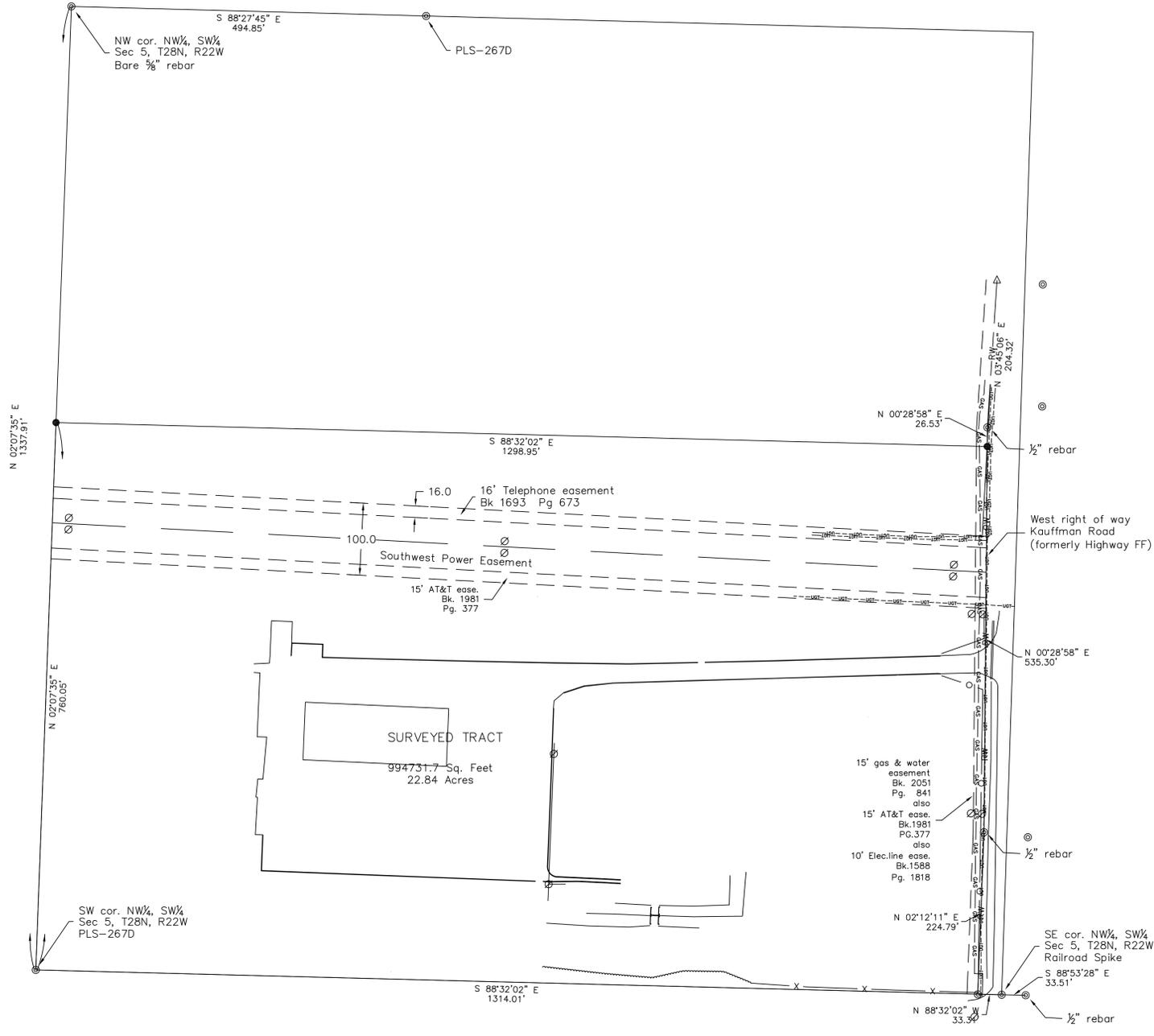
No comments.

ATTACHMENT 2
ANNEXATION SCHEDULE
ANNEXATION A-1-16

ANNEXATION:

Initiate annexation April 18, 2016
City Council public hearing May 31, 2016
City Council second reading and vote June 13, 2016

Attachment 3



Description for the South Salt Storage area and Animal Shelter on Kauffman Road:

A tract of land being a part of the Northwest Quarter of the Southwest Quarter of Section 5, Township 28 North, Range 22 West, Greene County, Missouri which is described as follows:

Commencing an existing railroad spike at the Southeast corner of the said Northwest Quarter of the Southwest Quarter; Thence along the South line of the said Northwest Quarter of the Southwest Quarter, N88°32'02"W a distance of 33.31 feet to the West right of way of Kauffman Road and the True Point of Beginning; Thence continuing N88°32'02"W a distance of 1314.01 feet to an existing iron pin capped LS-267D at the Southwest corner of the said Northwest Quarter of the Southwest Quarter; Thence along the West line of the said Northwest Quarter of the Southwest Quarter, N02°07'35"E a distance of 760.05 feet; Thence leaving said West line, S88°32'02"E a distance of 1298.95 feet to the West right of way of Kauffman Road; Thence along the said West right of way, S00°28'58"W a distance of 535.30 feet to an existing 1/2" iron pin; Thence continuing along said right of way, S02°12'11"W a distance of 224.79 feet to the Point of Beginning. Bearings used in this description are based on the Missouri Coordinate System of 1983, Central Zone. Tract contains an area of 994,731.7 Square Feet (22.84 acres), more or less.



- LEGEND:**
- ⊙ Monument found as noted
 - City monument set
 - △ Metal right of way marker
 - ⊘ Power Pole



**DEPARTMENT OF PUBLIC WORKS
SPRINGFIELD, MISSOURI**

Proposed Annexation of South Salt Facility and Animal Shelter

APPROVED BY _____ DATE _____
DIRECTOR OF PUBLIC WORKS



SURVEYED BY: DILL/CHARCOL	DESIGN: DILL	SCALES HOR: 1"=100'	SHEET 1 OF 1 SHEETS
FIELD BK.: 91200GKKNEL	CHECKED:	VERT:	FILE NO.:

One-rdg. _____
P. Hrngs. X
Pgs. 22
Filed: 05-24-16

Sponsored by: Schilling

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016 - 118

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, Zoning Maps, by
2 rezoning approximately 22.84 acres of property, generally located on the
3 west side of the 3100 block of South Kauffman Road, from a County R-1,
4 Suburban Residence District to a GM, General Manufacturing District;
5 establishing Conditional Overlay District No. 108; and adopting an
6 updated Official Zoning Map. (Staff and Planning and Zoning Commission
7 recommend approval.)
8
9

10 WHEREAS, an application has been filed for a zoning change of the property
11 described on "Exhibit B" of this Ordinance, generally located on the west side of the
12 3100 block of South Kauffman Road, from a County R-1, Suburban Residence District
13 to a GM, General Manufacturing District, and establishing Conditional Overlay District
14 No. 108; and
15

16 WHEREAS, following proper notice, a public hearing was held before the
17 Planning and Zoning Commission, a copy of the Record of Proceedings from said public
18 hearing, being attached hereto as "Exhibit A," and said Commission made its
19 recommendation; and
20

21 WHEREAS, proper notice was given of a public hearing before the City Council
22 and that 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 described on "Exhibit B" of this Ordinance be, and the
28 same hereby is, rezoned from a County R-1, Suburban Residence District to a GM,
29 General Manufacturing District with Conditional Overlay No, 108; and the Springfield
30 Land Development Code, Section 36-306 thereof, Zoning Maps, is hereby amended,
31 changed and modified accordingly.
32

33 Section 2 – The property described on "Exhibit B" of this ordinance shall be
34 subject to the conditions included in "Exhibit C," which is attached hereto and
35 incorporated herein as if copied verbatim, which will be known as Conditional Overlay
36 District No. 108, and the requirements of GM, General Manufacturing District Zoning
37 shall be modified by said Conditional Overlay District for development within this
38 property.

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

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

48
49 Section 4 – This ordinance shall be in full force and effect from and after
50 passage.

51
52 Passed at meeting: _____

53
54
55 _____
56 Mayor

57
58 Attest: _____, City Clerk

59
60 Filed as Ordinance: _____

61
62 Approved as to form: Achalest, Wiedner, Assistant City Attorney

63
64
65 Approved for Council action: Greg Burt, City Manager
66

EXPLANATION TO COUNCIL BILL NO: 2016- 118

FILED: 05-24-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 22.84 acres of City-owned property generally located on the west side of the 3100 block of South Kauffman Road from a County R-1, Suburban Residence District to a GM, General Manufacturing District and establishing Conditional Overlay District No. 108 (Staff and Planning and Zoning Commission recommend approval).

BACKGROUND INFORMATION: ZONING CASE NUMBER Z-4-2016 & CONDITIONAL OVERLAY DISTRICT NO. 108

The Springfield-Greene County Health Department and Environmental Services Department are requesting the rezoning of City-owned property generally located in the 3100 block of South Kauffman Road from a County R-1, Suburban Residence District to a GM, General Manufacturing District with a Conditional Overlay District No. 108. The conditional overlay district will prohibit certain offensive uses that were identified by the neighboring church. The property involved in this request was acquired by the City of Springfield in 2003 as a buffer area for the Southwest Treatment Plant and the Public Works salt facility. The City is proposing a new animal shelter and adoption facility at this location. The GM, General Manufacturing District is the least intense district to allow the existing and proposed uses. The recommendations of this rezoning request will be reviewed concurrently with the annexation request A-1-16.

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* designates this area as appropriate for medium intensity retail, office or housing uses; however, the City owns majority of the property to the south and west of the West Bypass, Battlefield and Kauffman Road intersection as a buffer area for the Southwest Treatment Plant. This area is also within the James River Freeway and State Highway FF Activity Center. The *Plan* recommends these areas be developed with greater intensity.

Supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use Major Goal 4: Develop the community in a sustainable manner.

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Element* of the *Comprehensive Plan* recommends that industrial areas be directly accessible to regional transportation facilities such as arterial roads, expressways and the Interstate Highway System.

This area is located near the intersection of West Bypass, an expressway, Battlefield Road, an arterial roadway, and James River Freeway.

2. This area is within the James River Freeway and State Highway FF Activity Center. The *Plan* recommends these areas be developed with greater intensity.
3. Majority of the property to the south and west of the West Bypass, Battlefield and Kauffman Road intersection is owned by the City as a buffer area for the Southwest Treatment Plant.
4. Approval of this application will facilitate redevelopment of these properties and promote infill development and increased intensity where investments have already been made in public services and infrastructure.

REMARKS: The Planning and Zoning Commission held a public hearing on May 12, 2016, and recommended approval, by a vote of 5 to 0, of the proposed zoning on the tract of land described on the attached sheet (see the attached Record of Proceedings).

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

Submitted by:



Daniel Neal, Senior Planner

Recommended by:



Mary Lilly Smith, Director

Approved by:



Greg Burris, City Manager

EXHIBITS:

- Exhibit A, Record of Proceedings
- Exhibit B, Legal Description
- Exhibit C, Conditional Overlay District Requirements
- Exhibit D, Development Review Staff Report

ATTACHMENTS:

- Attachment 1: Department Comments
- Attachment 2: Neighborhood Meeting Summary & Correspondence

Exhibit A

RECORD OF PROCEEDINGS Planning and Zoning Commission May 12, 2016

Z-4-2016 w/COD #108
3100 South Kauffman Road
Applicant: City of Springfield

Mr. Hosmer states that is a request to rezone 22.84 acres of property at 3100 South Kauffman Road from Greene Co R-1 Suburban Residence District to a City GM, General Manufacturing District. The property is being annexed into the City of Springfield: May 31, 2016. The property was acquired by the City of Springfield in 2003 as a buffer area for the Southwest Treatment Plant and the Public Works salt facility. The City is proposing a new animal shelter and adoption facility at this location. The GM, General Manufacturing District is the least intense district to allow the salt facility and proposed use. A conditional overlay district is being proposed to remove uses. The Growth Management and Land Use Plan element of the Comprehensive Plan designates this area as appropriate for medium intensity retail, office or housing uses; however, the City owns a majority of the property in the area. The area is also within the James River Freeway and State Highway FF Activity Center. The Plan recommends these areas be developed with greater intensity. Battlefield Road is planned to extend west to connect with Sunshine Street. A buffer yard is required along the south and north property line adjacent to the County R-1. A Buffer yard "Type H" at least thirty-five (35) feet wide with a five-foot tall earthen berm or six foot solid wood fence, masonry/brick wall or evergreen hedge. Animal shelters outdoor activities not closer than a 300-foot radius from a building used for a church, school, hotel or motel or from a property zoned residential or a building used for residential purposes or closer than a 100-foot radius from a building used for a restaurant (conditional use permit). Outside storage must be screened and 100 feet from residential district. A traffic study was not required by Public Works Traffic Division because Kauffman Road is adequate based on existing access and the proposed development. Staff recommends approval.

Mr. Ray opened the public hearing.

Mr. Billy Kimmons, 940 E. Stanford, consultant for the City of Springfield, feels that this site holds a lot of potential and advantages over other sites that were considered. There is a 300 foot set back from any zoning district that is residential and the building plans are set to keep any outdoor dog activities within the 300 feet. The public entrance and parking does face south and takes advantage of the views that come from the West By-Pass.

Ms. Lisa Lee Fogle, 6452 N. Crystal Valley Lane who is on the board of the Unity Spiritual Center Church has had concerns about an animal shelter/adoption facility as well as the general manufacturing rezoning. The church has had a lot of good discussions with the designers, health department, and architects and has found that any concerns we had has been satisfied. The concern regarding the general manufacturing rezoning has been resolved by working with the City and we came up with a compromise which is the conditional overlay district and we would welcome the animal shelter as neighbors.

Mr. Ray closed the public hearing.

COMMISSION ACTION:

Mr. Cline motions that we approve Z-4-2016 w/COD #108 (3100 South Kauffman Road). Mr. Rose seconded the motion. The motion **carried** as follows: Ayes: Ray, Doennig, Shuler, Cline, and Rose. Nays: None. Abstain: None. Absent: Cox, Baird, and Matthews.

A handwritten signature in black ink, appearing to read "Bob Hosmer", enclosed in a thin black rectangular border.

Bob Hosmer, AICP
Principal Planner

Exhibit B

LEGAL DESCRIPTION ZONING CASE Z-4-2016 & CONDITIONAL OVERLAY DISTRICT NO. 108

A tract of land being a part of the Northwest Quarter of the Southwest Quarter of Section 5, Township 28 North, Range 22 West, Greene County, Missouri which is described as follows:

Commencing an existing railroad spike at the Southeast corner of the said Northwest Quarter of the Southwest Quarter; Thence along the South line of the said Northwest Quarter of the Southwest Quarter, N88°32'02"W a distance of 33.31 feet to the West right of way of Kauffman Road and the True Point of Beginning; Thence continuing N88°32'02"W a distance of 1314.01 feet to an existing iron pin capped LS-267D at the Southwest corner of the said Northwest Quarter of the Southwest Quarter; Thence along the West line of the said Northwest Quarter of the Southwest Quarter, N02°07'35"E a distance of 760.05 feet; Thence leaving said West line, S88°32'02"E a distance of 1298.95 feet to the West right of way of Kauffman Road; Thence along the said West right of way, S00°28'58"W a distance of 535.30 feet to an existing 1/2" iron pin; Thence continuing along said right of way, S02°12'11"W a distance of 224.79 feet to the Point of Beginning. Bearings used in this description are based on the Missouri Coordinate System of 1983, Central Zone. Tract contains an area of 994,731.7 Square Feet (22.84 acres), more or less.

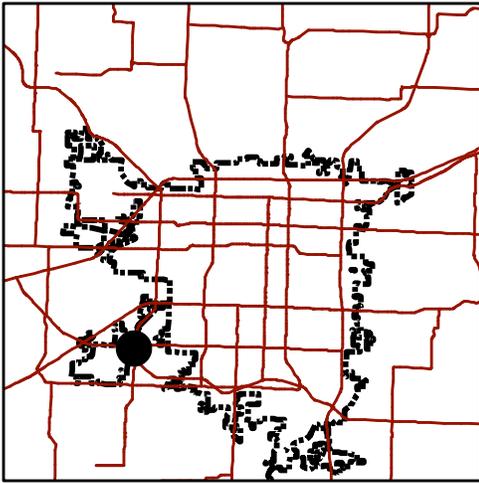
Exhibit C

CONDITIONAL OVERLAY DISTRICT PROVISIONS ZONING CASE Z-4-2016 & CONDITIONAL OVERLAY DISTRICT NO. 108

The requirements of *Section 36-432 General Retail District* of the *Springfield Zoning Ordinance* shall be as modified herein for development within this district. The following permitted and conditional uses shall be prohibited:

- A. Airports.
- B. Auction sales, flea markets, and swap meets.
- C. Automobile service garages including body and fender repair and paint shops.
- D. Overnight shelters or transitional service shelters for 50 or fewer residents, or soup kitchens, and located at least 500 feet from a residential district, as measured from property lines provided that no overnight shelter, transitional service shelter or soup kitchen may locate within 2,000 feet of any other overnight shelter, transitional service shelter, soup kitchen, substance abuse treatment facility or community corrections facility as measured from property lines, in accordance with subsection 36-363(10)(b)5. In no event shall a certificate of occupancy be issued for an overnight shelters, transitional service shelters or soup kitchens herein if it is less than 1,000 feet from an elementary or secondary school as measured from property lines.
- E. Heliports.
- F. Recycling centers.
- G. Substance abuse treatment facilities for 50 or fewer residents
- H. Vehicle rental, towing and storage services.
- I. Overnight shelters or transitional service shelters for 50 or fewer residents, or soup kitchens, which are located within 500 feet from a residential district, as measured from property lines provided that no overnight shelter, transitional service shelter or soup kitchen may locate within 2,000 feet of any other overnight shelter, transitional service shelter, soup kitchen, substance abuse treatment facility or community corrections facility as measured from property lines, in accordance with subsection 36-363(10)(b)5.
- J. Junk yards and automobile wrecking yards (no limitation on floor area for retail sales), in accordance with section 36-462, scrap, salvage, junk and automobile wrecking yards.
- K. Scrap and salvage yards, in accordance with section 36-462, scrap, salvage, junk and automobile wrecking yards.

Exhibit D



Development Review Staff Report

Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

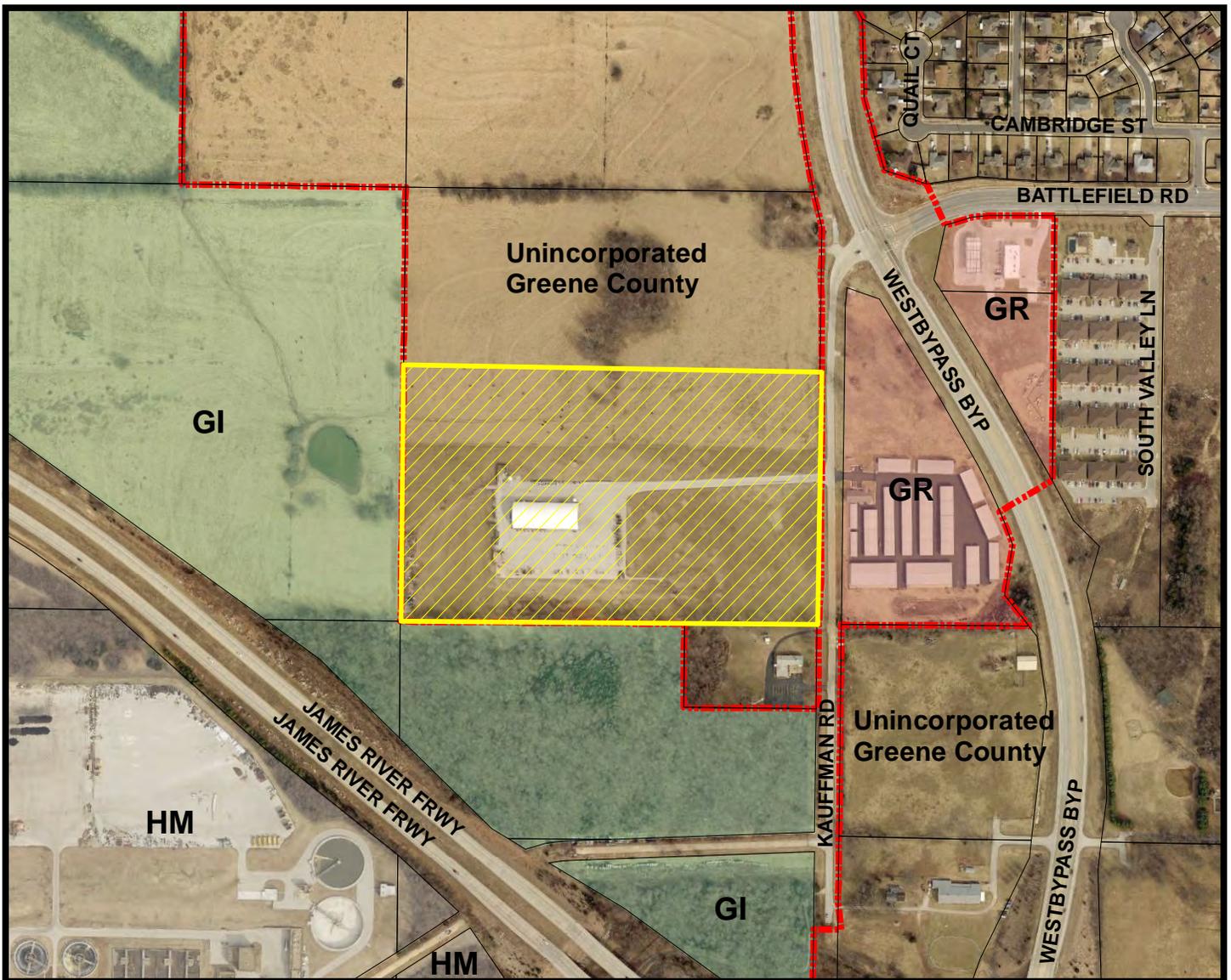
Zoning Case Z-4-2016 & COD No. 108

Location: 3100 block S. Kauffman Rd.

Current Zoning: County R-1, Suburban Residence District

Proposed Zoning: GM, General Manufacturing District and
Conditional Overlay District No. 108

LOCATION SKETCH



- Area of Proposal



1 inch = 500 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-4-2016

PURPOSE: To rezone approximately 22.84 acres of City-owned property generally located on the west side of the 3100 block South Kauffman Road from a County R-1, Suburban Residence District to a GM, General Manufacturing District.

REPORT DATE: April 28, 2016

LOCATION: 3100 block S. Kauffman Road

APPLICANT: City of Springfield

TRACT SIZE: Approximately 22.84 acres

EXISTING USE: Public Works Salt Storage Facility and undeveloped land

PROPOSED USE: PW Salt Facility and Animal Shelter/Adoption Facility

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Element* of the *Comprehensive Plan* recommends that industrial areas be directly accessible to regional transportation facilities such as arterial roads, expressways and the Interstate Highway System. This area is located near the intersection of West Bypass, an expressway, Battlefield Road, an arterial roadway, and James River Freeway.
2. This area is within the James River Freeway and State Highway FF Activity Center. The *Plan* recommends these areas be developed with greater intensity.
3. Majority of the property to the south and west of the West Bypass, Battlefield and Kauffman Road intersection is owned by the City as a buffer area for the Southwest Treatment Plant.
4. Approval of this application will facilitate redevelopment of these properties and promote infill development and increased intensity where investments have already been made in public services and infrastructure.
5. Supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use Major Goal 4: Develop the community in a sustainable manner.

RECOMMENDATION:

Staff recommends **approval** of this request.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	County R-1	Undeveloped City-owned property
East	GR	Self-storage facilities with living quarters
South	GI & County R-1	Church uses and undeveloped City-owned property
West	GI	Undeveloped City-owned property

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the City's *Comprehensive Plan* designates this area as appropriate for medium intensity retail, office or housing uses; however the City owns majority of the property to the south and west of the West Bypass, Battlefield and Kauffman Road intersection as a buffer area for the Southwest Treatment Plant. This buffer area is currently underutilized and is currently being use by the Department of Public Works Salt Facility. The Department of Environmental Services has plans to use the remaining buffer area in the future.

This area is also within the James River Freeway and State Highway FF Activity Center. The *Plan* states that this interchange is well-located to serve as an Activity Center for nearby residential neighborhoods and for residential development southwest of Springfield, but the topography may make it difficult to develop at much density or intensity.

STAFF COMMENTS:

1. The Springfield-Greene County Health Department and Environmental Services Department are requesting the rezoning of City-owned property generally located in the 3100 block South Kauffman Road from a County R-1, Suburban Residence District to a GM, General Manufacturing District. The property involved in this request was acquired by the City of Springfield in 2003 as a buffer area for the Southwest Treatment Plant and the Public Works salt facility. The City is proposing a new animal shelter and adoption facility at this location. The GM, General Manufacturing District is the least intense district to allow the existing and proposed uses. The recommendations of this rezoning request will be forwarded to City Council to be reviewed concurrently with the annexation request.
2. The GM District permits veterinary clinics, animal hospitals and outdoor kennels provided that at the time the use is established any outdoor activities are clearly accessory to the primary use and provide that no outdoor activities are located closer than a 300-foot radius from a building used for a church, school, hotel or

motel or from a property zoned residential or a building used for residential purposes. It also permits construction equipment storage yards with storage that may be maintained outside a building in side yards or rear yards if such storage area is screened from public streets, designated arterials or greater street classifications, and from other property. All outdoor storage shall be at least 100 feet from any residential district boundary.

3. All uses in the GM District are subject to the noise and nuisance odor requirements of the Zoning Ordinance and City Code.
4. A traffic study was not required by Public Works Traffic Division because Kauffman Road is adequate based on existing access and the proposed development.
5. Upon development of the property a bufferyard is required along the north and south property line adjacent to the County R-1 zoning which is comparable to the City's R-SF. The normal bufferyard required between GM and R-SF zoning would be a Bufferyard "Type H" at least thirty-five (35) feet wide with a five-foot tall earthen berm or six foot solid wood fence, masonry/brick wall or evergreen hedge. For each one-hundred (100) linear feet of bufferyard, there must be four (4) canopy trees, four (4) understory trees, five (5) evergreen trees and twenty-eight (28) shrubs. There are no maximum structure height requirements. The normal bufferyard required between GM and GI would be a Bufferyard "Type C" at least fifteen (15) feet wide with landscaping. For each one-hundred (100) linear feet of bufferyard, there must be one (1) canopy trees, two (2) understory trees, two (2) evergreen trees and ten (10) shrubs. No structures are required.
6. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting with property owners, residents and any registered neighborhood association within 500 feet of the subject properties on April 22, 2016. A summary of the meeting is attached (Attachment 2).

PUBLIC COMMENTS:

The property was posted by the applicant or their representative on May 2, 2016 at least 10 days prior to the public hearing. The public notice was advertised in the Daily Events at least 15 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. Three (3) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request.

CITY COUNCIL MEETING:

May 31, 2016

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1

DEPARTMENT COMMENTS
ZONING CASE Z-4-2016

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services does not have any issues with the proposed zoning classification.

CITY UTILITIES:

No objection to rezoning. All utilities are available to serve the property. The water main is subject to a cost recovery agreement. The agreement expires on January 29, 2017.

CLEAN WATER SERVICES COMMENTS:

1. No objections to rezoning; however, the site does not have access to public sewer.
2. Public sewer will have to be extended onsite unless a septic system is permitted.

FIRE DEPARTMENT COMMENTS:

Fire Department has no objections to rezoning.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

The Transportation Plan classifies Kauffman Road as a Local Commercial. The standard right of way width for Kauffman Road is 30 feet from the centerline (60 feet for the total width). This is a City maintained street. The current traffic volume on Kauffman Road is 145 vehicles per day. There is one driveway access point along the property frontage on this Street. There is no sidewalk along Kauffman Road and right of way appears to meet existing standard. On-street parking is not allowed along the adjacent streets. There is a greenway trail in the area and there are not any bus stops along Kauffman Road. The proposed development is not located in an area that provides for multiple direct connections and does not provide for good connectivity in the area, but is adequate based on existing access and the proposed development. There are not any proposed improvements along Kauffman Road. Kauffman Road is already annexed into the city.

Public Works Traffic Division	Response
Street classification	Local Commercial
On-street parking along streets	Not allowed
Trip generations existing use	48 trips/day
Trip generations proposed use	63 trips/day

Existing street right of way widths	60 feet
Standard right of way widths	60 feet
Traffic study submitted	Not Required
Proposed street improvements	No

STORMWATER COMMENTS:

The property is located in the South Creek drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of any flooding problems in the area. If the project increases the amount of impervious surfacing; detention and water quality is required according to Chapter 96. Buyout in lieu of on-site stormwater detention is not an option. Since the project will be disturbing more than one (1) acre there will be a land disturbance permit required. There is an existing detention basin onsite, but it will need to be expanded and the outlet structure will need to be modified. There are sinkholes on the proposed property.

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

1. Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10 and 100 year rain events. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements.
2. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right-of-way, or a drainage easement.
3. Please keep in mind that more detailed stormwater calculations will have to be submitted before any permits can be approved.

Public Works Stormwater Division	Response
Which Drainage Basin is this located?	South Creek
Is property located in Floodplain?	No
Is property located on a sinkhole?	Potential sinkhole in middle of property
Is stormwater buyout an option?	No

April 11, 2016

Re: Proposed Zoning
3301 S. Kauffman Road

Dear Property Owners:

The City of Springfield is hosting a neighborhood meeting to discuss the proposed zoning for 3301 South Kauffman Road that will allow appropriate zoning for an Animal Shelter and Animal Adoption Facility. This property is owned by the City and currently houses the Public Works Salt Storage facility. The proposed GM, General Manufacturing zoning will permit the proposed new Animal Shelter and Animal Adoption Facility to be located on this site. GM zoning is required to allow the outdoor activities necessary for the animal facilities, such as dog runs. The attached site plan demonstrates the portion of land to be rezoned. The proposed Public Hearing for this zoning change is scheduled to go to Planning and Zoning Commission on May 12, 2016 and City Council on May 31, 2016 for public hearings.

Date: Thursday, April 21, 2016

Meeting Location: Fire Station #8 Community Room at 1405 South Scenic, Springfield, MO 65803 between the hours of 4:00 and 6:30 p.m.

Please, contact me with any questions or comments if you cannot make the neighborhood meeting.

Sincerely,



Jennifer Swan, AIA

City Architect

City of Springfield, Missouri

Public Works, Facility Design & Construction

Phone: 417-864-2033

Fax: 417-864-1998

jswan@springfieldmo.gov

April 21, 2016

Re: Neighborhood Meeting Comments
Proposed Rezoning of 3301 S. Kauffman Road

1. Concerns about facility location. Where will the facility be located on the site?
 - a. The facility is proposed as far north as possible to allow the existing drive to the Salt Structure to remain.
 - b. The southeast corner of the proposed facility is 262' north of the City/Church property line.
 - c. The south side of the proposed dog run is 327' north of the City/Church property line.
 - d. The facility is at an elevation approximately 25' higher than that of the church which also provides a buffer.
2. Concerns about safety. How will the City deal with the risk of dogs escaping?
 - a. The City is proposing a new 8' tall vinyl coated chain link fence and gates to full enclose the Animal Shelter.
 - b. The Animal Shelter's operating procedures don't provide opportunities for the animals to escape.
 - i. The animals are brought on site via a truck and delivered into a Sally Port (garage) and the garage doors are shut before the dogs are removed from the trucks.
 - ii. The dogs are not taken out for walks. There is a small planned dog run located on the north side of the proposed building that will also be fenced.
3. Concerns about polluting the church's well water. How will the City deal with the risk of animal waste polluting their well water?
 - a. The City proposes to extend the City's sanitary sewer system from the south near James River Freeway to the site. This will keep all waste within that system. No animal waste will be washed onto the ground providing opportunity to pollute the church's well water.
 - b. The City proposes also to incorporate into the design rainwater harvesting which will collect the majority of the roof area surfaces into cisterns for reuse. This in turn reduces the amount of run-off.
4. Concerns about undesirable odors. How will the City deal with the odors associated with the animals?

- a. The animals typically have a short stay (5-9 days) at the Animal Shelter; therefore they will not be outside. The exterior dog run is intended for court ordered long term stays dogs. Because of this the City does not feel that odor will be a concern.
5. Church Board Members inquired about the possibility of attaching to the sanitary sewer extension.
 - a. The Board Members were told that this is a possibility if they were to be annexed into the City. There would be connection costs and fees that they would be responsible for.
6. Church Board Members inquired about the vast uses associated with General Manufacturing (GM) zoning.
 - a. The Board Members were told that a Conditional Overlay was possible to limit certain undesirable uses.
7. Church Board Members inquired about the possibility of being annexed into the City limits.
 - a. The Board Members were told that we are required by State Law to ask any property owner that is surrounded to be annexed and that a letter was being drafted, they would have to submit a valid annexation petition, and that it would be at a later date.



Jennifer Swan, AIA

City Architect

City of Springfield, Missouri

Public Works, Facility Design & Construction

Phone: 417-864-2033

Fax: 417-864-1998

jswan@springfieldmo.gov

MEETING SIGN-IN SHEET

Project: Rezoning of 3301 S. Kauffman Road

Meeting Date: April 21, 2016

Facilitator: Jennifer Swan

Place/Room: Fire Station #8 Community Room
1405 South Scenic Avenue

Name	Address	Phone	E-Mail
Lisa Fogle	6452 N. Crystal Valley Lane	833-9316	lisa.leefogle@gmail.com
Emerson Fogle	"	901-545-9084	emerson.fogle@gmail.com
Ann Books	1458 E Whiteside SPRNG, MO	861-0065	ann.books@gmail.com
Robert Crampton		268-7322	robertcrampton91@gmail.com
BILLY KIMMONS	400 SOUTH AVE, #300	417 862-4483	bkimmons@hoodrich.com
NICK BEISHIR	" "	" "	nbeishir@hoodrich.com
Elaine Johnson	1710 S. ROBERSON AVE	417.379.4640	LaneLight@sbcglobal.net
Sherry Turner	3527 S. PRIMROSE CT.	894-1803	SLT003@OUTLOOK.COM
Ben Knaup	3548 N. KOSSEA LN	269-420-9554	bknaup@KSFR.com
Kathryn Wall	227 E Chestnut Expy	874-1205	kwall@springfieldmo.gov
Collin Argyle	840 Barnville Ave	864-1008	cargyle@springfieldmo.gov
Shadd Delmez	3048 S. Kauffman Rd. Sprng. Mo.	437-4119	shadd@usa@yahoo.com
CLAY GODDARD	227 E. CHESTNUT EXPY	864-1663	cgoddard@springfieldmo.gov
Jennifer Swan	1010 W. Chestnut St	864-2033	jswan@springfieldmo.gov

OWN1	Own_Addr	CITYNAME	STATE	ZIP1
BATTLEFIELD MINI STORAGE LLC	1675 E SEMINOLE	SPRINGFIELD	MO	65804
TOMAR PROP REGISTERED LLLP	2804 S INGRAM MILL RD	SPRINGFIELD	MO	65804
UNITY SPIRITUAL CENTER	3233 S KAUFFMAN RD	SPRINGFIELD	MO	65807
WILLIAMS, DONALD E	3252 S STATE HWY FF	SPRINGFIELD	MO	65807
CURRENT RESIDENT	3007 S KAUFFMAN RD	SPRINGFIELD	MO	65807
CURRENT RESIDENT	3048 S KAUFFMAN RD	SPRINGFIELD	MO	65807
CURRENT RESIDENT	4020 W BATTLEFIELD RD	SPRINGFIELD	MO	65807

May 11, 2016

Re: Conditional Overlay District Request for 3301 S. Kauffman Road

Dear Planning & Zoning Commission:

In response to the discussions with Unity Spiritual Center board members, The City of Springfield is requesting a Conditional Overlay District to prohibit the following uses in the GM District:

- A. Airports.
- B. Auction sales, flea markets, and swap meets.
- C. Automobile service garages including body and fender repair and paint shops.
- D. Overnight shelters or transitional service shelters for 50 or fewer residents, or soup kitchens, and located at least 500 feet from a residential district, as measured from property lines provided that no overnight shelter, transitional service shelter or soup kitchen may locate within 2,000 feet of any other overnight shelter, transitional service shelter, soup kitchen, substance abuse treatment facility or community corrections facility as measured from property lines, in accordance with subsection 36-363(10)(b)5. In no event shall a certificate of occupancy be issued for an overnight shelters, transitional service shelters or soup kitchens herein if it is less than 1,000 feet from an elementary or secondary school as measured from property lines.
- E. Heliports.
- F. Recycling centers.
- G. Substance abuse treatment facilities for 50 or fewer residents.
- H. Vehicle rental, towing and storage services.
- I. Overnight shelters or transitional service shelters for 50 or fewer residents, or soup kitchens, which are located within 500 feet from a residential district, as measured from property lines provided that no overnight shelter, transitional service shelter or soup kitchen may locate within 2,000 feet of any other overnight shelter, transitional service shelter, soup kitchen, substance abuse treatment facility or community corrections facility as measured from property lines, in accordance with subsection 36-363(10)(b)5.
- J. Junk yards and automobile wrecking yards (no limitation on floor area for retail sales), in accordance with section 36-462, scrap, salvage, junk and automobile wrecking yards.
- K. Scrap and salvage yards, in accordance with section 36-462, scrap, salvage, junk and automobile wrecking yards.
- L. No junk, scrap, salvage or automobile wrecking yard shall be located within 500 feet of any residential district.

Sincerely,



Jennifer Swan, AIA

City Architect

City of Springfield, Missouri

Public Works, Facility Design & Construction

One-rdg. _____
P. Hrngs. X
Pgs. 19
Filed: 05-24-16

Sponsored by: Fisk

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016 - 119

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Section 36-306, Zoning Maps, by
2 rezoning approximately 20 acres of property, generally located at 1800
3 West Republic Street, from a GR, General Retail District with Conditional
4 Overlay District No. 66 to a GR, General Retail District and establishing
5 Conditional Overlay District No. 107; and adopting an updated Official
6 Zoning Map. (Staff and Planning and Zoning Commission recommend
7 approval.)
8 _____
9

10 WHEREAS, an application has been filed for a zoning change of the property
11 described on "Exhibit C," of this ordinance, generally located at 1800 West Republic
12 Street, from a GR, General Retail District with a Conditional Overlay District No. 66 to a
13 GR, General Retail District with Conditional Overlay District No. 107; and
14

15 WHEREAS, following proper notice, a public hearing was held before the
16 Planning and Zoning Commission, a copy of the Record of Proceedings from said public
17 hearing being attached hereto as "Exhibit B," and said Commission made its
18 recommendation; and
19

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

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

26 Section 1 – The property described on "Exhibit C" of this ordinance be, and the
27 same hereby is, rezoned from a GR, General Retail District with a Conditional Overlay
28 District No. 66 to a GR, General Retail District with Conditional Overlay District No. 107,
29 or such zoning district as is designated on the Official Zoning Map adopted by the City
30 Council; and the Springfield Land Development Code, Section 36-306 thereof, Zoning
31 Maps, is hereby amended, changed and modified accordingly.
32

33 Section 2 – The property described on "Exhibit C" of this ordinance shall be

34 subject to Conditional Overlay District No. 107, which is attached hereto as "Exhibit A"
35 and incorporated herein as if copied verbatim, and the requirements of GR, General
36 Retail District Zoning shall be modified by said Conditional Overlay District for
37 development within this property.

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

56
57 Attest: _____, City Clerk

58
59 Filed as Ordinance: _____

60
61
62 Approved as to form: Achala T. Wedu, Assistant City Attorney

63
64 Approved for Council action: Greg Bunt, City Manager
65

EXPLANATION TO COUNCIL BILL NO: 2016- 119

FILED: 05-24-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 20 acres of property generally located at 1800 West Republic Street from a GR, General Retail District with a Conditional Overlay District No. 66 to a GR, General Retail District and establishing Conditional Overlay District No. 107 (Staff and Planning and Zoning Commission recommend approval).

BACKGROUND INFORMATION: ZONING CASE NUMBER Z-7-2016 CONDITIONAL OVERLAY DISTRICT NO. 107

The applicant is proposing to rezone the property from a GR, General Retail District Conditional Overlay District No. 66 to a new GR, General Retail District with Conditional Overlay District No. 107 to modify the driveway locations. The accompanying Conditional Overlay District will limit the uses for the southern tract and provide for flexibility in locations of accesses to Republic Street.

RECOMMENDATIONS: The Planning and Zoning Commission held a public hearing on May 12, 2016 and recommended approved, by a vote of 5 to 0, of the proposed zoning on the tract of land described on the attached sheet (see the attached "Exhibit B," Record of Proceedings).

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

FINDINGS FOR STAFF RECOMMENDATION:

1. The subject property is located along Republic Street and the future intersection of Kansas Expressway. Kansas Expressway, classified as an expressway roadway, and Republic Street, a primary arterial roadway, are both appropriate locations for GR, General Retail zoning.
2. This request for GR zoning will provide for the development of this site and is consistent with the City's policies to promote infill development and increased intensity where investments have already been made in public services and infrastructure.
3. The proposed Conditional Overlay District will restrict uses and provide for access locations on adjacent roadways.
4. The development requirements in the proposed GR district are adequate for mitigating potential impacts of the proposed development on the adjoining properties.

5. Supports the following Field Guide 2030 goal(s): Chapter 6, Major Goal 4: Develop the community in a sustainable manner. Objectives 4a and 4b.
6. The *Growth Management and Land Use* element of the *Comprehensive Plan* supports the rezoning of the property.

REMARKS:

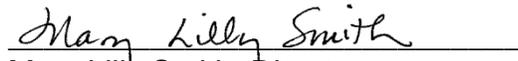
The Planning and Development staff recommends the application be **approved** (see the attached Zoning and Subdivision Report).

Submitted by:



Bob Hosmer, AICP, Principal Planner

Recommended by:



Mary Lilly Smith, Director

Approved by:



Greg Burris, City Manager

EXHIBITS:

- Exhibit A, Conditional Overlay Provisions
- Exhibit B, Record of Proceedings
- Exhibit C, Legal Description
- Exhibit D, Development Review Staff Report

ATTACHMENTS:

- Attachment 1, Department Comments
- Attachment 2, Neighborhood Meeting Summary

Exhibit A

CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-7-2016 & CONDITIONAL OVERLAY DISTRICT NO. 107

The requirements of *Section 36-421 General Retail District* of the *Springfield Zoning Ordinance* shall be as modified herein for development within this district.

1. The northern (Groover) Tract A shall have all the current allowable GR, General Retail District permitted uses.
2. The southern (Warner) Tract B shall have all the current allowable GR, General Retail District permitted uses except for the following:
 - a. Commercial off street parking lots and structures;
 - b. Funeral homes and Mortuaries;
 - c. Household resource recovery collection centers;
 - d. Freestanding Telecommunication Towers;
 - e. Water reservoirs, standpipes, elevated and ground level water storage tanks unless said storage tanks are part of a storm water conservation and recycling system;
3. Access to Republic Street for the southern (Warner) Tract B shall be provided by either a cross access easement from the northern (Groover) Tract A or by a direct access to the future extension of Kansas Expressway.
4. The southern (Warner) Tract B shall dedicate 50' feet of right of way for the future extension of Kansas Expressway.
5. Full access to the future extension of Kansas Expressway for the northern (Groover) Tract A must be provided with a cross access easement across the southern (Warner) Tract B to the proposed intersection and future extension of Lark and Kansas Expressway 850' feet south of the Republic Street right of way.
6. Right in and Right out access to the future extension of Kansas Expressway for the northern (Groover) Tract A is allowed at least 400' feet south of the Republic Street right of way.
7. Two access points will be allowed on Republic Road. The westernmost access is required to be right in/right out and the easternmost access will allow full access. The location of each access must be approved by the Director of Public Works.
8. Traffic Studies will be required at the time of development of the tracts and be based on the proposed uses in the development. Public improvements required will be based on said traffic studies.

Exhibit B

**RECORD OF PROCEEDINGS
Planning and Zoning Commission May 12, 2016**

Z-7-2016 w/COD #107

1850 West Republic Road

Applicant: Judith Groover

Mr. Hosmer states that this is a request to rezone approximately 20 acres of property generally located at 1800 West Republic Street from a GR, General Retail District with a Conditional Overlay District No. 66 to a GR, General Retail District and establishing Conditional Overlay District No. 107 to modify the driveway locations. The Planning and Zoning Commission approved Z-1-2014 on February 6, 2014 and the City Council approved General Ordinance No. 6111 for a GR, General Retail District zoning establishing Conditional Overlay District No. 66 on March 24, 2014. This request is to modify the driveway locations along Republic Street for the proposed development of the Veterans Affairs Clinic. The requested changes from the original COD is to modify the two access locations on Republic Road. The westernmost access is required to be right in/right out and the easternmost access will allow full access. The location of each access must be approved by the Director of Public Works. The permitted uses will remain the same as the original COD. GR uses on the northern tract and limited GR uses on the southern tract. Buffer yards will be required adjacent to the R-SF and County R-1 property. The development will have to meet the standards of the General Retail District regulations. The northern tract will have to dedicate 50 feet of right-of-way for the future extension of Kansas Expressway. The Growth Management and Land Use Plan designate this area as High intensity Retail, Office or Housing on the northern tract and Medium Intensity Retail, Office or Housing on the southern tract. Staff recommends approval.

Mr. Ray opened the public hearing.

Mr. George Papandreas, 27500 Detroit Road; Suite 300, Westlake, OH requesting language modifications for the curb locations. The site plan had certain criteria that needed to be met and that is the reason for the minor change to the formally approved conditional overlay district asking for the curb cuts to be slightly moved to the east because the Veteran Administration has a concern for onsite way-finding.

Mr. Ray closed the public hearing.

COMMISSION ACTION:

Mr. Doennig motions that we approve Z-7-2016 w/COD #107 (1850 West Republic Road). Mr. Cline seconded the motion. The motion **carried** as follows: Ayes: Ray, Doennig, Shuler, Cline, and Rose. Nays: None. Abstain: None. Absent: Cox, Baird, and Matthews.



Bob Hosmer, AICP
Principal Planner

Exhibit C

LEGAL DESCRIPTION
ZONING CASE Z-7-2016 CONDITIONAL OVERLAY DISTRICT NO. 107

Northern (Groover) Tract A

All of the Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section 15, Township Twenty Eight (28), Range Twenty Two (22), and subject to a 20' right of way and easement for road purposes, along the west side of land hereby conveyed as said road now existing in Greene County, Missouri.

Southern (Warner) Tract B

All of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section 15, Township Twenty Eight (28), Range Twenty Two (22), in Greene County, Missouri

And

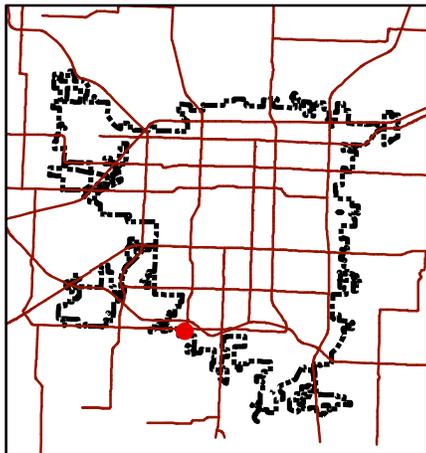
Together with an easement for ingress and egress over and across all of the west 20 feet of the Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section 15, Township Twenty Eight (28), Range Twenty Two (22), in Greene County, Missouri, subject to and easement for ingress and egress and along the west side, across the southwest corner, and along the South side of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section 15, Township Twenty Eight (28), Range Twenty Two (22), all in Greene County, Missouri.

Development Review Staff Report

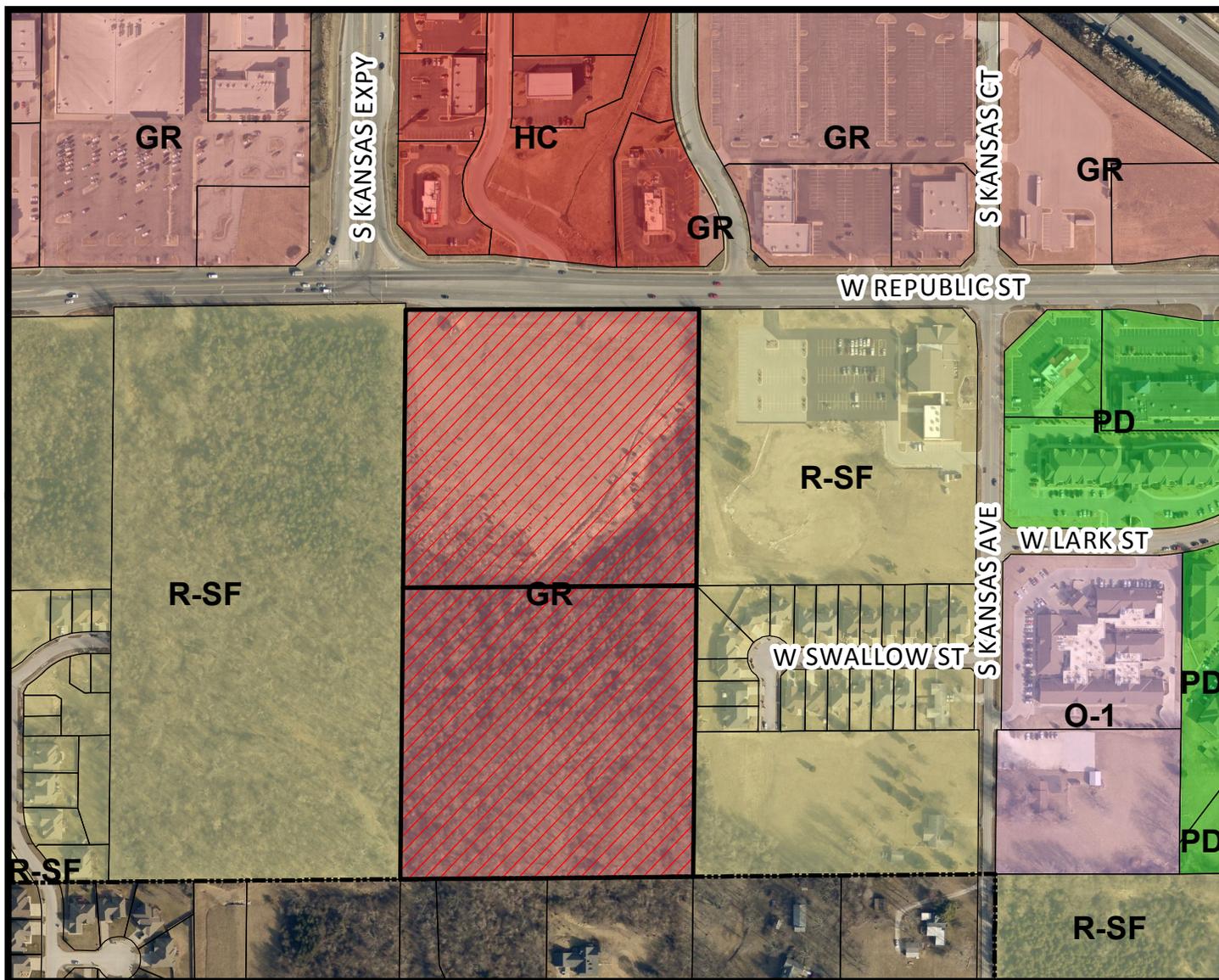
Department of Planning & Development - 417-864-1031
840 Boonville - Springfield, Missouri 65802

Z-7-2016 COD No 107

LOCATION: 1800 West Republic Road
CURRENT ZONING: GR, General Retail COD No 66
PROPOSED ZONING: GR, General Retail COD No 107



LOCATION SKETCH



- Area of Proposal



1 inch = 366.875 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-7-2016 CONDITIONAL OVERLAY DISTRICT NO. 107

PURPOSE: To rezone approximately 20 acres of property generally located at 1800 West Republic Street from a GR, General Retail District with a Conditional Overlay District No. 66 to a GR, General Retail District and establishing Conditional Overlay District No. 107

DATE: April 21, 2016

LOCATION: 1800 West Republic Street

APPLICANT: Judith Groover Trust and Warner Family Trust

TRACT SIZE: Approximately 20 acres

EXISTING USE: Undeveloped land

PROPOSED USE: GR permitted uses/ VA Clinic

FINDINGS FOR STAFF RECOMMENDATION:

1. The subject property is located along Republic Street and the future intersection of Kansas Expressway. Kansas Expressway, classified as an expressway roadway, and Republic Street, a primary arterial roadway, are both appropriate locations for GR, General Retail zoning.
2. This request is to modify the driveway locations along Republic Street which will provide for the development of this site and is consistent with the City's policies to promote infill development and increased intensity where investments have already been made in public services and infrastructure.
3. The proposed Conditional Overlay District will restrict uses and provide for flexibility on access locations on adjacent roadways.
4. The development requirements in the GR district are adequate for mitigating potential impacts of the proposed development on the adjoining properties.

RECOMMENDATION:

Staff recommends **approval** of this request.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	HC	Commercial uses
East	R-SF	Southland Christian Church
South	County	Single family home
West	R-SF	Vacant property

HISTORY:

The Planning and Zoning Commission held a public hearing on February 6, 2014 and the City Council approved General Ordinance No. 6111 for a GR, General Retail District zoning establishing Conditional Overlay District No. 66 on March 24, 2014.

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* designates this area as High intensity Retail, Office or Housing on the northern tract and Medium Intensity Retail, Office or Housing on the southern tract. The subject property is also located near the James River Freeway and Kansas Expressway Community Activity Center where the City encourages locations of significant business and high-density housing developments.

STAFF COMMENTS:

1. This is a request to rezone the subject property from a GR, General Retail District with a Conditional Overlay District No. 66 to a GR, General Retail District and establishing a new Conditional Overlay District No 107. This request is to modify the driveway locations along Republic Street for the proposed development of the Veterans Affairs Clinic.
2. The accompanying Conditional Overlay District would allow the developer to have accesses to Republic Street with locations approved by the Public Works Director and to provide for the future extension of Kansas Expressway for both tracts since the southern tract does not currently have public access. The Conditional Overlay District will also limit the GR uses on the southern tract.
3. The changes from the original overlay district are to remove the following requirements; "Full access to Republic Street for both Tracts shall be located at least 150' feet west of the eastern property line and a right in and right out access along Republic Street will be allowed 400' west of the eastern property line by constructing an island in the driveway approach. The possibility exists that once Kansas Expressway is extended south, the nature of the design will necessitate the closure of this right in and right out access on Republic Street".

4. These requirements will be replaced with new requirements as stated in Attachment 3 which states that "Two access points will be allowed on Republic Road. The westernmost access is required to be right in/right out and the easternmost access will allow full access. The location of each access must be approved by the Director of Public Works".
5. The *Growth Management and Land Use Plan* supports the rezoning of the property.
6. Republic Street is classified as a primary arterial roadway and Kansas Expressway is classified as a expressway roadway. These roadways are an appropriate locations for GR uses.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on April 21, 2016. A summary of the meeting is attached (Attachment 2).

PUBLIC COMMENTS:

The property was posted by the applicant at least 10 days prior to the public hearing. The public notice was advertised in the Daily Events at least 15 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. Twenty-eight (19) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. Staff has received no objections to date.

CITY COUNCIL MEETING: May 31, 2016

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner

ATTACHMENT 1

DEPARTMENT COMMENTS
ZONING CASE Z-7-2016 & CONDITIONAL OVERLAY DISTRICT NO. 107

BUILDING DEVELOPMENT SERVICES COMMENTS:

No BDS issues with proposed rezoning.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

The Transportation Plan classifies Republic Street as a primary arterial roadway. The standard right of way width for Republic Street is 50 feet from the centerline (total of 100 feet full street right of way). This is a City maintained street. The most recent traffic count on Republic Street in this approximate location is 28,000 vehicles per day. There are zero existing driveway access points on Republic Street along the property in this zoning case. Two access points will be allowed on Republic Street. The westernmost access is required to be right in/right out and the easternmost access is allowed to be a full access. The location of each access must be approved by the Director of Public Works. Existing right of way appears to meet the 50 foot city standard from the centerline. A survey is recommended to verify existing right of way. Sidewalk exists along Republic Street. On-street parking is not allowed along Republic Street. There is no greenway trail in the area and no bus stops along this block of Republic Road. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. There are proposed improvements extending Kansas Expressway south of Republic Street which are currently under design by the Greene County Highway Department.

Public Works Traffic Division	Response
Street classification	Primary Arterial
On-street parking along streets	No
Trip generation - existing use	720 trips/acre
Trip generation - proposed use	720 trips/acre
Existing street right of way widths	Appears to be 50 feet from the centerline of Republic Street. A survey is recommended to verify.
Standard right of way widths	100 feet
Traffic study submitted	Required to be submitted at the time of development.
Proposed street improvements	None at this time

STORMWATER COMMENTS:

There are no Stormwater issues with rezoning this property; however, please note that development of the subject property will be subject to the following conditions at the time of development:

1. Any increase in impervious area from 1983 aerial photo information will require the development to meet current detention and water quality requirements. Impervious surfaces in place prior to 1983 and currently in good condition can be credited as existing impervious surface. Existing gravel surfaces meeting the above definition are only eligible for 50% credit.
2. Payment in lieu of construction of detention facilities is not an option for this site due to existing downstream flooding problems.
3. The proposed percent of impervious surfacing must not exceed the maximum impervious surfacing allowed for site by zoning, platting, and/or previous stormwater reports.
4. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right-of-way, or a drainage easement.
5. Public improvement plans and drainage easements will be required for any concentrated runoff crossing lot lines, as well as for detention and/or water quality features serving more than one lot. These improvements must be constructed, inspected, approved and operational prior to issuance of a building permit or final plat. Must pay Engineering and Inspection Fees, which are 5% of the public improvement construction costs, prior to final approval of public improvement plans.
6. Drainage easements will be required where concentrated flow drains from one lot to another or from offsite onto the proposed subdivision. Such easement shall be sized for the 100-year peak flow rate.
7. Based upon City data, there is a significant amount of offsite concentrated storm water crossing the subject property. Although storm water detention and water quality do not have to be provided for these flows, public improvement plans will be required to convey these flows across the subject property. Drainage easements must be provided for this conveyance.
8. Provide topography, with contour intervals not exceeding two (2) feet, showing the locations of any natural features such as watercourses, drainage ways, flood prone areas, or other geological features within the site, and contributing off-site drainage areas.
9. Drainage patterns for any runoff currently flowing across the site must not be blocked or altered by any future construction.
10. Connect private drainage facilities to public drainage system whenever possible, which will require a public improvement plan or excavation permit.
11. Any property that contains a detention basin/water quality basin which serves properties other than the property on which it is located, must be located in a dedicated drainage easement or common area.

CLEAN WATER SERVICES COMMENTS:

No objections to rezoning.

CITY UTILITIES:

City Utilities has no objection to the proposed rezoning.



C A R N E G I E
MANAGEMENT AND DEVELOPMENT CORPORATION

April 11, 2016

Re: Proposed Zoning Change for Property Located at
1850 West Republic Street
Springfield, MO 65810

Dear Neighboring Property Owners:

Please be advised that on behalf of the Judith Mae Groover Revocable Trust Estate and the Warner Family Trust, Carnegie Management and Development Corporation has filed an application with the city of Springfield to make minor language modifications to the current Attachment 2 of the Conditional Overlay District No. 66 Provisions. These parcels are currently zoned GR and will remain GR. This request is being made to accommodate required locations for curb cuts on Republic Street in connection with the new Department of Veterans Affairs Community Based Outpatient Clinic.

Pursuant to the city of Springfield's Development Policies, there will be a **Neighborhood Meeting** held on **April 21, 2016**. This meeting will be held at **Southland Christian Church, 1630 West Republic Rd, Springfield, MO 65807 in Fellowship Hall**. A representative for Carnegie Management and Development Corporation will be on hand from **4:00 pm to 6:30 pm** to discuss the modification to the curb cut language, answer questions and hear any concerns.

Please feel free to contact me at 440-892-6800 or email me at joakley@carnegiecorp.com if you have questions or concerns.

Sincerely,

Jenny Oakley
Sr. Project Manager

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: GR with cond. overlay dist. No. 66 to GR with new/revised cond. overlay
(existing zoning) *(proposed zoning)*
2. Meeting Date & Time: April 21, 2016 from 4:00 - 6:30 pm
3. Meeting Location: Southland Christian Church, 1630 W. Republic
4. Number of invitations that were sent: 65
5. How was the mailing list generated: City provided
6. Number of neighbors in attendance (attach a sign-in sheet): 16
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.)

ATTACHED

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

I, George Papandreas (*print name*), attest that the neighborhood meeting was held on 04/21/16 (*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

George Papandreas

Printed name of person completing affidavit

NEIGHBORHOOD MEETING SUMMARY

1850 West Republic Street

April 21, 2016

City of Springfield - Project PLN2016-00099

Meeting Minutes

A public neighborhood meeting was held on April 21, 2016 from 4:00 p.m. until 6:30 p.m. at the Southland Christian Church located at 1630 West Republic Street for the proposed Rezoning of the property located at 1850 Republic Street. Representatives for the developer, design team, and contractor were present at the meeting to answer questions which arose from the public. Exhibits were displayed which depicted the proposed development of the property and specifically the request to modify the location of the proposed drive entrances on Republic Street.

Numerous surrounding property owners were in attendance at the meeting. The sign in sheet is attached to these minutes. Following is a summary of the questions and comments made by those in attendance.

Several neighbors commented that the proposed position of the two drive entrances on Republic Street as compared to the original locations required by the existing Conditional Overlay should be better since they would be located farther from the intersection with Kansas Expressway.

Several neighbors who own or manage business on the north side of Republic Street were concerned that a concrete median is planned in Republic Street as part of the Kansas Expressway Extension project which will restrict turning movements for properties on the north side of Republic Street. These citizens were informed that the developer has no control over future Republic Street improvements or the Kansas Expressway Extension project.

One citizen who resides downstream of the subject property commented that he currently experiences flooding on his property due to the development of properties north of Republic Street. He was under the impression that the developer of the subject property will be responsible to build a stormwater detention basin that will manage all runoff received by the drainage channel. Representatives for the design team and developer informed the citizen that the project includes a stormwater detention system that will only serve the proposed development of the subject property. The proposed stormwater detention basin is going to be constructed outside of the natural drainage channel and will not manage runoff from upstream properties. After explaining the character and approach for the design of our stormwater management system, the citizen understood and expressed a sincere desire for the success of the Project.

One neighbor asked if the existing culvert which discharges on the subject property will be modified. Representatives for the developer and design team stated the existing culvert will not be modified.

One citizen commented they would like a stop light constructed at the intersection of Kansas Street and Republic Street. They were informed to direct that request to the City.

One citizen commented that fill had been placed on the subject property. The representative for the developer stated that he was aware of the fill and a geotechnical investigation was being performed on the property.

One citizen asked if a fence will be constructed along the east property line. Representatives for the developer and design team stated a fence is not proposed.

A property owner to the east of the subject property stated he currently has issues with moles on his property and that he has to trap them to get rid of them. He is concerned that construction activities on the subject property will cause more moles to migrate to his property. There was discussion about the unlikelihood of that happening because of the remoteness of the site work from the citizen's property line.

END OF MINUTES

ATTACHMENT 3
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-7-2016 & CONDITIONAL OVERLAY DISTRICT NO. 107

The requirements of *Section 36-421 General Retail District* of the *Springfield Zoning Ordinance* shall be as modified herein for development within this district.

1. The northern (Groover) Tract A shall have all the current allowable GR, General Retail District permitted uses.
2. The southern (Warner) Tract B shall have all the current allowable GR, General Retail District permitted uses except for the following:
 - a. Commercial off street parking lots and structures;
 - b. Funeral homes and Mortuaries;
 - c. Household resource recovery collection centers;
 - d. Freestanding Telecommunication Towers;
 - e. Water reservoirs, standpipes, elevated and ground level water storage tanks unless said storage tanks are part of a storm water conservation and recycling system;
3. Access to Republic Street for the southern (Warner) Tract B shall be provided by either a cross access easement from the northern (Groover) Tract A or by a direct access to the future extension of Kansas Expressway.
4. The southern (Warner) Tract B shall dedicate 50' feet of right of way for the future extension of Kansas Expressway.
5. Full access to the future extension of Kansas Expressway for the northern (Groover) Tract A must be provided with a cross access easement across the southern (Warner) Tract B to the proposed intersection and future extension of Lark and Kansas Expressway 850' feet south of the Republic Street right of way.
6. Right in and Right out access to the future extension of Kansas Expressway for the northern (Groover) Tract A is allowed at least 400' feet south of the Republic Street right of way.
7. Two access points will be allowed on Republic Road. The westernmost access is required to be right in/right out and the easternmost access will allow full access. The location of each access must be approved by the Director of Public Works.
8. Traffic Studies will be required at the time of development of the tracts and be based on the proposed uses in the development. Public improvements required will be based on said traffic studies.

One-rdg. _____
P. Hrngs. X
Pgs. 55
Filed: 05-24-16

Sponsored by: Fishel

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 120

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 AUTHORIZING the issuance of Conditional Use Permit No. 422 to allow a bed and
2 breakfast within an R-SF, Residential Single-family District, generally
3 located at 1755 South National Avenue. (The Planning and Zoning
4 Commission recommend denial, Staff recommends approval.)
5
6

7 WHEREAS, by the authority of Section 36-363 of the Land Development Code of
8 the City of Springfield, Missouri, the City Council may grant permits for certain types of
9 uses in certain zoning districts; and
10

11 WHEREAS, application has been made, and notice and hearings have been held
12 as provided in Section 36-363 prior to the granting of such use permit, and the Planning
13 and Zoning Commission has found the necessary conditions to exist; and
14

15 WHEREAS, the City Council finds the following conditions to exist:
16

- 17 1. The application is complete and does not contain or reveal violations of this
18 provision or other applicable regulations which the applicant has failed or
19 refused to supply or correct;
20
- 21 2. The site plan meets the standards required by this Article or other applicable
22 regulations with respect to such development or use;
23
- 24 3. The proposed site plan does not interfere with easements, roadways, rail
25 lines, utilities, and public or private rights-of-way;
26
- 27 4. The proposed site plan does not destroy, damage, detrimentally modify or
28 interfere with the enjoyment and function of significant natural topographic or
29 physical features of the site;
30
- 31 5. The proposed site plan is not injurious or detrimental to the use and
32 enjoyment of surrounding property;
33

- 34 6. The circulation elements of the proposed site plan do not create hazards to
35 safety on or off the site, disjointed vehicular or pedestrian circulation paths on
36 or off the site, or undue interferences and inconveniences to vehicular and
37 pedestrian travel;
38
39 7. The screening of the site provides adequate shielding for nearby uses which
40 may be incompatible with the proposed use;
41
42 8. The proposed structures or landscaping are not lacking amenity in relation to,
43 or are not incompatible with, nearby structures and uses;
44
45 9. The proposed site plan does not create drainage or erosion problems on or
46 off the site; and
47

48 WHEREAS, the granting of such permit is deemed proper and beneficial to the
49 welfare of the City of Springfield, Missouri.
50

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

54 Section 1 – Permission is hereby granted to use the tract of land generally
55 located at 1755 South National Avenue, and more fully described in “Exhibit B,” which is
56 attached hereto and incorporated herein as if copied verbatim, to permit a bed and
57 breakfast within an R-SF, Residential Single-family District, on certain conditions in
58 accordance with Section 36-363 of the Land Development Code of the City of
59 Springfield, Missouri.
60

61 Section 2 – Such use shall be subject to the conditions set forth in “Exhibit A,”
62 which is attached hereto and incorporated herein as if set out verbatim.
63

64 Section 3 – Building permits and certificates of occupancy may be issued by the
65 proper authorities pursuant to the permission granted by this ordinance.
66

67 Section 4 – This permit shall be in full force and effect only so long as the use of
68 said premises and any improvements thereon conform with the use herein granted and
69 are in accordance with the application and plans herein approved and referred to,
70 unless special exceptions shall have been granted by the Board of Adjustment, and any
71 violation of the requirements of this ordinance may be grounds for the revocation of this
72 permit by the City Council after a hearing before said City Council.
73

74 Passed at meeting: _____
75

76 _____
77 Mayor
78

79 Attest: _____, City Clerk

80

81 Filed as Ordinance: _____

82

83 Approved as to form: *Achaleyt Weder*, Assistant City Attorney

84

85 Approved for Council action: *Greg Bunt*, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 120

FILED: 05-24-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To allow a bed and breakfast within a R-SF, Residential Single-family District generally located at 1755 South National Avenue

BACKGROUND INFORMATION: USE PERMIT NUMBER 422

This is a request to allow a bed and breakfast within a R-SF, Residential Single-family District generally located at 1755 South National Avenue. The Zoning Ordinance requires a use permit in the R-SF, Residential Single-family District. This is not a rezoning of the property; the property will remain single-family residential zoning.

The site is an appropriate location for a bed and breakfast. The purpose of the Conditional Use Permit requirements is to minimize any possible adverse effects of a bed and breakfast on the surrounding neighborhood while providing opportunities to make better use of existing housing, particularly larger, older houses located on major streets. The subject property would fit within these criteria. The *Plan* identifies the National Avenue and Sunshine Street area as an Activity Center. The approval of this request will provide for the productive use of the existing residential structure and will maintain the single-family character in the area while allowing for a viable use of the property. Staff has reviewed the applicant's request for a Conditional Use Permit and has determined that it satisfies the standards for Conditional Use Permits outlined in Section 36-363(10) of the Zoning Ordinance.

Supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use; Major Goal 4, Develop the community in a sustainable manner; Objective 4a, Increase density in activity centers and transit corridors; and Objective 4b Increase mixed-use.

CONDITIONS:

1. The regulations and standards listed on "Exhibit D - Attachment 3" and "Exhibit D - Attachment 4" shall govern and control the use and development of the land in Use Permit Number 422 in a manner consistent with the attached site plan "Exhibit C - Attachment 6."

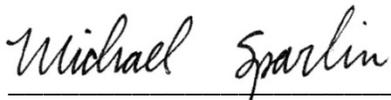
FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Plan* of the *Comprehensive Plan* identifies this area as Low-Density Housing. The *Plan* identifies the National Avenue and Sunshine Street area as an Activity Center.
2. The approval of this request will provide for the productive use of the existing residential structure and will maintain the single-family character in the area while allowing for a viable use of the property.
3. The purpose of the Conditional Use Permit requirements is to minimize any possible adverse effects of a bed and breakfast on the surrounding neighborhood while providing opportunities to make better use of existing housing, particularly larger, older houses located on major streets. The subject property would fit within these criteria
4. This application meets the approval standards for a Conditional Use Permit and is in conformance with the *Comprehensive Plan*, which identifies this area as appropriate for single-family housing at up to 6 housing units per net acre, home occupations specified in the zoning ordinance and, as an optional element, small neighborhood-oriented retail or service business carefully located and screened at certain intersections.

REMARKS: The Planning and Zoning Commission held a public hearing on May 12, 2016, and recommended denial, by a vote of 4 to 1, of the proposed conditional use permit on the tract of land described on the attached sheet (see the attached "Exhibit C," Record of Proceedings).

The Planning and Development staff recommends the application be approved with the conditions indicated in "Exhibit A."

Submitted by:



Michael Sparlin, Senior Planner

Recommended by:



Mary Lilly Smith, Director

Approved by:



Greg Burris, City Manager

EXHIBITS:

Exhibit A, Requirements for Conditional Use Permit 422

Exhibit B, Legal Description

Exhibit C, Record of Proceedings

Exhibit D, Development Review Staff Report

ATTACHMENTS:

Attachment 1, Department Comments

Attachment 2, Requirements for Conditional Use Permit 422

Attachment 3, Standards and Responses for Conditional Use Permits

Attachment 4, Standards and Responses for Bed and Breakfast Conditional Use Permits

Attachment 5, Neighborhood Meeting Summary

Attachment 6, Site Plan

Exhibit A

REQUIREMENTS FOR CONDITIONAL USE PERMIT 422

1. A Bed and breakfast is permitted in conformance with “Exhibit D - Attachment 6.”
2. The bed and breakfast shall comply with all the standards listed in “Exhibit D - Attachment 3” and “Exhibit D - Attachment 4.”
3. All other standards of the Zoning Ordinance and other applicable ordinances shall be adhered to.

Exhibit B

LEGAL DESCRIPTION
USE PERMIT NUMBER 422

ALL OF LOT TWELVE (12) (EXCEPT HWY) OF THE UNIVERSITY HEIGHTS
ADDITION, A SUBDIVISION IN SPRINGFIELD, GREENE COUNTY, MISSOURI.

Exhibit C

RECORD OF PROCEEDINGS Planning and Zoning Commission May 12, 2016

Conditional Use Permit 422
1755 South National Avenue

Applicant: Grandpa's Hospitality House, Inc.

Mr. Hosmer states that this is a request to allow a bed and breakfast in an R-SF, Residential Single-family District generally located at 1755 South National Avenue. This is not a rezoning of the property. The request is to allow a use permitted only by a conditional use permit for a bed and breakfast. The R-SF District will remain as well as the option to use the property as a single family use. The purpose of the Conditional Use Permit requirement is to minimize any possible adverse effects of a bed and breakfast on the surrounding neighborhood while providing opportunities to make better use of existing housing, particularly larger, older houses located on major streets. The subject property would fit within these criteria. An application for a conditional use permit shall be granted only if evidence is presented which answers the 21 CUP standard questions as well as the 14 questions for a bed and breakfast. These 14 questions are as follows:

1. The use shall front on a primary arterial street, if the property is zoned R-SF, or a street with a higher functional classification as designated by the major thoroughfare plan.
2. There shall be a maximum of five guest rooms in the bed and breakfast.
3. The bed and breakfast shall be located in an existing structure, i.e. additions shall not be built to provide bed and breakfast rooms nor shall a new structure be built expressly for a bed and breakfast.
4. No exterior alterations that would change the single-family character of the bed and breakfast, other than those necessary to ensure the safety of the structure, shall be made.
5. No residential structure shall be removed for parking or to expand the bed and breakfast.
6. Only short-term lodging shall be permitted, no monthly rentals.
7. There shall be no individual cooking facilities.
8. The facilities shall not be rented for receptions, parties, weddings or similar activities.
9. One additional paved parking space per guest room shall be provided in the rear yard. Parking shall be screened in accordance with section 36-480, screening and fencing.
10. The operator shall live at the bed and breakfast.
11. Only resident guests shall be served meals.
12. Only one non-illuminated sign no larger than 25 square feet shall be permitted.
13. A business license shall be obtained annually and the owner shall verify that the conditions of the conditional use permit are still being met.
14. No bed and breakfast shall be located within 500 feet of another bed and breakfast as measured along continuous public street rights-of-way from all streets abutting the bed and breakfast property, nor shall a bed and breakfast be located on property that abuts property on which another bed and breakfast is located.

A buffer yard is requirement when a permitted nonresidential use locates adjacent to a residential use. Buffer yard "Type (D)" at least fifteen (15) feet wide with a six (6) foot solid wood fence, masonry/brick wall or evergreen hedge and required plantings. The Growth Management and Land Use Plan Element of the Comprehensive Plan identify this area as Low-Density Housing. The Plan identifies the National Avenue

and Sunshine Street area as an Activity Center. The approval of this request will provide for the productive use of the existing residential structure and will maintain the single-family character in the area while allowing for a viable use of the property. Staff has reviewed the applicant's request for a Conditional Use Permit and has determined that it satisfies the standards for Conditional Use Permits outlined in Section 36-363 (10). If the a permit is not pulled for the Conditional Use then the CUP will expire within 18 months. Staff recommends approval.

Mr. Ray opened the public hearing.

Ms. Kathy Penrod, PO Box 402, Spokane, MO started the idea of having a location for people who have relatives staying in the hospital and found that there are hundred's of houses throughout the country like Grandpa's Hospitality House. This gives family members a place to stay where they can afford and close to the hospital and will part of the hospitality network for at least 400 houses across the country were we can draw assistance and ideas for it to run properly and smoothly. We will the owner/operator on site at all times as well.

Mr. Doennig asked if they are only purchasing the parcel adjacent as well and what are the plans for building modification and what will be occupancy limit.

Ms. Penrod stated that they are purchasing it all as long as the conditional overlay is approved and the occupancy limit will be 12 people which will include the owner/operator of the house.

Ms. Lindsay Reichert, 430 S. Glenstone Avenue is the architect and the house will be remodeled with 5 suites/guest rooms and 4 bathrooms.

Mr. Ray asked about the exterior changes that include a handicapped accessible entrance and the brick patio.

Ms. Reichert stated that there are three exterior changes, one is the brick paver court-yard, second would be a small extension of the existing block wall on the south that will align with edge of the existing sun-room, and then providing accessibility to the front of the building and handicapped parking will be on the northwest side and will conform to ADA requirements.

Mr. Tim Muetzel, 1745 S. National has lived in the neighborhood for many years. One of the attractions is the housing values and that there are no businesses in this neighborhood and asked if there is really a need for this permit. He stated that there are 18 facilities within a five mile radius of Mercy Hospital with similar pricing based on the hospitality house rate of \$42.00. The neighborhoods of University Heights and Phelps Grove Park for this type of permitted use. He also noted the possible parking and traffic issues.

Ms. Kit Creemer, 919 E. Stanford stated that raising volunteers and donations are extremely difficult and have the concerns regarding the funds to start this venture. She believes that Grandpa's Hospitality House could start and suddenly stop due to the lack of funds and volunteers in a short time and wants the neighborhood to stay residential and not have the encroachment of businesses in the neighborhood.

Mr. Cline asked if for clarification on the "destroy the neighborhood" feeling with areas to the north, south and east having businesses proposed or currently doing business.

Ms. Creemer stated that she was not in favor of the proposed businesses on the opposite corner of Sunshine and National, but is concerned for the boundaries between National and Jefferson and that section of the neighborhood which are homes and are not businesses. She also states that Mercy currently has an entire floor of hospitality rooms available for current families with people in the hospital.

Ms. Sara Lampe, 702 E. Stanford Street and has lived in the neighborhood for 44 years and states that the conditional use permit is a violation of the neighborhood and believes that it inadvertently affects the character of the neighborhood which is walking your dog and visiting with the neighbors. She cited traffic concerns and wants to preserve University Heights and Phelps Grove as historical neighborhoods and noted that there are restrictions on monthly stays in Bed and Breakfasts, however Grandpa's Hospitality House web site states that they would allow weekly stays and could be extended as needed.

Mr. John Stinson, 1110 E. Stanford Street has concerns regarding encroachment of a business into the neighborhood.

Mr. Tim Havens, 2156 S. Prairie Lane has concerns of having a business in the neighborhood due to the single family use since the formation of the neighborhood 100 years ago. The area is vibrant and real estate values are robust with very few vacant houses. The covenants in the deeds of these homes are to be single family use.

Ms. Gayla Cary 1653 S. National has concerns regarding pan-handling and has had problems in the past with theft of items from her home and states that they are a family neighborhood and has concerns of the type of changes that could happen to the neighborhood community when commercial units come in.

Mr. Cline asked if Ms. Cary's concerns were the type of people who would be renting rooms could be the type that could victimize her. Ms. Cary indicated that those are her concerns and cited several instances.

Mr. Doennig asked the applicant on her length of fund-raising for Grandpa's Hospitality House.

Ms. Penrod stated that she has been working on setting up the support since the birth of the concept two years ago and has been working with various organizations to help with donations and has support from Mercy, however she has just received her 501(c) (3) in the last 6 months which is when she started fund-raising and applying for grants.

Mr. Ray closed the public hearing.

Mr. Doennig stated that his concerns with the traffic and the obstructed views of vehicles on the corner and the driveway layout off of Sunshine and the comments from the neighbors regarding the viability of the neighborhood. He stated that this is not a bed and breakfast in the traditional sense and is something else, more of a service organization like a hostel and spoke of his concerns regarding the changes in the character of the house. He also spoke of the lack of funds at this point in order to purchase the property and the possibility of funds for the future and plans on voting no on the proposal.

Mr. Shuler commended the applicant, however have concerns if this is inappropriate place and had an earlier experience staying at a Ronald McDonald house where they had safety concerns and feels that the proposal may be more than anticipated. I plan on voting no.

Mr. Cline stated that he similar concerns as stated by Mr. Doennig, however would like it to be on record that it does not have anything to do with sympathizing with fear of poor people. He stated that was offended on what he has read in the letters and some of the comments at the podium. He states his concerns are with the traffic and will be voting no.

Mr. Rose sympathizes with neighbors and states that he lives in the neighborhood. Believes that this will be a long road to go if they can make this a successful project, however is just looking at the conditional use permit and don't have a problem with what they want to do. His one issue would be the traffic.

Mr. Ray states that the commission is considering the use of the property and not the business plan viability commission and it is not in the prevue to take into account whether or not the plan of the business, organization, plan, or fund-raising is viable. I believe that this is a solid neighborhood but with the traffic issues there are significant concerns about the proposed use of this property. I believe I will be voting to not recommend as well.

COMMISSION ACTION:

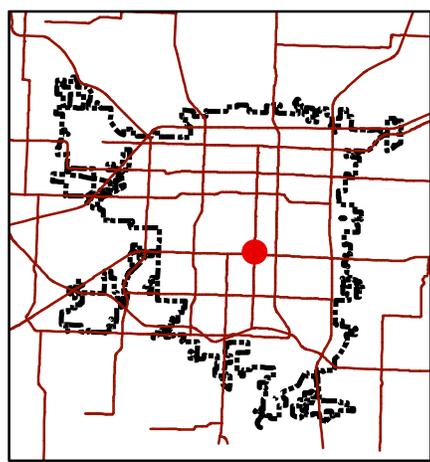
Mr. Doennig motions that we approve Conditional Use Permit 422 (1755 South National Avenue). Mr. Cline seconded the motion. The motion **did not carry** as follows: Ayes: Rose. Nays: Ray, Doennig, Shuler, and Cline. Abstain: None. Absent: Cox, Baird, and Matthews.



Bob Hosmer, AICP
Principal Planner

Development Review Staff Report

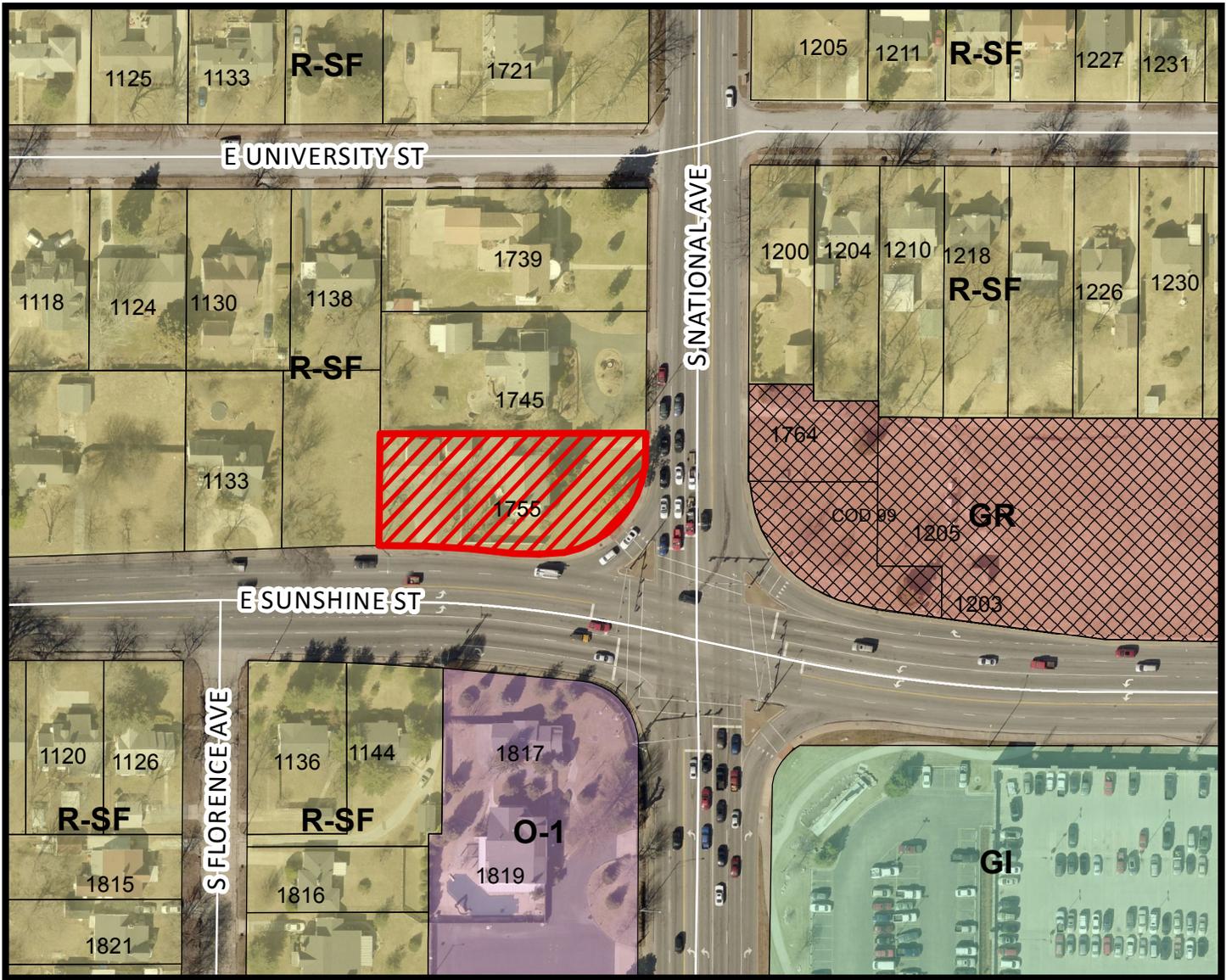
Department of Planning & Development - 417-864-1031
840 Boonville - Springfield, Missouri 65802



Conditional Use Permit No 422

LOCATION: 1755 South National Avenue
CURRENT ZONING: R-SF, Residential Single-Family
PROPOSED ZONING: R-SF, Residential Single-Family with
a Conditional Use Permit to allow a Bed & Breakfast

LOCATION SKETCH



 - Area of Proposal



1 inch = 125 feet

DEVELOPMENT REVIEW STAFF REPORT
CONDITIONAL USE PERMIT 422

PURPOSE: To allow a bed and breakfast within a R-SF, Residential Single-family District generally located at 1755 South National Avenue

REPORT DATE: April 28, 2016

LOCATION: 1755 South National Avenue

APPLICANT: Grandpa's Hospitality House, Inc.

TRACT SIZE: Approximately 0.44 acres

EXISTING USE: Single-family residence

PROPOSED USE: Bed and breakfast

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Plan* of the *Comprehensive Plan* identifies this area as Low-Density Housing. The *Plan* identifies the National Avenue and Sunshine Street area as an Activity Center.
2. The approval of this request will provide for the productive use of the existing residential structure and will maintain the single-family character in the area while allowing for a viable use of the property.
4. The purpose of the Conditional Use Permit requirements is to minimize any possible adverse effects of a bed and breakfast on the surrounding neighborhood while providing opportunities to make better use of existing housing, particularly larger, older houses located on major streets. The subject property would fit within these criteria
4. This application meets the approval standards for a Conditional Use Permit and is in conformance with the *Comprehensive Plan*, which identifies this area as appropriate for single-family housing at up to 6 housing units per net acre, home occupations specified in the zoning ordinance and, as an optional element, small neighborhood-oriented retail or service business carefully located and screened at certain intersections.

RECOMMENDATION:

Staff recommends approval of this request with the following conditions:

1. The regulations and standards listed on Attachment 3 and Attachment 4 and shall govern and control the use and development of the land in Use Permit Number 422 in a manner consistent with the attached site plan (Attachment 6).

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-SF	Single-family residences
East	GR w/ COD #99	Undeveloped land
South	O-1	Office use - Travel Agency
West	R-SF	Single-family residences

ZONING ORDINANCE REQUIREMENTS:

1. 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. In granting a conditional use, the Planning and Zoning Commission may recommend, and the City Council may impose such conditions, safeguards and restrictions upon the premises benefited by the conditional use as may be necessary to comply with the standards set out in the Zoning Ordinance to avoid, or minimize, or mitigate any potentially adverse or injurious effect of such conditional uses upon other property in the neighborhood. The general standards for conditional use permits are listed in Attachment 3.
2. No conditional use permit shall be valid for a period longer than 18 months from the date City Council grants the conditional use permit, unless within this 18 months:
 - a. A building permit is obtained and the erection or alteration of a structure is started; or
 - b. An occupancy permit is obtained and the conditional use is begun.

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* of the *Comprehensive Plan* identifies this area as appropriate for Low-Density Housing. This category includes single-family housing at up to 6 housing units per net acre, home occupations specified in the zoning ordinance and, as an optional element, small neighborhood-oriented retail or service business carefully located and screened

at certain intersections. The *Plan* identifies the National Avenue and Sunshine Street area as an Activity Center.

STAFF COMMENTS:

1. The applicant is requesting approval of a Conditional Use Permit for a Bed and breakfast on the subject property within a R-SF, Residential Single-family District. The Zoning Ordinance requires a use permit in the R-SF, Residential Single-family District for a bed and breakfast. The *Growth Management and Land Use Plan* of the *Comprehensive Plan* identifies this area as appropriate for Low-Density Housing. The *Plan* identifies the National Avenue and Sunshine Street area as an Activity Center. National Avenue and Sunshine Street are classified as Primary Arterial streets. Furthermore, the *Central Sunshine Corridor Study*, completed in 2007 as a collaborative effort between the City of Springfield Planning and Development Department and the Drury University Center for Community Studies, focused on Sunshine Street between Campbell Avenue and National Avenue. This study recommends compatible small-scale commercial uses to be introduced that maintain the residential character of the area.
2. The purpose of the Conditional Use Permit requirements is to minimize any possible adverse effects of a bed and breakfast on the surrounding neighborhood while providing opportunities to make better use of existing housing, particularly larger, older houses located on major streets. The subject property would fit within these criteria.
3. The approval of this request will provide for the productive use of the existing residential structure and will maintain the single-family character in the area while allowing for a viable use of the property.
4. The single-family character in the area will be preserved. Per conditional use permit requirements, the proposed bed and breakfast will be located in an existing structure. Additions shall not be built to provide bed and breakfast rooms nor shall a new structure be built expressly for a bed and breakfast. Furthermore, no exterior alterations that would change the single-family character of the bed and breakfast, other than those necessary to ensure the safety of the structure, shall be made. Exterior improvements to the existing structure will be limited to those providing accessible entrance and minor repairs to the structure as required to seal the building.
5. The bufferyard requirement when a permitted nonresidential use locates adjacent to a residential use is a bufferyard "Type (D)" at least fifteen (15) feet wide with a six (6) foot solid wood fence, masonry/brick wall or evergreen hedge and required plantings. This bufferyard will be required on the North and West property line adjacent to the R-SF, Single-family Residential zoned property. There are parking structures and pavement located within this bufferyard area.

Under Section 36-482 (15), the intent is the bufferyard, parking lot and perimeter landscaping requirements be met to the maximum extent feasible without requiring existing structures or buildings to be removed or moved and that existing pavement only be removed as a last recourse. In these areas, screening will be required with a six (6) foot solid fence along the North and West property line adjacent to the R-SF, Single-family Residential zoned property.

6. Staff has reviewed the applicant's request for a Conditional Use Permit and has determined that it satisfies the standards for Conditional Use Permits outlined in Section 36-363 (10) (Attachment 3) of the Zoning Ordinance. Any development of this property must also follow the R-SF, Residential Single-family District requirements.
7. The proposed Conditional Use Permit was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on April 19, 2016 regarding the request for a conditional use permit. A summary of the meeting is attached (Attachment 5).

PUBLIC COMMENTS:

The property was posted by the applicant on April 27, 2016 at least 10 days prior to the public hearing. The public notice was advertised in the Daily Events at least 15 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. Eighteen (18) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request.

CITY COUNCIL PUBLIC HEARING: May 31, 2016

STAFF CONTACT PERSON:

Michael Sparlin
Senior Planner
864-1091

ATTACHMENT 1

DEPARTMENT COMMENTS CONDITIONAL USE PERMIT 422

BUILDING DEVELOPMENT SERVICES COMMENTS:

No issues with the conditional use permit.

Construction documents will need to be submitted and approved for the change in use with respect to the building code within 18 months of the Conditional Use Permit approval. All permits will need to be obtained and construction approved for the change in use.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

1. The Transportation Plan classifies National Avenue as a Primary Arterial roadway and Sunshine Street as a Primary Arterial. The standard right of way width for both National Avenue and Sunshine Street is 100 feet. These are both City maintained streets. The most recent traffic counts registered National Avenue at 32,375 vehicles per day and Sunshine Street at 31,548 vehicles per day. There is one existing driveway access along the property frontage on National Avenue and one existing driveway access along the property frontage on Sunshine Street. There is a sidewalk along National Avenue and Sunshine Street. National Avenue or Sunshine Street does not meet existing right of way standards, there is no change in traffic generation based on the proposed use, and therefore this meets the requirements for the conditional use permit. The driveway spacing on both National and Sunshine is too close to the intersection based on Primary Arterial standards. On-street parking is not allowed along the adjacent streets. There is not a greenway trail in the area. There are not any bus stops along the property frontage along National Avenue or Sunshine Street. There are not any proposed improvements along National Avenue or Sunshine Street. The gate for the driveway on National is required to be set back 20 feet from the right of way line and a turn around provided to prevent any vehicles turning into the driveway by mistake from backing out onto National. An "Entrance only" or "Exit only" sign will have to be posted.

Public Works Traffic Division	Response
Street classification	Primary Arterial
On-street parking along streets	No
Trip generation - existing use	10
Trip generation change - proposed use	No change with bed and breakfast use
Existing street right of way widths	80 feet on National; 95 feet on Sunshine

Standard right of way widths	100 feet (50 feet from the centerline)
Traffic study submitted	N/A
Proposed street improvements	N/A

STORMWATER COMMENTS:

The property is located in the Fassnight drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of any flooding problems in the area. If the project increases the amount of impervious surfacing; detention and water quality is required according to Chapter 96. Buyout in lieu of on-site stormwater detention is an option based on the information provided. Since the project will be disturbing less than one (1) acre there will not be a land disturbance permit required. There is an existing storm sewer available for this development to discharge into. There are no sinkholes on the proposed property.

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

1. Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10 and 100 year rain events. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements.
2. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right-of-way, or a drainage easement.
3. Please keep in mind that more detailed stormwater calculations will have to be submitted before any permits can be approved.

Public Works Stormwater Division	Response
Drainage Basin	Fassnight
Is property located in Floodplain?	No
Is property located on a sinkhole?	No
Is stormwater buyout an option?	Yes

CLEAN WATER SERVICES COMMENTS:

No objections to use permit. Public sewer and service lateral currently available.

CITY UTILITIES:

No objection to use permit. The building is currently served by electric, gas and water. There is a fire hydrant along the National Street frontage.

FIRE DEPARTMENT:

No issues with the use permit.

ATTACHMENT 2

REQUIREMENTS FOR CONDITIONAL USE PERMIT 422

1. A Bed and breakfast is permitted in conformance with Attachment 6.
2. The bed and breakfast shall comply with all the standards listed in Attachment 3 and Attachment 4.
3. All other standards of the Zoning Ordinance and other applicable ordinances shall be adhered to.

ATTACHMENT 3

STANDARDS FOR CONDITIONAL USE PERMITS CONDITIONAL USE PERMIT 422

An application for a conditional use permit shall be granted only if evidence is presented which establishes the following:

1. The proposed conditional use will be consistent with the adopted policies in the Springfield Comprehensive Plan;

RESPONSE:

The *Growth Management and Land Use Plan* of the *Comprehensive Plan* identifies this area as appropriate for Low-Density Housing. This category includes single-family housing at up to 6 housing units per net acre, home occupations specified in the zoning ordinance and, as an optional element, small neighborhood-oriented retail or service business carefully located and screened at certain intersections. The *Plan* identifies the National Avenue and Sunshine Street area as an Activity Center.

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;

RESPONSE: The proposed project will not adversely affect the safety of the motoring public nor that of pedestrians using the facility and immediately surrounding the site. Public Works has reviewed the proposed use and determined that there is no change in traffic generation. The entrances into the property will be designated with "Entrance only" and "Exit only" so that traffic circulation will be directed to ensure safety of the motoring public and pedestrians.

3. The proposed conditional use will adequately provide for safety from fire hazards, and have effective measures of fire control;

RESPONSE: The proposed project will meet all building and fire codes.

4. The proposed conditional use will not increase the hazard to adjacent property from flood or water damage;

RESPONSE: The proposed project will meet all stormwater requirements.

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;

RESPONSE: The proposed project will not have noise characteristics that exceed the sound levels typical with the uses permitted in the district.

6. The glare of vehicular and stationary lights will not affect the established character of the neighborhood, and to the extent possible such lights will be visible from any residential district, measures to shield or direct such lights so as to eliminate or mitigate such glare as proposed;

RESPONSE: The glare of vehicular & stationary lights will not affect the established character of the neighborhood. A bufferyard Type D is being provided on the North and West side property. Additionally, a headlight screen will be provided on the West property line per Zoning Ordinance as to reduce glare of vehicular lights.

7. The location, lighting and type of signs and the relationship of signs to traffic control is appropriate for the site;

RESPONSE: The location, lighting and type of signs and the relationship of those signs to traffic control will be appropriate to the site. Existing lighting will remain and is adequate. No additional exterior lighting is proposed for the property.

8. Such signs will not have an adverse effect on any adjacent properties;

RESPONSE: Such signs will not have an adverse effect on adjacent properties. Signage will be in compliance with all signage codes and requirements. Only one non-illuminated sign no larger than 25 square feet will be provided.

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;

RESPONSE: Public Works has reviewed this application and determined that the street right-of-way and pavement width is adequate for traffic reasonably expected to be generated by the proposed use.

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.

RESPONSE: The proposed use will not have any substantial or undue adverse effect upon, or will lack amenity or will be compatible 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 proposed use will comply with all development and conditional use requirements for bed and breakfast. The purpose of these conditions is to avoid, or minimize, or mitigate any potentially adverse or injurious effect of such conditional uses upon other property in the neighborhood. The single-family character of the property will be retained. A bufferyard is required along the North and West property line. A headlight screen to reduce vehicular glare is being provided on the West property line. No additional lighting is being

proposed. A maximum of 5 guest rooms is allowed. An operator will live on site and provided necessary services to the guests. Requirements related to traffic, stormwater, building code, fire code, zoning, signage have or will be complied with to ensure the use and enjoyment of adjacent property.

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, walls and fences on the site; and
- b. The nature and extent of landscaping and screening on the site;

RESPONSE: The Operators will be utilizing the existing single-family residence for the proposed project. Any additional structures will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. The location, nature and height of such buildings, structures, walls and fences on the site; and the nature and extent of landscaping and screening on the site will be of appropriate character and scale of neighboring properties and uses.

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;

RESPONSE: The proposed use will not destroy, damage, detrimentally modify or interfere with the enjoyment and function of any significant natural topographic or physical features of the site; in contrast, the proposed use intends to enhance any significant features of the site. In contrast to the current appearance of neglect, the proposed use will enhance the visual and physical appearance of the property by allowing a use that will maintain the structure and yard. All existing trees will be protected in place.

13. The proposed conditional use will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance;

RESPONSE: The proposed use will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance. The property is not listed as a historic structure. The single-family appearance of the structure will be maintained. All existing trees will be protected in place.

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;

RESPONSE: The proposed use otherwise complies with all the applicable regulations of the Article, including lot size requirements, 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;

RESPONSE: The proposed use will promote the welfare and convenience of the public. Given the location next to National Avenue and Sunshine Street, two primary arterials, the property has not been conducive for a single-family residence. The property has experienced a difficulty in maintaining a long-term resident. The allowance of the Conditional Use Permit for a bed and breakfast will be a good solution to this problem because it maintains that single-family character while permitting a productive and viable use of the existing structure.

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.

RESPONSE: Seven (7) parking spaces and two (2) bicycle parking spaces will be provided on site. A bufferyard Type D is being provided on the North and West side property. A headlight screen will be provided on the West property line per Zoning Ordinance as to reduce glare of vehicular lights.

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.

RESPONSE: Any access roads, entrances or exit drives will be provided and designed to as to prevent traffic hazards and to minimize traffic congestion in public streets and alleys. There are two entrances to the site. One entrance will be a "Entrance Only" and one access will be an "Exit Only." This will provide adequate circulation and reduce vehicular and pedestrian conflict. The paved areas also provide enough turn-around space for vehicles. Additionally, the access of Sunshine Street will be expanded from the current 16 feet to 26 feet as required for commercial drives. The paved areas also provide enough turn-around space for vehicles. This will reduce traffic hazards and congestion.

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.

RESPONSE: Vehicular circulation will not create hazards, undue interference or inconvenience to vehicular or pedestrian travel. There are two entrances to the

site. One entrance will be an "Entrance Only" and one access will be an "Exit Only." This will provide adequate circulation and reduce vehicular and pedestrian conflict. The paved areas also provide enough turn-around space for vehicles.

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;

RESPONSE: The proposed use will not interfere with any easements, roadways, rail lines, utilities and public or private rights-of-way.

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, and;

RESPONSE: The proposed converted structure(s) will meet all fire, health, building, plumbing and electrical requirements of the City of Springfield.

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.

RESPONSE: The proposed use is served adequately by essential public facilities and services (utilities, streets, fire and police protection and schools). The operator will provide adequately for such services where those services are not otherwise provided, such as private refuse disposal.

ATTACHMENT 4

STANDARDS FOR BED AND BREAKFAST CONDITIONAL USE PERMITS CONDITIONAL USE PERMIT 422

Purpose. The purpose of these requirements is to minimize any possible adverse effects of a bed and breakfast on the surrounding neighborhood while providing opportunities to make better use of existing housing, particularly larger, older houses located on major streets.

Approval standards. All applications for a conditional use permit for bed and breakfasts shall comply with the following requirements.

1. The use shall front on a primary arterial street, if the property is zoned R-SF, or on a collector street, if the property is zoned another zoning district, or a street with a higher functional classification as designated by the major thoroughfare plan.

RESPONSE: The proposed project complies with this standard. The property is zoned R-SF, Residential Single-family and is located on a primary arterial street.

2. There shall be a maximum of five guest rooms in the bed and breakfast.

RESPONSE: The proposed project complies with this standard. There are 5 (five) guest rooms.

3. The bed and breakfast shall be located in an existing structure, i.e. additions shall not be built to provide bed and breakfast rooms nor shall a new structure be built expressly for a bed and breakfast.

RESPONSE: The proposed project complies with this standard. The bed and breakfast will be located in an existing structure.

4. No exterior alterations that would change the single-family character of the bed and breakfast, other than those necessary to ensure the safety of the structure, shall be made.

RESPONSE: The proposed project complies with this standard. Exterior improvements to the existing structure will be limited to those providing accessible entrance and minor repairs to the structure as required to seal the building.

5. No residential structure shall be removed for parking or to expand the bed and breakfast.

RESPONSE: The proposed project complies with this standard. Adequate parking space currently exists. This proposal does not include expanding the structure.

6. Only short-term lodging shall be permitted, no monthly rentals.

RESPONSE: The proposed project will comply with this standard.

7. There shall be no individual cooking facilities.

RESPONSE: The proposed project complies with this standard. No cooking facilities will be located in guest rooms.

8. The facilities shall not be rented for receptions, parties, weddings or similar activities unless potential negative impacts, including, but not limited to, traffic, parking, and noise, have been addressed and the activity is specifically permitted in the use permit.

RESPONSE: The proposed project will not be rented for receptions, parties, weddings or similar activities.

9. One additional paved parking space per guest room shall be provided in the rear yard. Parking shall be screened in accordance with section 36-480, screening and fencing.

RESPONSE: The proposed project complies with this standard. Seven (7) parking spaces and two (2) bicycle parking spaces will be provided on site.

10. The operator shall live at the bed and breakfast.

RESPONSE: The operator will live at the bed and breakfast.

11. Only resident guests shall be served meals.

RESPONSE: Only resident guests will be served meals.

12. Only one non-illuminated sign no larger than 25 square feet shall be permitted.

RESPONSE: Exterior signage has not yet been designed for the bed and breakfast; however, any future signage will be in compliance with all signage codes and requirements. Only one non-illuminated sign no larger than 25 square feet will be provided.

13. A business license shall be obtained annually and the owner shall verify that the conditions of the conditional use permit are still being met.

RESPONSE: The applicant shall annually obtain a business license.

14. No bed and breakfast shall be located within 500 feet of another bed and breakfast as measured along continuous public street rights-of-way from all streets abutting the bed and breakfast property, nor shall a bed and breakfast be located on property that abuts property on which another bed and breakfast is located.

RESPONSE: The proposed project complies with this standard. There are no bed and breakfast uses within 500 feet.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Conditional Use Permit for: Bed & Breakfast use at Grandpa's Hospitality House, 1755 S. National Ave.
2. Meeting Date & Time: Tuesday, April 19th from 4:00 pm to 6:30 pm
3. Meeting Location: First floor of project site; 1755 S. National
4. Number of invitations that were sent: All (116) addressees that were listed on the 500 ft. mailing list
5. How was the mailing list generated: City Staff
6. Number of neighbors in attendance (attach a sign-in sheet): Six; not all attendees signed the sign-in sheet.
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.)

Please see attached.

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

Please see attached.

I, Lindsay Reichert (*print name*), attest that the neighborhood meeting was held on 4/19/2016 (*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

Lindsay Reichert
Printed name of person completing affidavit

Grandpa's Hospitality House

Application for Conditional Use Permit

PLN2016-00104

Summary of Neighborhood Meeting

- a. Development application.
 - Please see attached copy of the original Conditional Use Permit Application.
- b. Meeting date, time and location.
 - Tuesday, April 19th from 4:00 to 6:30 pm.
- c. Number of invitations send and how the mailing list was generated.
 - One-hundred and sixteen invitations were sent.
 - The mailing list was generated by the City of Springfield staff.
- d. Number of neighbors in attendance with an attached sign-in sheet.
 - Six neighbors were in attendance. Please note, not all attendees signed the sign-in sheet. Those who did not sign-in include a resident from 1745 S. National Ave. and a resident from 1138 E. University.
 - Please see attached sign-in sheet.
- e. List of issues raised, any verbal comments and how applicant plans to respond.
 1. Concern regarding homeless living on the premises.
 - a. *Accommodations are strictly limited to those who are referred by neighboring Mercy Hospital and who have loved ones receiving care/treatment at the time of the request for accommodations.*
 2. Concern regarding taking payment for services on site.
 - a. *We are not aware of any restrictions in place to limit the receipt of payment for lodging on site.*
 3. Concern regarding noise and light from parking (on adjacent lot) disturbing neighboring parties.
 - a. *Parking is currently limited to the project site. Should parking be expanded to the neighboring lot, Grandpa's Hospitality House would, at a minimum, provide City required bufferyard to limit noise and light intrusion.*
 4. One person noted outright objection but did not give details regarding her concern, ask questions or stay for discussion regarding the proposed project.
 - a. *No action at this time since no specific concerns were noted.*
- f. Additional information such as comment cards, letters from neighbors, etc.
 - None.

Grandpa's Hospitality House

Neighborhood Meeting for Conditional Use Permit

Tuesday, April 19th

4:00 to 6:30 pm

Sign-In Sheet

Beverly Miller

Vera Penner

Watt M. S. De

Sparlin, Michael

From: Lori Muetzel [lorimuetzel@gmail.com]
Sent: Tuesday, April 19, 2016 10:27 AM
To: Zoning@springfieldmo.gov
Cc: Tom Muetzel
Subject: 1755 South National Avenue

My name is Lori Muetzel and I live at 1745 South National Avenue. It is my understanding that an application has been made for the Change in Use of the 1755 South National Avenue property. I will be unable to attend the meeting scheduled for later today, but would like to have my comments included in this process.

My husband and I and our children moved into our home approximately 3 years ago, believing that we were going to live in a residential neighborhood. We have a large family and this house suited our needs. University Heights has a great reputation for good neighbors and nice homes. People live in neighborhoods to establish relationships. Even if you don't like your neighbor, knowing who they are still allows you a sense of security. It has been a slow process in updating our home but we are proud of, and love where we live.

I cannot even begin to tell you how angry I am about this potential change. The thought of not knowing at any given moment who is next door to not only me, but my children, is more than disturbing. Our sun room, which is where we spend most of our living time and is all windows, is **approximately 20 feet away from this house**. My children are frequently home without adults. I would not feel secure in allowing them outside while we are gone in this situation, which would mean that they couldn't use our pool or spend time with our dog. They have expressed a real concern about having a **constant stream of strangers** next door to us.

Our bedroom, our teenage daughter's room, living area, back patio and kitchen can be viewed from the second floor of 1755 at all times, unless we choose to somehow keep our windows continuously covered and find some walls for outdoors. There is not a fence tall enough to give us the privacy we deserve. Again, **this is not a family moving in next door**. This is a constant stream of people we do not know, coming and going at all hours of the day and night. I feel as if I am going to have to barricade my family in, just to keep others out. **I do not think it is fair that we should have to minimize the enjoyment of our home for this facility.**

As someone who lost their father approximately two years ago, and had to travel to Mt. Vernon on a regular and eventually, daily basis for several weeks, I understand the purpose of wanting to find a close facility to stay. I also know that being sick is not discriminate. Everyone deals with a serious illness at some point, which means that we will never know what kind of person will be staying next to us. I will have to worry about this issue daily. **I believe that potential to PERMANENTLY EFFECT someone's lifestyle for your TEMPORARY PROBLEM is not the answer.**

I have not even discussed the potential effect this could have on the future value and sale of this home.

I would ask that you imagine yourself in our position. I truly hope that you will take serious consideration of this request and understand the permanent effect this will have on my family.

Lori Muetzel

From: Alison Nelson [<mailto:a2nelson@bop.gov>]

Sent: Monday, May 09, 2016 11:26 AM

To: Hosmer, Bob

Subject: Hearing for Variance at the corner of Sunshine and National

Hi,

My name is Alison Nelson and I am a resident of the University Heights neighborhood. My address is 919 E. University St. I am unable to attend the hearing on Thursday, May 12 but I am very opposed to the zoning being changed at the corner of National and Sunshine. Please maintain our neighborhood as residential.

Thank you,
Alison Nelson

Alison Nelson, DDS, FAGD
USMCFP Springfield
(417) 862-7041 x 1447

From: courtney fletcher [<mailto:markanthonyfletcher4@outlook.com>]
Sent: Monday, May 09, 2016 8:35 PM
To: Hosmer, Bob
Subject: Hearing for Variance at Corner of Sunshine and National

My name is Mark Fletcher. I live at 1011 E. University. I am unable to attend the hearing Thursday in the above matter. My wife and I strongly oppose the application for a variance to allow a bed & breakfast to be run at the corner of Sunshine and National. We have lived at our current address for over fifteen years. It is important to us that the residential character of the University Heights neighborhood be maintained. This variance would began to change the character of the neighborhood and would serve as a precedent for further businesses to be run in the neighborhood. Additionally, this corner is already a dangerous intersection for pedestrians and vehicles. The granting of a variance will make it even more dangerous.

Thank you in advance for your consideration.

Mark Fletcher

Sent from Windows Mail

From: Tonya D <tjwente@live.com>
Date: May 10, 2016 at 4:26:00 PM CDT
To: "Hosmer, Bob" <BHosmer@springfieldmo.gov>
Subject: Planning and zoning issue for Grandpa's House

We are unable to attend the Planning and Zoning meeting on Thursday, May 12 @6:30 p.m. Please know that we have received the information concerning Grandpa's House. WE ARE OPPOSED TO ANY AND ALL CHANGES IN THE ZONING OF OUR NEIGHBORHOOD, University Heights.

Please do not allow this to happen, and help us to maintain the commitment to the health of our neighborhood by opposing this variance.

Please feel free to contact us at any time concerning this matter. We are a proud home owner in the University Heights Neighborhood.

Sincerely,

Chuck and Sheila Wentz
959 East University
Springfield MO
417-881-7750 Home
417-417-861-0936 Cell
417-831-0174 Office

From: Martha <mj1776@mchsi.com>
Date: May 10, 2016 at 11:29:24 PM CDT
To: "Hosmer, Bob" <BHosmer@springfieldmo.gov>
Subject: Grandpa's House

Due to a prior commitment out of town, I will be unable to attend the Planning and Zoning Commission hearing on Thursday, May 12, 2016 with regard to Grandpa's House.

I did note several months back that a big sign indicating Grandpa's Hospitality House or something to that effect was soon coming has been posted on the concrete brick wall at the side of the property on Sunshine. It would appear that it is assumed this variance will pass, with this announcement having been posted prior to the hearing.

Please do not do this to our neighborhood. Once a commercial / or B&B is established, others will follow, and this beautiful residential, historic neighborhood will forever be changed.

Martha J. Pickering
1046 East University
Springfield, MO 65807
417.886.1776

From: Shelley Wolbrink <swolbrin@drury.edu>
Date: May 11, 2016 at 8:10:57 AM CDT
To: "Hosmer, Bob" <BHosmer@springfieldmo.gov>
Subject: Variance for Sunshine and National

Hello Brian,

I am unable to make the Thursday meeting because of my daughter's 8th grade graduation. Otherwise, I would be there, and would strongly speak against the proposal for Grandpa's House property to have a variance. Although the idea is currently proposed as a non-profit, and therefore seems appealing, we ask that the committee look at the practicality of the decision and the impact to the neighborhood on a real family and community-based level.

Government must always weigh one idea versus another for the common good. On a practical level, the destruction to a long time neighborhood and impact to traffic problems would be devastating.

The corner of Sunshine and National currently receives 65,501 cars per day through the intersection, according to a 2015 Springfield News-Leader study. The current structure has largely been abandoned in the last decade and has certainly not had the amount of traffic that it would have in the future. **If the committee decides to move forward with the variance, I request that a traffic study be completed and presented to the public, before voting.**

In addition, in the past two decades it has been named twice as one of the deadliest corners in Missouri. According to one study in the Springfield News-leader, it was the second most accident prone corner in the city.

The University Heights neighborhood is a treasure in the heart of the city. We have not had a single commercially-zoned business operate within the neighborhood. And there is a good reason for this. This is because we form a neighborhood of like-minded citizens, who feel that neighborhoods are for family time, walks, playing with children and the occasional walk/run. One commercial zoning will likely lead to others, and there is no way to ensure the success of Grandpa's House and/or the occupants.

I would like to point the committee to other areas of the city that have been commercially-zoned. One terrible example is the new blight caused by the 8-10 new apartment complexes on Kimbrough. This has completely changed the way the Kimbrough functions (nearly every day I almost hit a student who simply crosses Kimbrough at any place, and any time of the day). This event has gone completely blameless and is seen as a positive movement for the city. But businesses are detrimental to family life, community ties, and homes where families live in them are central the the bond of the city. That's why Grandpa's House is better served near the block closer to the hospital that is already zoned for businesses.

For the reasons stated, 1) it is not practical given the enormous traffic backup already and accident-prone area, and 2) neighborhood blight and assault; keep neighborhoods for families please, I ask you to serious consider the proposal and honor the "underdogs" here, the families who have successfully kept businesses in business areas of the city.

Best,

Shelley

--

Dr. Shelley Amiste Wolbrink
Professor of History | 306 Burnham Hall
Program director, Medieval and Renaissance Studies
900 N. Benton Avenue | Springfield, Missouri 65802
417.873.7387 | swolbrin@drury.edu



From: Southeast International Hotel Brokers [<mailto:info2@southeastinternational.com>]

Sent: Wednesday, May 11, 2016 12:33 PM

To: Hosmer, Bob

Cc: kit@creemer.net; ndcapeci@hotmail.com

Subject: Planning and Zoning Commission hearing on Thursday, May 12th

May 11, 2016

I will not be able to attend the Planning and Zoning Commission hearing on Thursday, May 12th regarding the variance hearing for rezoning of property for Grandpa's House, a B&B for visitors of Mercy Hospital.

I am opposed the rezoning of this property in my neighborhood. My address is 1755 S. Kimbrough Ave.

Thank you,

Mike DeLacy
1755 S. Kimbrough Ave.
Springfield, MO 65807

From: anfogle@aol.com [<mailto:anfogle@aol.com>]
Sent: Wednesday, May 11, 2016 12:02 PM
To: Hosmer, Bob
Subject: Zoning issue @ Sunshine and National

Mr. Hosmer,

I was given your email address as the person to whom I could voice my opinions/concerns about a proposed zoning variance.

Both my husband and I will be out of town on Thursday evening and will be unable to attend the hearing concerning a zoning variance that would allow Grandpa's House to open as a B&B at the corner of Sunshine and National. While the idea of Grandpa's House may be a good one, we are opposed to any zoning variance at that location. We bought our first home in the University Heights neighborhood in 1984 and moved 2 houses down the street 12 years ago when our family needed a larger home. We love our neighborhood and do not want to see any zoning change that could alter the makeup and personality of our area. We of course are fully aware of what borders University Heights: busy streets, traffic, Mercy, and now coming a strip center to the east of the proposed Grandpa's House. University Heights is a little "oasis" among all of that. Our quality of neighborhood life, as well as property values could (and I feel would) be adversely affected by this proposed change.

I appreciate your time and hope you consider the feelings of those in the neighborhood when this decision is made.

Renee and Brian Fogle
1125 E. Kingsbury Street
Springfield, MO

From: Paul Wolbrink [<mailto:pwolbrin@earthlink.net>]
Sent: Wednesday, May 11, 2016 10:12 AM
To: Hosmer, Bob
Subject: Variance Hearing Sunshine & National

We're Paul and Vivian Wolbrink. We own a house in the Phelps Grove neighborhood at 636 East Loren. We spend winter months in Springfield near grandchildren and return to Michigan during the summer.

We're extremely opposed to the variance being considered for the house near the corner of Sunshine and National. The point of zoning is to protect the investments of property owners, to provide stability and predictability for land use. University Heights is a residential neighborhood. It should remain a residential neighborhood.

It's surprising to us, coming from a community in Michigan where zoning means something and neighborhoods are valued, that the city could seriously consider permitting transient housing in an established single-family area. What's next, a McDonald's alongside the National Avenue Christian Church? A Jimmy John's at Sunshine and Dollison?

From: Lori Muetzel [<mailto:lorimuetzel@gmail.com>]
Sent: Wednesday, May 11, 2016 1:32 PM
To: Zoning@springfieldmo.gov; Sparlin, Michael; Hosmer, Bob
Cc: Tom Muetzel
Subject: Re: 1755 South National Avenue

Good Afternoon. I wanted to provide some additional information for tomorrow's hearing. Attached you will find a map of the available facilities 5 miles or less from Mercy. Please note that there are over 18. Please also note their price ranges, many which would fall under the requested \$42 per person, per day at the proposed business.

You will also find attached a printout of the price of a room at the TownePlace Suites, which is directly across from the hospital. This, too is a comparable price to the requested amount per guest at the proposed business.

Thank you again for your time and consideration.

Lori Muetzel

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Inbox (2) - lorimuetzel@g... Case.net: Name Search, Jud... hotels near mercy hospital ...

https://www.google.com/search?q=hotels+near+mercy+hospital+springfield+mo&ie=utf-8&oe=utf-8#q=hotels+near+mercy+hospital+springfield+mo

Google hotels near mercy hospital springfield mo

Sort by: Relevance **Price**

← Sun, May 22 Mon, May 23 Price Rating Hotel class Amenities

Hotel Name	Price	Rating	Distance	Amenities
Battlefield Inn Springfield	\$50	2.2 stars	2.2 mi	Free Wi-Fi, Free breakfast
Quality Inn & Suites Chestnut Hill	\$54	4.4 stars	5.5 mi	Free Wi-Fi, Free breakfast, Indoor pool & gym
Arbor Suites Medical Mile	\$58	4.1 stars	4.5 mi	Free breakfast & WiFi, Shuttle to Cox South Hospital

Windows Taskbar: 1:06 PM 5/11/2016

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Inbox (2) - lorimuetzel@g... Case.net: Name Search, Jud... Marriott Find & Reserve - ...

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1:08 PM 5/11/2016

Conditional Use Permit 422 Grandpa's Hospitality House

The University Heights neighborhood has a definite boundary – Sunshine to Brookside, National to Kimbrough. The residents consider the Sunshine and National corridors part of the neighborhood, viewing the house at 1755 South National Avenue as the entrance to the neighborhood.

Unfortunately, a newly-formed nonprofit organization, Grandpa's Hospitality House, wants a variance for this house in order to open a B&B for Mercy Hospital guests. I strongly oppose this exception. The chipping away of the boundaries, particularly at the corner, threatens the character and desirability of the neighborhood as a whole, especially as developers see this variance as an opportunity to rezone the entire Sunshine and National corridors.

Although the house needs serious attention, I cannot see how the rezoning of this house for a business, no matter how noble, will help the neighborhood. This rezoning is permanent. There would be no opportunity to reverse it, if this venture fails. And I seriously doubt that it will succeed, as the business plan seems flawed.

The organization is relying on monetary donations and a minimal room rate for capital and revenue. The initial goal was to purchase the house outright for \$300,000. Then they lowered their expectations, hoping to raise \$80,000 to \$100,000 for the down payment. They still have not raised \$60,000 after seven months.

Even if they were to raise the funds for the down payment, the house would need serious renovation to comply with B&B regulations and building codes: the exterior, driveway and seven parking spaces with screens; the interior, a decent kitchen and bath facilities. The house would also need furnishings and linens. How long will it take to raise the money for renovations and start-up costs?

If the business did open, the income at full occupancy would be just \$6300 a month, 5 rooms at \$42. Would this be enough for the monthly payments: mortgage, insurance, maintenance, taxes, telecommunications, and utilities, especially the high cost of electricity and water for full occupancy?

Considering the age of the house, a high occupancy rate would stress the electrical and plumbing infrastructure. Would the organization need to raise additional funds for these capital improvements?

A nonprofit organization, like any other business, needs a strategy to raise capital and earn revenue to maintain financial stability. Either donors do not see their cause as very important or the organization does not have the right skills for fund raising, as it has not even accomplished the first goal. I see a constant need for fundraising, which I do not think can be accomplished. In the meantime, the neighborhood is in limbo about the uncertainty of an unfinished project.

The organization was formed by a family during a difficult time of mourning for a loved one. The plan is flawed, partly because successful businesses do not operate on emotion, but practical business principles.

It is my understanding, that Steve Plaster, the current owner, who has never occupied the house, purchased the property speculating that the Sunshine corridor would be rezoned for commercial use. His speculation did not pay off. Now, he is willing to sell the property at a loss, leaving the neighborhood to pay the price.

University Heights is one of the most desirable neighborhoods in Springfield, for good reason. All the houses are different; many are unique. Like the houses, the residents are also different and unique: from newborns to retirees, from professionals to wage earners, from conservatives to liberals. University Heights is a diverse yet stable community. And this house is the cornerstone to that community.

University Heights should not have to pay for the owner's miscalculation or for the organization's overly-ambitious plan. I hope that the commission will give serious consideration to the negative impact that this B&B variance will have on the University Heights neighborhood. I hope that this commission will not sacrifice a stable community for an uncertain business venture.

Norma D. Capeci
900 East Kingsbury Street
Springfield, Missouri 65807
417-883-3379

From: barbaradurham1948 <barbaradurham1948@gmail.com>

Date: May 11, 2016 at 4:18:34 PM CDT

To: "Hosmer, Bob" <BHosmer@springfieldmo.gov>

Subject: **Planning and Zoning meeting 5/12/16**

We are opposed to any variance which would change the zoning in our neighborhood.

David and Barbara Durham

1110 E. University St.

From: Sonja Krempges [<mailto:SonjaKrempges@OutdoorLivingBrands.com>]
Sent: Thursday, May 12, 2016 8:26 AM
To: Hosmer, Bob
Subject: Variance at corner of Sunshine and National

I can't attend the meeting tonight but feel strongly I don't want the zoning changed at Sunshine and National. I just moved to this neighborhood last September after living in the country for 15 years. I was reluctant to move away from the peace and quiet of the country to town. I absolutely love the neighborhood. Please help us keep our peaceful neighborhood for families, not commercial use. Thank you.

Sonja Krempges
1037 E Stanford
Springfield MO 65807

Best Regards,

Sonja Krempges
Marketing Manager – Renew Crew
Outdoor Living Brands, Inc.
2924 Emerywood Parkway, Suite 101
Richmond, VA 23294
P: 804-353-6999 x 351 | F: 804-358-1878

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Dear Commissioner Hosmer:

As a relatively new resident in the University Heights area, I am concerned about the permit variance request for Grandpa's House at the corner of National Avenue and Sunshine Street. Years ago, when I lived at 648 S. McCann Avenue, I assisted Paul Redfern, Bert Helm, Paul Arnold and others to create the Rountree Conservation District, the first of its kind in Springfield. This was possible because the Springfield Planning and Zoning Commission supported and greatly assisted our efforts. Thereafter, we constantly had to be vigilant, especially protecting the arterial streets that fronted the district, namely National Avenue and Cherry Street. The effort was ongoing and somewhat successful with small business development, less so with fraternity dormitories on National. In recent years a variance change was made for a wireless phone store on National and, more concerning, for an apartment complex built in back of a home on the corner of Cherry and Kickapoo, within the district itself. This is one of the reasons why I sold my McCann home and moved into University Heights. Perhaps because of that small set of apartments, sizeable new ones are under construction across the north-side of Cherry Street just east of the National Avenue-Cherry Street intersection.

At a time when numerous neighborhoods, for example west and north of MSU, have been developed into privatized apartments, viable family neighborhoods need to be supported. A change in one variance, no matter how small, can lead to more and greater changes over time. Once the precedent is created, others could follow, compromising University Heights' southern boundary along Sunshine Street between National and Kimbrough. It is for this reason that I appeal to you and your fellow commissioners to deny Permit 422 and become an advocate for our neighborhood.

Sincerely, Dominic J. Capeci, Jr.

932 E. Stanford Street

Springfield, MO 65807

417-862-4577

From: Ben Muetzel [<mailto:benmuetzel@gmail.com>]
Sent: Wednesday, May 11, 2016 2:58 PM
To: Hosmer, Bob
Subject: Proposed Variance for House at Sunshine and National

My name is Ben Muetzel. My family owns a house in the Phelps Grove neighborhood at 642 East Loren.

We're extremely opposed to the variance being considered for the house near the corner of Sunshine and National. The point of zoning is to protect the investments of property owners, to provide stability and predictability for land use. University Heights is a residential neighborhood. It should remain a residential neighborhood.

This city has lost historic home after home, neighborhood after neighborhood to ill-advised and short sighted municipal planning--mostly apparently done for the sake of developers and not the citizens of the city. Once you encroach on this corner it's just a matter of time before the University Heights neighborhood will disappear all along Sunshine.

We are a well traveled family and have visited many cities in the U.S. similar to Springfield, MO with one exceptionally large difference. The older sections of their towns are clean and vibrant, brimming with older homes and businesses and they are considered desirable cities to live and work in. Springfield needs to start thinking of that.

Respectfully,

Ben Muetzel

From: kay green <kay.byars.green@gmail.com>

Date: May 12, 2016 at 12:15:50 PM CDT

To: "Hosmer, Bob" <BHosmer@springfieldmo.gov>

Subject: Planning & Zoning Commission hearing, May 12, 2016- re : Hearing-Corner of Sunshine & National

Re: Hearing for variance at corner of Sunshine & National

Dear Mr. Hosmer,

Since we are unable personally to attend the hearing, we are wanting to express our immediate concerns on this matter.

As residents of University Heights Neighborhood for over 45 years, at 1055 E. Kingsbury, & citizens of Springfield for 54 years, we strongly object to a potential zoning variance at Sunshine & National.

There is already a large, full service hotel directly across National from Mercy Hospital's main entrance.

The corner of National & Sunshine is one of the busiest, and undoubtedly one of the most hazardous in Springfield. Entrance and exit from that corner property would be extremely dangerous, only adding to an already congested, very high volume traffic area. Traffic from that corner moves from 3 different directions.

To allow the zoning variance proposal to pass, to become open for a business model, we foresee as threatening the integrity of our University Heights neighborhood. The appeal of this particular neighborhood, from National to Kimbrough, from Sunshine to Brookside, historically has been and currently remains the pristine single family dwellings.

We appreciate your consideration .

Kathleen D. Green
Walter H.Green,Jr.
1055 E . Kingsbury
Springfield, Mo 65807
417-881-5068

From: pittsdo@aol.com [<mailto:pittsdo@aol.com>]

Sent: Thursday, May 12, 2016 4:42 PM

To: Hosmer, Bob

Subject: Corner of Sunshine and National

Greetings, my name is Douglas Pitts and I live at 910 E University, Springfield MO and I would like to express my opposition to the zone variance for the corner of sunshine and national. University Heights is a unique historical neighborhood and a zone variance for anything other than single family home would destroy that uniqueness. It is critical for Springfield to retain its history and this is way that it can.

Once again, I would like to oppose the variance.

Thank you.

Douglas Pitts
417-230-5660

From: Andrew Lewis [<mailto:lewcap43@gmail.com>]
Sent: Thursday, May 12, 2016 5:08 PM
To: Hosmer, Bob
Subject: Proposed variance

Planning and Zoning Commission
Springfield MO

Dear Commissioners:

We are longtime residents of the University Heights neighborhood.

We emphatically oppose the proposal of a variance to permit the opening of a B&B on the lot at the northwest corner of Sunshine Street and National Avenue.

That intersection is already very busy and dangerous. To rezone that lot from residential to commercial use would worsen those problems and would negatively impact the neighborhood.

This is not the first time that a proposal to rezone that property has come before the Commission. The same reasons that have caused the Commission to deny those proposals in the past remain valid today.

Sincerely,

Andrew W. and Martha B. Lewis
921 E. Kingsbury Street
Springfield, MO 65807

PROJECT INFORMATION:

Street Address: 1755 S. National Ave.
 Current Zoning: R-SF
 Specific Conditional Use Requested: Bed & Breakfast
 Total Site Acreage: 0.4471 acres
 Guest Room Count: 5 Bedrooms

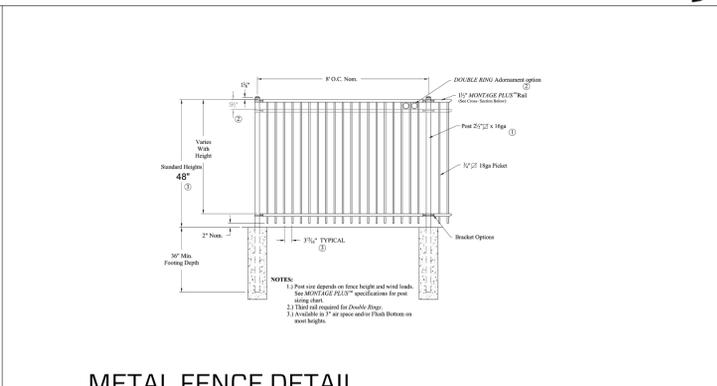
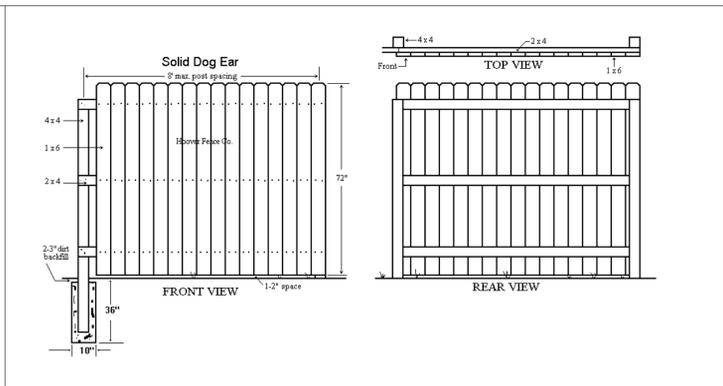
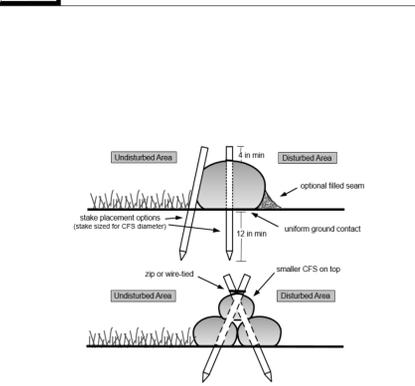


SITE INFORMATION:

1. Front Yard Fencing: All front yard fencing will meet the requirements of a front yard fence.
2. Bicycle Parking: At a minimum, two bicycle parking spaces will be provided.
3. Proposed Grading or Regrading of Site: There are no plans for grading or regrading of the project site.
4. Lot Size Dimensions: Minimum lot area 6,000 s.f. (actual 19,475 s.f.); minimum lot width 50 ft. (actual 85 ft.); minimum lot depth 80 ft. (actual 207.5 ft.).
5. Yard Dimensions: Front yard 25 ft. (actual 70 ft.); side yard 5 ft.; rear yard 10% of yard depth or 20 ft. max. Please note that existing structures do exceed minimum sideyard and rear yard setbacks; however, no additional structures will be erected that exceed setback requirements.
6. Exterior Circulation: All vehicular & pedestrian circulation is existing except as noted in the floor plan.
7. Proposed outdoor signage: Exterior signage has not yet been designed for the space; however, any future signage will be in compliance with signage requirements. Only one non-illuminated sign no greater than 25 s.f. will be provided.
8. Bufferyard and landscaping requirements: The required bufferyard is Bufferyard D. Due to existing structures and paving on the north side of the site, the non-confirming status applies and a six ft. solid wood fence will be provided in lieu of plantings. The six ft. solid wood fence will not encroach upon the clear ROW or impede required lines of sight.
9. Open Space Requirements: Minimum open space requirements are no less than 30% of the total lot area or 5,842 sq. ft. min. More than 33% open space is provided.
10. Impervious Area: Impervious area shall not exceed 70%. Impervious area is less than 67% of total area.
11. Site Trees: All existing trees will be protected in place.
12. Soil Erosion Control: Standard soil erosion control practices will be utilized should any soil be disturbed onsite.
13. Exterior Lighting: Existing exterior lighting shall remain in place. No additional exterior lighting is planned for the property.
14. Off-street parking: Maintain existing (7) parking spaces.



5 SITE PLAN
 SCALE: 1" = 10'-0"



One-rdg. _____
P. Hrngs. X
Pgs. 9
Filed: 05-24-16

Sponsored by: Schilling

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016-121

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING the Springfield City Code, Chapter 36, Land Development Code,
2 Division 3.-Administration Enforcement and Review; Subdivision III. -
3 Review, Appeals and Amendments; Section 36-363 - Conditional use
4 permits; subsection (3)(g) Contents of application; and subsection (5)
5 Conditions and restrictions. (Staff Recommends approval.)
6
7

8 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD,
9 MISSOURI, as follows, that:

10
11 NOTE: Sections being added are underlined and sections being deleted are
12 ~~stricken~~.

13
14 Section 1 – The Springfield City Code, Chapter 36, Land Development Code,
15 Division 3.- Administration Enforcement and Review; Subdivision III. - Review, Appeals
16 and Amendments; Section 36-363.- Conditional use permits; subsection (3)(g) Contents
17 of application; and subsection (5) Conditions and restrictions; is hereby amended as
18 follows:

19
20 Sec. 36-363.- *Conditional use permits.*

21 (3) *Contents of application.* An application for a conditional use permit shall be
22 filed with the department of planning and development. The application shall
23 contain the following information as well as such additional information as may
24 be prescribed by rule of the planning and zoning commission or the director of
25 planning and development.

26 (g) A site plan, pursuant to section ~~36-363~~ 36-360, site plan review, of this
27 article.

28
29 Sec. 36-363.- *Conditional use permits.*

30 (5) *Conditions and restrictions.* In granting a conditional use, the planning and
31 zoning commission may recommend, and the city council may impose such

32 conditions, safeguards and restrictions upon the premises benefitted by the
33 conditional use as may be necessary to comply with the standards set out in
34 subsection ~~(6)~~ (10) of this article to avoid, or minimize, or mitigate any
35 potentially adverse or injurious effect of such conditional uses upon other
36 property in the neighborhood, and to carry out the general purpose and intent of
37 this article. Such conditions shall be set out in the ordinance approving the
38 conditional use permit

39
40 Section 2 – Severability Clause. If any section, subsection, sentence, clause of
41 phrase of this ordinance is for any reason held to be invalid, such decision shall not
42 affect the validity of the remaining portions of this ordinance. The City Council hereby
43 declares that it would have adopted the ordinance and each section, subsection,
44 sentence, clause, or phrase thereof, irrespective of the fact that any one or more
45 sections, sentences, clauses, or phrases be declared invalid.

46
47 Section 3 – Savings Clause. Nothing in this ordinance shall be construed to
48 affect any suit or proceeding now pending in any court or any rights acquired or liability
49 incurred nor any cause or cause of action occurred or existing, under any act or
50 ordinance repealed hereby. Nor shall any right or remedy of any character be lost,
51 impaired, or affected by this ordinance.

52
53 Section 4 – This ordinance shall be in full force and effect from and after
54 passage.

55
56 Passed at meeting: _____

57
58
59 _____
60 Mayor

61
62 Attest: _____, City Clerk

63
64 Filed as Ordinance: _____

65
66 Approved as to form: Achalee T. Weder, Assistant City Attorney

67
68 Approved for Council action: Guy B. Smith, City Manager
69
70

EXPLANATION TO COUNCIL BILL NO: 2016- 121

FILED: 05-24-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To amend Subsection 36-363(5), Conditions and restrictions, of Conditional Use Permits in the Zoning Ordinance, to correct references. (Staff recommends approval)

BACKGROUND INFORMATION:

ZONING ORDINANCE TEXT AMENDMENT – CONDITIONAL USE PERMIT AMENDMENTS

Planning and Zoning Commission initiated amendments to the Conditional Use Permit subsection of the Zoning Ordinance at their meeting on April 14, 2016.

Staff has found two subsections, 36-363(3) and (5), Conditional use permits, that refer to the wrong subsection of the Zoning Ordinance. In subsection 36-363(3)(g), the subsection references site plan review, but uses the incorrect subsection number. Subsection 36-360 should be identified. In subsection 36-363(5), the referenced number should be subsection (10), the conditional use permit standards subsection in the Zoning Ordinance instead of subsection (6). The proposed amendments will allow the original intent of the references to be applied to these subsections.

The Development Issues Input Group (DIIG), Downtown Springfield Association (DSA), Environmental Advisory Board (EAB), Commercial Club and all registered neighborhood associations were notified of these amendments and have made no objections to date.

Supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use Major; Goal 4, Develop the community in a sustainable manner.

FINDINGS FOR STAFF RECOMMENDATION:

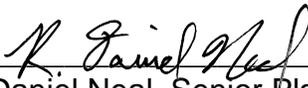
1. The proposed amendments will change an incorrect reference in the Zoning Ordinance and allow for sustainable practices within the community which is consistent with the City's Comprehensive Plan.

REMARKS:

The Planning and Zoning Commission held a public hearing on May 12, 2016, and recommended approval, by a vote of 5 to 0, of the proposed changes to the Zoning Ordinance described in "Exhibit B - Attachment 1."

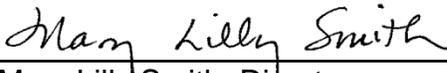
The Planning and Development Staff recommends approval of the proposed amendments.

Submitted by:



Daniel Neal, Senior Planner

Recommended by:



Mary Lilly Smith, Director

Approved by:



Greg Burris, City Manager

EXHIBITS:

Exhibit A, Record of Proceedings

Exhibit B, Development Review Staff Report

ATTACHMENTS:

Attachment 1, Proposed Changes to Zoning Ordinance (Redlined Version)

Attachment 2, Final Language after Proposed Changes (Clean Version)

Attachment 3, Existing Language in Zoning Ordinance (Current Text)

Exhibit A

**RECORD OF PROCEEDINGS
Planning and Zoning Commission May 12, 2016**

Conditional Use Permit Amendments

Citywide

Applicant: City of Springfield

Mr. Hosmer states that this is a request to Amend Conditional Use Permit Subsection 36-363 (3) and (5). Planning and Zoning Commission initiated amendments regarding conditional use permits at their meeting on April 18, 2016. Staff has found two subsections, 36-363(3) and (5), conditional use permits that reference the wrong subsection of the Zoning Ordinance. In subsection 36-363(3) (g), the subsection should reference site plan review, but uses the incorrect subsection number. This should be subsection 36-360 and not subsection 36-363. In subsection 36-363 (3) the subsection referenced should not be (6) but rather subsection (10) which is the standards subsection in the Zoning Ordinance.

Sec. 36-363. - Conditional Use permits.

(3) Contents of application. An application for a conditional use permit shall be filed with the department of planning and development. The application shall contain the following information as well as such additional information as may be prescribed by rule of the planning and zoning commission or the director of planning and development.

(g) A site plan, pursuant to section 36-360~~3~~, site plan review, of this article.

(5) Conditions and restrictions. In granting a conditional use, the planning and zoning commission may recommend, and the city council may impose such conditions, safeguards and restrictions upon the premises benefitted by the conditional use as may be necessary to comply with the standards set out in subsection (10~~6~~) of this article to avoid, or minimize, or mitigate any potentially adverse or injurious effect of such conditional uses upon other property in the neighborhood, and to carry out the general purpose and intent of this article. Such conditions shall be set out in the ordinance approving the conditional use permit.

Mr. Ray opened the public hearing.

Mr. Ray closed the public hearing.

COMMISSION ACTION:

Mr. Rose motions that we approve Conditional Use Permit Amendments (Citywide). Mr. Doennig seconded the motion. The motion **carried** as follows: Ayes: Ray, Doennig, Shuler, Cline, and Rose. Nays: None. Abstain: None. Absent: Cox, Baird, and Matthews.



Bob Hosmer, AICP
Principal Planner

Exhibit B

DEVELOPMENT REVIEW STAFF REPORT CONDITIONAL USE PERMIT AMENDMENTS

PURPOSE: To amend Subsection 36-363(5), Conditions and restrictions., of Conditional Use Permits in the Zoning Ordinance to correct references.

REPORT DATE: April 29, 2016

APPLICANT: City of Springfield

FINDINGS FOR STAFF RECOMMENDATION:

1. The proposed amendments will change an incorrect reference in the Zoning Ordinance and allow for sustainable practices within the community which is consistent with the City's Comprehensive Plan.

RECOMMENDATION:

Staff recommends **approval** of this request.

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Element* of the *Comprehensive Plan* encourages innovative development and redevelopment through the use of incentives and appropriate regulations, to achieve desired residential and nonresidential development patterns.

STAFF COMMENTS:

1. Staff has found two subsections, 36-363(3) and (5), Conditional use permits., that refer to the wrong subsections of the Zoning Ordinance. In subsection 36-363(3)(g), the subsection references site plan review, but uses the incorrect subsection number. In subsection 36-363(5) the referenced should be subsection (10), the conditional use permit standards subsection in the Zoning Ordinance, instead of subsection (6). The proposed amendments will allow the original intent of the references to be applied to these subsections.

CITY COUNCIL MEETING:

May 31, 2016

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1

PROPOSED CHANGES TO ZONING ORDINANCE CONDITIONAL USE PERMIT AMENDMENTS

Note: Language to be added is underlined.

Sec. 36-363. - Conditional use permits.

- (3) Contents of application. An application for a conditional use permit shall be filed with the department of planning and development. The application shall contain the following information as well as such additional information as may be prescribed by rule of the planning and zoning commission or the director of planning and development.
 - (g) A site plan, pursuant to section 36-3603, site plan review, of this article.

- (5) *Conditions and restrictions.* In granting a conditional use, the planning and zoning commission may recommend, and the city council may impose such conditions, safeguards and restrictions upon the premises benefitted by the conditional use as may be necessary to comply with the standards set out in subsection (106) of this article to avoid, or minimize, or mitigate any potentially adverse or injurious effect of such conditional uses upon other property in the neighborhood, and to carry out the general purpose and intent of this article. Such conditions shall be set out in the ordinance approving the conditional use permit.

ATTACHMENT 2

FINAL LANGUAGE AFTER PROPOSED CHANGES CONDITIONAL USE PERMIT AMENDMENTS

Sec. 36-363. - Conditional use permits.

- (3) Contents of application. An application for a conditional use permit shall be filed with the department of planning and development. The application shall contain the following information as well as such additional information as may be prescribed by rule of the planning and zoning commission or the director of planning and development.
 - (g) A site plan, pursuant to section 36-360, site plan review, of this article.

- (5) *Conditions and restrictions.* In granting a conditional use, the planning and zoning commission may recommend, and the city council may impose such conditions, safeguards and restrictions upon the premises benefitted by the conditional use as may be necessary to comply with the standards set out in subsection (10) of this article to avoid, or minimize, or mitigate any potentially adverse or injurious effect of such conditional uses upon other property in the neighborhood, and to carry out the general purpose and intent of this article. Such conditions shall be set out in the ordinance approving the conditional use permit.

ATTACHMENT 3

EXISTING LANGUAGE IN ZONING ORDINANCE CONDITIONAL USE PERMIT AMENDMENTS

Sec. 36-363. - Conditional use permits.

- (3) Contents of application. An application for a conditional use permit shall be filed with the department of planning and development. The application shall contain the following information as well as such additional information as may be prescribed by rule of the planning and zoning commission or the director of planning and development.
 - (g) A site plan, pursuant to section 36-363, site plan review, of this article.

- (5) *Conditions and restrictions.* In granting a conditional use, the planning and zoning commission may recommend, and the city council may impose such conditions, safeguards and restrictions upon the premises benefitted by the conditional use as may be necessary to comply with the standards set out in subsection (6) of this article to avoid, or minimize, or mitigate any potentially adverse or injurious effect of such conditional uses upon other property in the neighborhood, and to carry out the general purpose and intent of this article. Such conditions shall be set out in the ordinance approving the conditional use permit.

One-rdg. _____
P. Hrngs. X
Pgs. 14
Filed: 05-24-16

Sponsored by: McClure

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016-122

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING the Springfield City Code, Chapter 36, Land Development Code, Division
2 5 - Supplemental District Regulations, Section 36-453 - Supplemental
3 open space and yard regulations; Subsection (5)(a)5, Permitted
4 projections and structures in required yards. (Staff Recommends
5 approval.)
6 _____
7

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

10
11 NOTE: Sections being added are underlined and sections being deleted are
12 ~~stricken~~.

13
14 Section 1 – The Springfield City Code, Chapter 36, Land Development Code,
15 Division 5 - Supplemental District Regulations, Section 36-453(5)(a)5, Permitted
16 projections and structures in required yards, is hereby amended as follows:
17

18 Sec. 36-543 - Supplemental open space and yard regulations.

19
20 (5) *Permitted projections and structures in required yards.* The following shall
21 not be considered to be obstructions when located in a required yard:

22 (a) In all yards.

23 5. Any retaining wall ~~or solid masonry wall up to two and one-half feet~~
24 ~~high~~ shall be permitted in any required yard.

25
26 Section 2 – Severability Clause. If any section, subsection, sentence, clause of
27 phrase of this ordinance is for any reason held to be invalid, such decision shall not
28 affect the validity of the remaining portions of this ordinance. The City Council hereby
29 declares that it would have adopted the ordinance and each section, subsection,
30 sentence, clause, or phrase thereof, irrespective of the fact that any one or more
31 sections, sentences, clauses, or phrases be declared invalid.

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Section 3 – 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 cause of action occurred 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 4 – This ordinance shall be in full force and effect from and after passage.

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: *Achale T. Weder*, Assistant City Attorney

Approved for Council action: *Greg B. Bunt*, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 122

FILED: 05-24-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To amend Subsection 36-453(5)(a)5, Permitted projections and structures in required yards, in the Zoning Ordinance to allow retaining walls that exceed two and one-half (2 ½) feet in all required yards. (Staff recommends approval)

BACKGROUND INFORMATION: ZONING ORDINANCE TEXT AMENDMENT – RETAINING WALL AMENDMENTS

Planning and Zoning Commission initiated amendments regarding retaining walls at their meeting on April 18, 2016.

The current Zoning Ordinance allows certain projections and structures such as retaining walls and solid masonry walls to be located in the required setback but they must not exceed a maximum height of two and one-half feet or 30 inches.

Staff in the past has processed several zoning variances because retaining walls exceeded the height requirement in a required yard. In these instances, the lot was on a steep sloping terrain. Staff believes more of these requests will occur in the future because infill properties among other properties on the fringes are typically more challenging to develop due to steep slopes.

The definition of a retaining wall is a structure designed and constructed to resist the lateral pressure of soil when there is a desired change in ground elevation that exceeds the angle of repose of the soil. The walls must resist the lateral pressures generated by loose soils or, in some cases, water pressures. The International Building Code requires retaining walls to be designed to ensure stability against overturning, sliding, excessive foundation pressure and water uplift; and that they be designed for a safety factor of 1.5 against lateral sliding and overturning. "Exhibit B - Attachment 4."

The difference between a retaining wall and a fence or wall is that a retaining wall must be engineered to withstand lateral pressure of the soil. Any wall that is constructed in a front yard that does not retain soil will be considered a fence and shall be 50% open/screened and four feet in height above yard grade or it will be considered a visual obstruction "Exhibit B- Attachment 5 and Attachment 6."

Staff is proposing to remove the requirement that retaining walls cannot exceed the height of two and one-half (2 ½) feet in all required yards. This will allow both commercial and residential lots to construct retaining walls in the required yards or building setbacks. This will allow for more flexibility and eliminate the need for a zoning variance when new or existing lots are created on steep or sloping terrain.

Staff is also proposing to remove the solid masonry wall reference from this section. The current fencing/wall requirements for front yards is sufficient to regulate solid masonry walls. Fences or walls in front yard setbacks are required to be 50% open/screened and cannot exceed four feet in height. In the side and rear yards, a fence or wall cannot exceed seven feet in height.

The Development Issues Input Group (DIIG), Springfield Downtown Association (DSA), Environmental Advisory Board (EAB) and all registered neighborhood associations were notified of these amendments and have made no objections to date.

Supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use; Major Goal 4, Develop the community in a sustainable manner.

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Element* of the *Comprehensive Plan* encourages innovative development and redevelopment through the use of incentives and appropriate regulations, to achieve desired residential and nonresidential development patterns.
2. Approval of these amendments will promote infill development where investments have already been made in public services and infrastructure.

REMARKS:

The Planning and Zoning Commission held a public hearing on May 12, 2016, and recommended approval, by a vote of 5 to 0, of the proposed changes to the Zoning Ordinance.

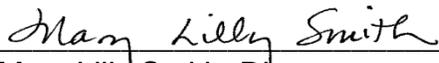
The Planning and Development Staff recommends approval of the proposed amendments.

Submitted by:



Daniel Neal, Senior Planner

Recommended by:



Mary Lilly Smith, Director

Approved by:



Greg Burris, City Manager

EXHIBITS:

Exhibit A, Record of Proceedings

Exhibit B, Development Review Staff Report

ATTACHMENTS:

Attachment 1, Proposed Changes to Zoning Ordinance (Redlined Version)

Attachment 2, Final Language after Proposed Changes (Clean Version)

Attachment 3, Existing Language in Zoning Ordinance (Current Text)

Attachment 4, Retaining Wall Graphic

Attachment 5, Residential Retaining Wall Image

Attachment 6, Commercial Retaining Wall Image

Exhibit A

**RECORD OF PROCEEDINGS
Planning and Zoning Commission May 12, 2016**

Retaining Wall Amendments
Citywide
Applicant: City of Springfield

Mr. Hosmer states that this is a request to amend Subsection 36-453(5) Supplemental open space and yard regulations (retaining walls).

Planning and Zoning Commission initiated amendments regarding retaining walls at their meeting on April 18, 2016.

The current requirements do not permit any retaining or solid masonry wall in all required yards above two and one half feet (30 inches) in height. Staff is proposing to modify the Permitted projections and structures in required yards section of the ordinance to permit retaining walls in any required yard regardless of height. This will allow for more flexibility and eliminate the need for a zoning variance when new or existing lots are created on steep or sloping terrain. Any wall that is constructed in a front yard that does not retain soil will be considered a fence and shall be 50% open/screened and four feet in height above yard grade or it will be considered a visual obstruction. In the side and rear yards, a fence or wall cannot exceed seven feet in height. The current fencing/wall requirements for yards are sufficient to regulate solid masonry walls.

Sec. 36-453. – Supplemental open space and yard regulations.

(5) Permitted projections and structures in required yards. The following shall not be considered to be obstructions when located in a required yard:

(a) In all yards.

5. Any retaining wall ~~or solid masonry wall up to two and one half (2-1/2) feet high~~ shall be permitted in any required yard.

Mr. Ray opened the public hearing.

Mr. Ray closed the public hearing.

COMMISSION ACTION:

Mr. Rose motions that we approve Retaining Wall Amendments (Citywide). Mr. Cline seconded the motion. The motion **carried** as follows: Ayes: Ray, Doennig, Shuler, Cline, and Rose. Nays: None. Abstain: None. Absent: Cox, Baird, and Matthews.



Bob Hosmer, AICP
Principal Planner

Exhibit B

in required yards., in the Zoning Ordinance to allow retaining walls that exceed two and one-half (2 ½) feet in all required yards.

REPORT DATE: April 29, 2016

APPLICANT: City of Springfield

FINDINGS FOR STAFF RECOMMENDATION:

1. This amendment will allow both commercial and residential lots to construct retaining walls in the required yards or building setbacks. This will allow for more flexibility and eliminate the need for a zoning variance when new or existing lots are created on steep or sloping terrain.
2. Approval of these amendments will promote infill development where investments have already been made in public services and infrastructure.

RECOMMENDATION:

Staff recommends **approval** of this request.

COMPREHENSIVE PLAN:

1. The *Growth Management and Land Use Element* of the *Comprehensive Plan* encourages innovative development and redevelopment through the use of incentives and appropriate regulations, to achieve desired residential and nonresidential development patterns.

STAFF COMMENTS:

1. Planning and Zoning Commission initiated amendments regarding retaining walls at their meeting on April 18, 2016.
2. The current ordinance allows retaining walls in all yards; however they must be located outside of any required yard setbacks and cannot exceed the maximum height requirements for the site. The current ordinance also allows certain other projections and structures in a required yard setback. Retaining walls and solid masonry walls are one of multiple structures that are allowed in the required yard setback but with a maximum height of two and one-half (2 ½) feet.
3. Staff has processed many zoning variance requests over the past few years because of retaining walls that exceed the height requirement in a required yard.

In these instances, the lot was on a steep sloping terrain. Staff believes more of these requests will occur in the future because infill property is typically more challenging to develop due to steep slopes.

4. The definition of a retaining wall is a structure designed and constructed to resist the lateral pressure of soil when there is a desired change in ground elevation that exceeds the angle of repose of the soil. The walls must resist the lateral pressures generated by loose soils or, in some cases, water pressures. The International Building Code requires retaining walls to be designed to ensure stability against overturning, sliding, excessive foundation pressure and water uplift; and that they be designed for a safety factor of 1.5 against lateral sliding and overturning. (Attachment 4)
5. The difference between a retaining wall and a fence or wall is that a retaining wall must be engineered to withstand lateral pressure of the soil. Any wall that is constructed in a front yard that does not retain soil will be considered a fence and shall be 50% open/screened and four feet in height above yard grade or it will be considered a visual obstruction (Attachment 5 and 6).
6. Staff is proposing to remove the requirement that retaining walls cannot exceed the height of two and one-half (2 ½) feet in all required yards. This will allow both commercial and residential lots to construct retaining walls in the required yards or building setbacks. This will allow for more flexibility and eliminate the need for a zoning variance when new or existing lots are created on steep or sloping terrain.
7. Staff is also proposing to remove the solid masonry wall height requirement which is covered by the fencing requirements.
8. The Development Issues Input Group (DIIG), Springfield Downtown Association (DSA), Environmental Advisory Board (EAB) and all registered neighborhood associations were notified of these amendments and have made no objections to date.

CITY COUNCIL MEETING:

May 31, 2016

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1

PROPOSED CHANGES TO ZONING ORDINANCE RETAINING WALL AMENDMENTS

Note: Language to be deleted is ~~stricken~~.

Sec. 36-453. – Supplemental open space and yard regulations.

(5) Permitted projections and structures in required yards. The following shall not be considered to be obstructions when located in a required yard:

(a) In all yards.

5. Any retaining wall ~~or solid masonry wall up to two and one-half (2-1/2) feet high~~ shall be permitted in any required yard.

ATTACHMENT 2

FINAL LANGUAGE AFTER PROPOSED CHANGES RETAINING WALL AMENDMENTS

Sec. 36-453. – Supplemental open space and yard regulations.

(5) Permitted projections and structures in required yards. The following shall not be considered to be obstructions when located in a required yard:

(a) In all yards.

5. Any retaining wall shall be permitted in any required yard.

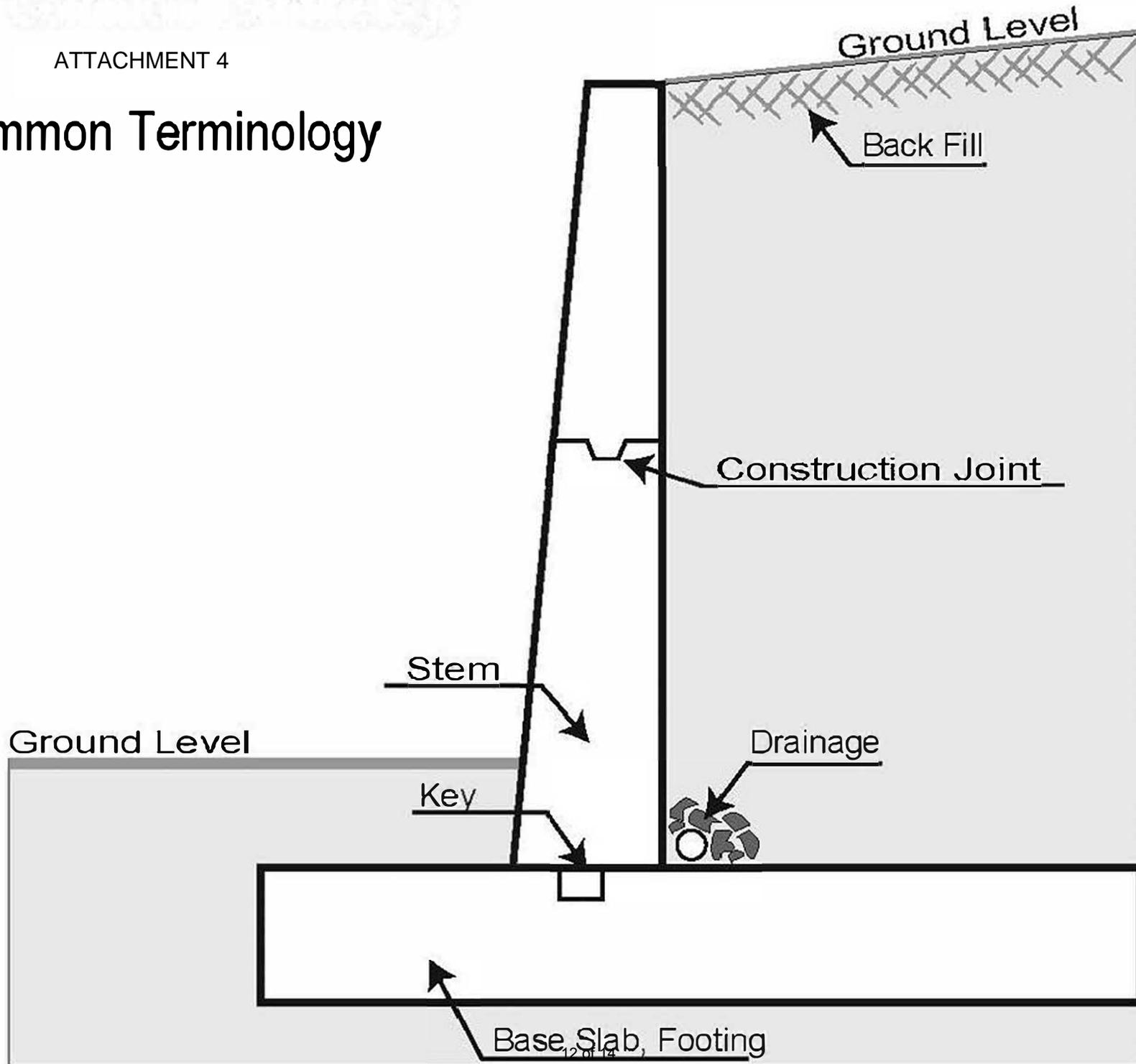
ATTACHMENT 3

EXISTING LANGUAGE IN ZONING ORDINANCE RETAINING WALL AMENDMENTS

Sec. 36-453. – Supplemental open space and yard regulations.

- (5) Permitted projections and structures in required yards. The following shall not be considered to be obstructions when located in a required yard:
 - (a) In all yards.
 - 5. Any retaining wall or solid masonry wall up to two-and-one-half (2-1/2) feet high shall be permitted in any required yard.

Common Terminology





Fence in Required
Front Yard Setback

Retaining Wall in
Required Front
Yard Setback

ATTACHMENT 6

Retaining Wall in
Required Yard
Setback



Pub. Imp. _____
Govt. Grnt. _____
Emer. _____
P. Hrngs. _____
Pgs. 5
Filed: 05-10-16

Sponsored by: Hosmer

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016-123

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 APPROVING a budget adjustment to amend the Fiscal Year budget 2015-2016 for
2 the Department of Environmental Services of the City of Springfield,
3 Missouri, in the amount of \$2,500,000, by appropriating reserves of
4 the Clean Water Fund for continuing the implementation of the Private
5 Inflow and Infiltration (I/I) Abatement Program.
6
7

8 WHEREAS, the City has negotiated an Amended Consent Judgment with the
9 Missouri Department of Natural Resources; and
10

11 WHEREAS, to comply with the requirements of the Amended Consent
12 Judgment, the City is required to implement a Sanitary Sewer Overflow Control Plan
13 (OCP); and
14

15 WHEREAS, one element of the OCP is a continuation of the Private Inflow and
16 Infiltration (I/I) Abatement Program; and
17

18 WHEREAS, this abatement program will reduce the amount of rainwater entering
19 the sanitary sewer system, thereby reducing the number of manhole overflows and
20 building backups; and
21

22 WHEREAS, Private Inflow and Infiltration (I/I) Abatement Program control has
23 been proven to be more cost effective than increasing the sanitary sewer capacity with
24 the same end result of reducing manhole overflows and building backups.
25

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

29 Section 1 – The budget for Fiscal Year 2015-2016 for the Department of
30 Environmental Services of the City of Springfield, Missouri, is hereby amended in the

31 accounts and in the amounts as shown on Budget Adjustment No. 0048, a copy of
32 which is attached hereto and incorporated herein by reference as "Exhibit A."
33

34 Section 2 – The City Council hereby finds that the budget adjustment made
35 above has been recommended by the City Manager.
36

37 Section 3 – The City Manager is directed to cause the appropriate accounting
38 entries to be made in the books and records of the City.
39

40 Section 4 – This ordinance shall be in full force and effect from and after
41 passage.
42

43 Passed at meeting: _____
44

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46 _____
47 Mayor
48

49 Attest: _____, City Clerk
50

51
52 Filed as Ordinance: _____
53

54
55 Approved as to form: *Jim Millington*, Assistant City Attorney
56

57
58 Approved for Council action: *Greg Burt*, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016-123

FILED: 05-10-16

ORIGINATING DEPARTMENT: Environmental Services

PURPOSE: To approve a budget adjustment amending the Fiscal Year 2015-2016 budget for the Department of Environmental Services of the City of Springfield, in the amount of \$2,500,000, by appropriating reserves of the Clean Water Fund for continuing the Private Inflow and Infiltration (I/I) Abatement Program.

BACKGROUND INFORMATION: In December of 2014, Springfield City Council approved the Sanitary Sewer Overflow Control Plan (OCP) in accordance with the City's 2012 Amended Consent Judgment. This plan was approved by the Missouri Department of Natural Resources in May of 2015. As part of the OCP, the City is continuing implementation of a Private I/I Abatement Program to work with property owners in select sewer basins to remove sources of rainwater from entering into the sanitary sewer system at no cost to the property owner. Pilot phases of this program indicate that for every \$1 spent toward removing I/I sources into the sewer system, the City can avoid spending \$11 on future capacity improvements in the collection system and treatment plants.

The previous budget adjustment related to the Pilot-Scale Private Inflow and Infiltration (I/I) Abatement Program was passed by Council on May 21, 2012 under Council bill number 2012-130. The current proposed budget adjustment is estimated to fund I/I repairs to private property, such as disconnecting roof downspouts, area drains, uncapped cleanouts, stairwell drains, sump pumps and repairing deteriorated lateral connections for the next three (3) years.

Supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use; Major Goal 5, Protect and preserve our natural resources for future generations; Objective 5b, Maintain high water quality and increase water quantity by securing and improving water resources for future generations; and Objective 5c, Protect our caves and karst ecosystems which contain plants, animals, and natural communities that depend on the surrounding land and water to thrive and survive. Chapter 10, Public Health; Major goal 5, Develop and ensure safe and healthy environments both indoors and outdoors; Objective 5c, Ensure a clean and sustainable water supply.

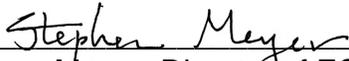
REMARKS: Environmental Services recommends passage of this Council bill and budget adjustment.

Submitted by:



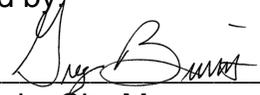
Errin Kemper, Assistant Director of ES

Recommended by:



Steve Meyer, Director of ES

Approved by:



Greg Burris, City Manager

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit A

BA Number 0048

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
Net Revenue Adjustment						-	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
53020	08	33520	509110	101279	00000	2,500,000	Private Sewer Repair Program
Net Expenditure Adjustment						2,500,000	

Fund Balance Appropriation:

Fund	Dept	Title	Amount
53020	08	Clean Water Improvement Fund	(2,500,000)

Explanation: To appropriate reserves of the Clean Water Fund for continuing the Private Sewer Repair Program that is part of the Sanitary Sewer Overflow Control Plan (OCP).

Requested By:

Stephen Meyer 5/24/16
Department Head Date

Approved By:

Mary Mann Dacker 5/24/16
Director of Finance Date

City Manager Date

Authorization:

Council Bill No. 2016-123
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____

One-rdg. _____
P. Hrngs. _____
Pgs. 3
Filed: 5/24/16

Sponsored by: Stephens

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016 - 124

GENERAL ORDINANCE NO. _____

AN ORDINANCE

AMENDING Chapter 2 of the Springfield City Code, Administration, Article II, City Council, Section 2-32, Special Meetings.

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

Section 1 – The City Council hereby amends Section 2-32, Special Meetings, of the City Code. which amended Section 2-32 shall read as follows:

Sec. 2-32. - Special meetings.

The mayor shall call special meetings of the city council whenever in his opinion the public business may require it, or at the express written request of any three members of the council. Whenever a special meeting shall be called, a ~~summons or a notice in writing signed by the mayor or mayor pro tempore shall be served upon~~ **provided to** each member either **by one of the following methods: delivery** in person, ~~or by notice left at or mailed~~ **delivery** to his place of residence, **mailed to his place of residence, or electronically delivered to his official City email address**, stating the day and hour of the meeting of the council **and subject of the meeting**, at least ~~three~~ **twenty-four** hours before the time set for such meeting; provided that such notice may be waived in writing either at, before or after such meeting by any member of the council and the attendance of any member of the council at such special meeting shall be deemed to be a waiver of any such notice.

NOTE: Language appearing in **bold** is to be added. Language appearing as ~~stricken~~ is to be removed.

Section 2 - This ordinance shall be in full force and effect from and after passage.

Passed at meeting: _____

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Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: *Marianne Anderson*, Interim City Attorney ,

Approved for Council action: *Lynn B...* City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 124

FILED: 05-24-16

ORIGINATING DEPARTMENT: City Clerk.

PURPOSE: Amending Chapter 2 of the Springfield City Code, Administration, Article II, City Council, Section 2-32, Special Meetings to allow for electronic notification.

BACKGROUND INFORMATION: The current language of Section 2-32 of the City Code was adopted on November 21, 1955 and has not been updated since that time. This section is being amended to utilize electronic notification. Additionally, the required time for the notice to be delivered, prior to the meeting, is being increased to be in compliance with the Missouri Sunshine Law.

REMARKS: This section of the City Code was adopted before the many changes in technology, which are utilized today. This change will allow the Clerk's Office to provide notice to members of Council in a more efficient manner.

Recommended by:

Approved by:



Anita Cotter, City Clerk



Greg Burris, City Manager

One-rdg. _____
P. Hrngs. _____
Pgs. 4
Filed: 05-24-16

Sponsored by: Burnett

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 125

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 APPROVING the plans and specifications for the Annual Maintenance Contract for
2 Traffic Control Signals; accepting the bid of Ewing Signal Construction,
3 LLC, for the on-call services contract, and authorizing the City
4 Manager, or his designee, to enter into a contract with such bidder.
5
6

7 WHEREAS, Ewing Signal Construction, LLC, is the lowest responsive and
8 responsible bidder for the Annual Maintenance Contract for Traffic Control Signals.
9

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

12
13 Section 1 – The City Council hereby approves the plans and specifications of the
14 Annual Maintenance Contract for Traffic Control Signals, and accepts the bid of Ewing
15 Signal Construction LLC, for that project at the price and sum set forth in said bid,
16 except as said sum may be lawfully increased or decreased by the actual quantities of
17 work units involved. The City Manager, or his designee, is hereby authorized to enter
18 into a contract with said bidder for such work in accordance with the terms of the bid,
19 the plans, and the specifications.
20

21 Section 2 – This ordinance shall be in full force and effect from and after
22 passage.
23

24 Passed at meeting: _____
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27 _____
28 Mayor
29

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31 Attest: _____, City Clerk
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34 Filed as Ordinance: _____

35

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37 Approved as to form: Amanda R. Callaway, Assistant City Attorney

38

39

40 Approved for Council action: Greg Burns, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 125

FILED: 5-24-16

ORIGINATING DEPARTMENT: Public Works

PURPOSE: Approving the specifications for the Annual Maintenance Contract for Traffic Signals, Fiscal Year 2016-2017; accepting the bid of Ewing Signal Construction, LLC for the on-call services contract; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

BACKGROUND INFORMATION: The City annually bids this work for construction of traffic signal infrastructure including, but not limited to, removal, repair, and installation of cabinets, poles and mast arms, signal heads, detectors, etc., which supplements the Transportation Management Division maintenance responsibilities. The contract has been let annually since 1999 and provides on-call contractor support for completing timely repairs and installation of traffic signal infrastructure as needed to maintain the traffic signal system in a safe and effective manner.

Bids were solicited by advertising in the *Daily Events* from April 17, 2016 through April 23, 2016. Bids were opened on May 10, 2016 at 10:00 a.m., with the following bids received:

<u>Contractor</u>	<u>Bid Amount</u>
Ewing Signal Construction, LLC	\$127,618.50
Hartman and Company, Inc.	\$129,974.50
Engineer's Estimate	\$142,776.00

The low bid, if accepted, will be funded from the 1/4-Cent Capital Improvement Sales Tax Traffic Signal/Traffic Calming Program and is already budgeted.

Supports the following Field Guide 2030 goal(s): Chapter 12, Transportation; Major Goal 2, Operations and Maintenance – The City of Springfield should continue to maintain streets, sidewalks, trails, and the airport, using the most effective strategies to maximize the efficient operation of the existing systems, keeping in mind safety, accessibility, sustainability, and collaboration; Objective 2a, Keep streets and sidewalks and trails in good condition with an emphasis on arterial streets.

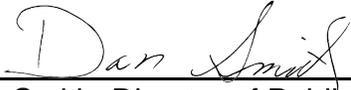
REMARKS: Public Works recommends acceptance of the bid of Ewing Signal Construction, LLC as the lowest responsible bid and passage of this ordinance.

Submitted by:



Martin Gugel, Assistant Director of Public Works

Recommended by:



Dan Smith, Director of Public Works

Approved by:



Greg Burris, City Manager

One-rdg. _____
P. Hrngs. _____
Pgs. 5 _____
Filed: 05-24-16 _____

Sponsored by: Ferguson

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 126

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 APPROVING the plans and specifications for the Commercial Street Phase 5
2 Streetscape Project, Plan No. 2015PW0016; accepting the bid of
3 Hunter Chase & Associates, Inc., for the project, and authorizing the
4 City Manager, or his designee, to enter into a contract with such
5 bidder.
6 _____
7

8 WHEREAS, Hunter Chase & Associates, Inc., is the lowest responsive and
9 responsible bidder for the Commercial Street Phase 5 Streetscape project, Plan No.
10 2015PW0016.
11

12 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
13 SPRINGFIELD, MISSOURI, as follows, that:
14

15 Section 1 – The City Council hereby approves the plans and specifications for
16 the Commercial Street Phase 5 Streetscape Project, Plan No. 2015PW0016, and
17 accepts the bid of Hunter Chase & Associates, Inc., for that project at the price and sum
18 set forth in said bid, except as said sum may be lawfully increased or decreased by the
19 actual quantities of work units involved. The City Manager, or his designee, is hereby
20 authorized to enter into a contract with said bidder for such work in accordance with the
21 terms of the bid, the plans, and the specifications.
22

23 Section 2 – This ordinance shall be in full force and effect from and after
24 passage.
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26 Passed at meeting: _____
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30 Mayor

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33 Attest: _____, City Clerk

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Filed as Ordinance: _____

Approved as to form: Amanda R. Callan, Assistant City Attorney

Approved for Council action: Greg Burt, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 126

FILED: 05-24-16

ORIGINATING DEPARTMENT: Public Works

PURPOSE: Approving the plans and specifications for the Commercial Street Phase 5 Streetscape Project, Plan No. 2015PW0016; accepting the bid of Hunter Chase & Associates, Inc., for that project; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

BACKGROUND INFORMATION: This project will include streetscape improvements along Commercial Street from Benton Avenue through Washington Avenue as shown on "Exhibit A," the project location map. This project will include new pavement, construction of ADA compliant sidewalks, lighting and landscaping enhancements, updated storm sewer system, and a water line renewal. The project also includes a new mini roundabout at the intersection of Commercial Street and Washington Avenue.

Bids were solicited for this project by advertising in the *Daily Events* from April 16, 2016 through April 20, 2016. Bids were opened on May 10, 2016 at 10:30 a.m., with the following bid received:

<u>Contractor</u>	<u>Bid Amount</u>
Hunter Chase & Associates, Inc.	\$ 992,509.00
Engineer's Estimate	\$1,167,282.00

The low bid, if accepted, will be partially funded by a Transportation Enhancement Grant (\$220,413) and by federal STP funds (\$459,587) that were previously budgeted. The remaining portion (\$312,509) will be funded by the 1/4-Cent Capital Improvements Sales Tax and the funds are already budgeted.

Utility Improvements included in the project are estimated at \$126,782.00 and will be reimbursed by City Utilities. This will reduce the net City cost funded by the 1/4-Cent Capital Improvement Sales Tax to \$185,727.00.

Supports the following Field Guide 2030 goal(s): Chapter 12, Transportation; Major Goal 2, Operations and Maintenance – The City of Springfield should continue to maintain streets, sidewalks, trails and the airport, using the most effective strategies to maximize the efficient operation of the existing systems, keeping in mind safety, accessibility sustainability, and collaboration; Objective 2a, Keep streets and sidewalks and trails in good condition with an emphasis on arterial streets; and Major Goal 5, Quality of Life and Livability – The City of Springfield should work to improve quality of life and livability by enhancing effectiveness and aesthetics and improving the connectivity and accessibility of the street, pedestrian, bicycle, and light rail/monorail networks, promoting urban density and efficient development patterns, and increasing the efficiency and convenience of the

existing public transit system.; Objective 5d, Consider traffic calming, decibel limits, and enhancing public space aesthetics in Pedestrian Districts as tools to increase quality of life, safety, and access.

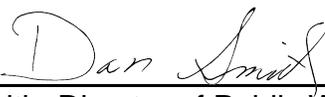
REMARKS: Public Works recommends acceptance of the bid of Hunter Chase & Associates, Inc. as the lowest responsible bid and passage of this ordinance.

Submitted by:



Kirk Juranas, Assistant Director of Public Works

Recommended by:



Dan Smith, Director of Public Works

Approved by:



Greg Burris, City Manager



One-rdg. _____
P. Hrngs. _____
Pgs. 5
Filed: 05-24-16

Sponsored by: Fulnecky

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 127

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 APPROVING the plans and bid specifications and accepting the bid of Davis Structure
2 & Development Corporation for the Biosolids Treatment Improvements
3 Project Plan No. 2016PW0018s at the Southwest Wastewater Treatment
4 Plant in the amount of \$2,404,127.00; and authorizing the City Manager,
5 or his designee, to enter into a contract with such bidder.
6
7

8 WHEREAS, Davis Structure & Development Corporation is the lowest responsive
9 and responsible bidder for the Biosolids Treatment Improvements Project-Tank
10 Construction at the Southwest Wastewater Treatment Plant (SWTP), Plan No.
11 2016PW0018s (see "Exhibit A;") and
12

13 WHEREAS, this project is for the construction of two additional digester tanks at
14 the SWTP and any associated construction work; and
15

16 WHEREAS, the Biosolids Treatment Improvements Project is included in the
17 2013-2018 Capital Improvements Program as Southwest Wastewater Treatment Plant
18 Digester Improvements and is included in the City's Sanitary Sewer Overflow Control
19 Plan, approved by City Council (Council bill 2014-281) in December, 2014 and
20 approved by the Missouri Department of Natural Resources on May 1, 2015.
21

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

25 Section 1 – The City Council hereby approves the plans and specifications of the
26 Biosolids Treatment Improvements Project-Tank Construction at the SWTP, Plan No.
27 2016PW0018s.
28

29 Section 2 – The City Manager is authorized on behalf of the City of Springfield,
30 Missouri to accept the low bid of Davis Structure & Development Corporation, in the
31 amount of \$2,404,127.00, (see "Exhibit A") for that project as set forth in said bid,
32 except as said sum may be lawfully increased or decreased by the actual quantities of
33 work units involved, and is hereby authorized to enter into a contract with said bidder for

34 such work in accordance with the terms of the bid, the plans, and the specifications.

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36 Section 3 – This ordinance shall be in full force and effect from and after
37 passage.

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40 Passed at meeting: _____

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Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: *Jim Middleton*, Assistant City Attorney

Approved for Council action: *Greg Burns*, City Manager

EXPLANATION TO COUNCIL BILL NO. 2016-127

FILED: 05-24-16

ORIGINATING DEPARTMENT: Environmental Services

PURPOSE: To approve the plans and bid specifications and to accept the bid of Davis Structure And Development Corporation for the Biosolids Treatment Improvements Project - Tank Construction (Plan No. 2016PW0018s) at the Southwest Wastewater Treatment Plant (see exhibit A). Also to authorize the City Manager, or his designee, to enter into a contract for said improvement.

BACKGROUND:

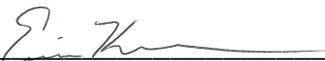
1. This project is for the construction of two additional digester tanks at the Southwest Wastewater Treatment Plant and any associated construction work. This is the one phase of the overall construction of the Biosolids Treatment Improvement Project. This portion of the Biosolids Treatment Improvement Project was bid separately to group specialized tank construction work and to enable completion of concrete work before winter potentially delays the overall project completion.
2. The Biosolids Treatment Improvements project is included in the 2013-2018 Capital Improvements Program as Southwest Wastewater Treatment Plant Digester Improvements and is included in the City's Sanitary Sewer Overflow Control Plan, approved by City Council (Council bill 2014-281) in December 2014 and approved by the Missouri Department of Natural Resources on May 1, 2015.
3. Plans, specifications, and a cost estimate have been prepared by Black & Veatch Corporation for Environmental Services and are on file in the Director's office.
4. The project was advertised in the *Daily Events* and the *Springfield News-Leader* on April 12, 2016 through April 18, 2016.
5. Bids were opened in the Busch Building on May 10, 2016, at 10:00 a.m. The following bids were received:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Davis Structures & Development Corp.	\$2,404,127.00
Crossland Heavy Contractors, Inc.	2,497,900.00
Garney Companies, Inc.	2,854,000.00
OKE-Thomas + Associates, Inc.	3,338,450.00
McClanahan Construction Co., Inc.	3,580,000.00
Branco Enterprises, Inc.	3,743,400.00
Engineer's Estimate	\$3,130,000.00

6. An evaluation of the bids was performed in accordance with the bid documents to determine the lowest qualified responsive bidder. This evaluation considered compliance with the specifications, contractor responsibility, qualifications, financial ability, proposed subcontractors, suppliers, and other individuals or entities to perform and furnish the work in accordance with the contract documents.
7. Davis Structure and Development Corporation submitted the lowest responsive bid, which was 23% below the Engineer's Estimate. Based on the above evaluation of the bid documents, qualifications and Black & Veatch's recommendation, Environmental Services recommends awarding this project to Davis Structure and Development Corporation for \$2,404,127.00.
8. This project is funded by the Special Obligation Bonds for Sewer System Improvement Projects authorized by Special Ordinance No. 26567 and passed by City Council on May 11, 2015. The 2015 Special Obligation Bonds are already budgeted; therefore, a budget adjustment is not needed with this Council bill.
9. This resolution supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use, Major Goal 5, Protect and preserve our natural resources for future generations, Objective 5b: Maintain high water quality and increase water quantity by securing and improving water resources for future generations, and Objective 5c: Protect our caves and karst ecosystems which contain plants, animals, and natural communities that depend on the surrounding land and water to thrive and survive. Chapter 10, Public Health, Major Goal 5, Develop and ensure safe and healthy environments both indoors and outdoors, Objective 5c: Ensure a clean and sustainable water supply.

REMARKS: Environmental Services recommends passage of this Council bill.

Submitted by:



Errin Kemper
Assistant Director of Environmental Services

Recommended by:



Stephen Meyer
Director of Environmental Services

Approved by:



Greg Burris
City Manager

Exhibit A

SOUTHWEST WASTEWATER TREATMENT PLANT



One-rdg. _____
P. Hrngs. _____
Pgs. 5 _____
Filed: 05-24-16 _____

Sponsored by: Ferguson

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 128

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 APPROVING the plans and specifications for the Jefferson Avenue Streetscape
2 Phase I Project, Plan No. 2015PW0018WTE; accepting the bid of
3 Hunter Chase & Associates, Inc., for that project, and authorizing the
4 City Manager, or his designee, to enter into a contract with such
5 bidder.
6 _____
7

8 WHEREAS, Hunter Chase & Associates, Inc., is the lowest responsive and
9 responsible bidder for the Jefferson Avenue Streetscape Phase I Project, Plan No.
10 2015PW0018WTE.
11

12 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
13 SPRINGFIELD, MISSOURI, as follows, that:
14

15 Section 1 – The City Council hereby approves the plans and specifications for
16 the Jefferson Avenue Streetscape Phase I Project, Plan No. 2015PW0018WTE, and
17 accepts the bid of Hunter Chase & Associates, Inc., for that project at the price and sum
18 set forth in said bid, except as said sum may be lawfully increased or decreased by the
19 actual quantities of work units involved. The City Manager, or his designee, is hereby
20 authorized to enter into a contract with said bidder for such work in accordance with the
21 terms of the bid, the plans, and the specifications.
22

23 Section 2 – This ordinance shall be in full force and effect from and after
24 passage.
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26 Passed at meeting: _____
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29 _____
30 Mayor

31 _____
32 Attest: _____, City Clerk
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Filed as Ordinance: _____

Approved as to form: Amanda R. Callaway, Assistant City Attorney

Approved for Council action: Greg Burt, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 128

FILED: 05-24-16

ORIGINATING DEPARTMENT: Public Works

PURPOSE: Approving the plans and specifications for the Jefferson Avenue Streetscape Phase I Project, Plan No. 2015PW0018WTE; accepting the bid of Hunter Chase & Associates, Inc., for that project, and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

BACKGROUND INFORMATION: The project will include streetscape improvements along Jefferson Avenue from Phelps Street to Water Street as shown on "Exhibit A," the project location map. This project will include new pavement, construction of ADA compliant sidewalks, replacement of curb and gutter, updated storm sewer system, intersection improvements, and gas and water main renewals.

Bids were solicited for this project by advertising in the *Daily Events* from April 16, 2016 through April 22, 2016. Bids were opened May 10, 2016 at 10:30 a.m., with the following bids received:

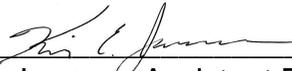
<u>Contractor</u>	<u>Bid Amount</u>
Hunter Chase & Associates, Inc.	\$ 533,334.00
Engineer's Estimate	\$ 600,026.00

The low bid, if accepted, will be partially funded (\$320,000) from a Transportation Enhancement Grant that was previously approved and is already budgeted. The remaining portion will be funded by the 1/4-Cent Capital Improvements Sales Tax Shared Cost Program and is also already budgeted.

Supports the following Field Guide 2030 goal(s): Chapter 12, Transportation; Major Goal 2, Operations and Maintenance – The City of Springfield should continue to maintain streets, sidewalks, trails and the airport, using the most effective strategies to maximize the efficient operation of the existing systems, keeping in mind safety, accessibility sustainability, and collaboration; Objective 2a, Keep streets and sidewalks and trails in good condition with an emphasis on arterial streets; and Major Goal 5, Quality of Life and Livability – The City of Springfield should work to improve quality of life and livability by enhancing effectiveness and aesthetics and improving the connectivity and accessibility of the street, pedestrian, bicycle, and light rail/monorail networks, promoting urban density and efficient development patterns, and increasing the efficiency and convenience of the existing public transit system.; Objective 5d, Consider traffic calming, decibel limits, and enhancing public space aesthetics in Pedestrian Districts as tools to increase quality of life, safety, and access.

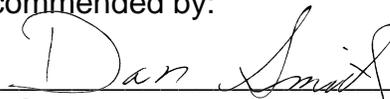
REMARKS: Public Works recommends acceptance of the bid of Hunter Chase & Associates, Inc. as the lowest responsible bid and passage of this ordinance.

Submitted by:



Kirk Juranas, Assistant Director of Public Works

Recommended by:



Dan Smith, Director of Public Works

Approved by:



Greg Burris, City Manager

Project Location Map

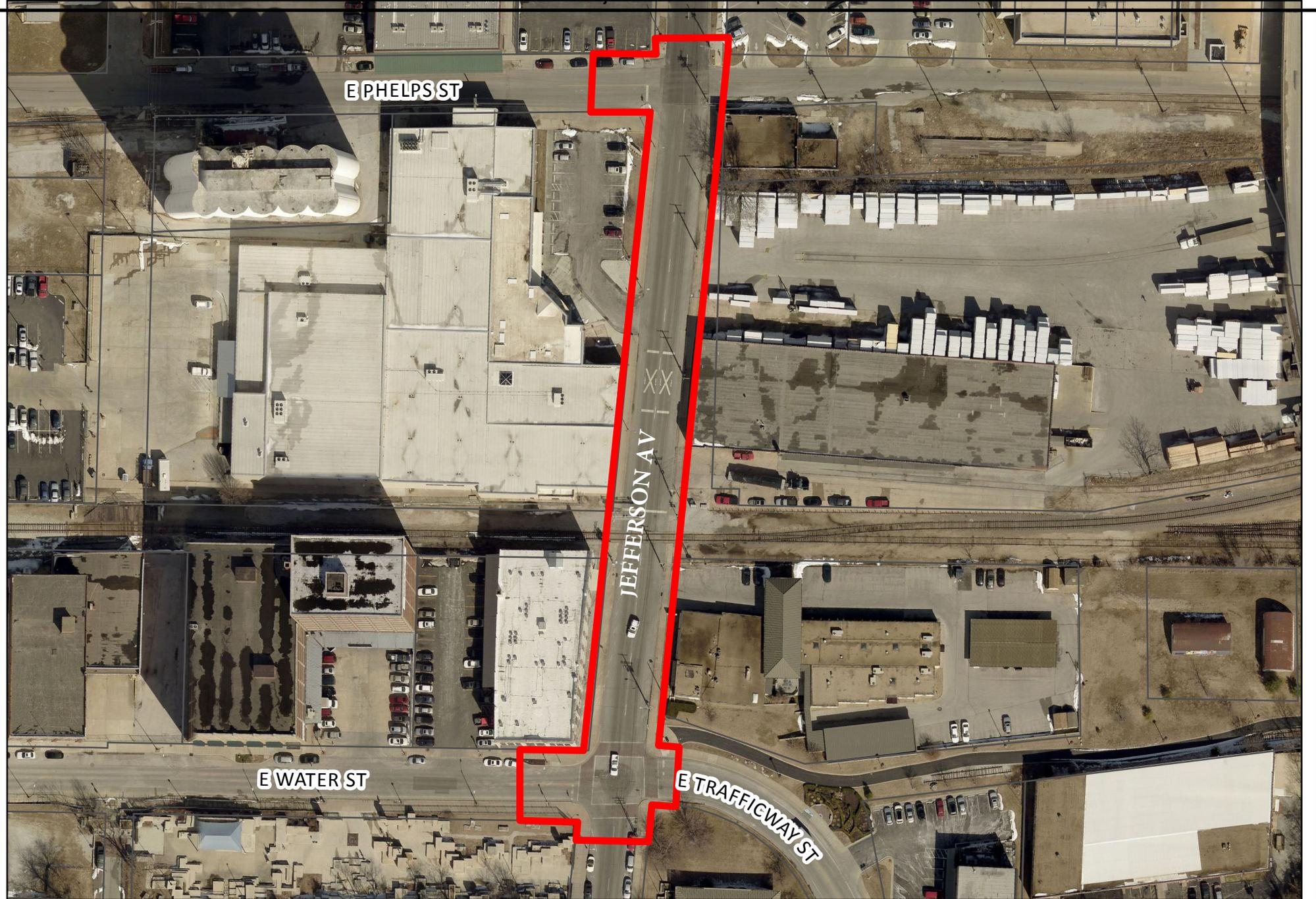


Exhibit A

2015PW0018WTE



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

One-rdg. X
P. Hrngs.
Pgs. 7
Filed: 5-24-16

Sponsored by: Hosmer

First Reading:

Second Reading:

COUNCIL BILL NO. 2016- 129

SPECIAL ORDINANCE NO.

AN ORDINANCE

1 AUTHORIZING the City Manager, or his designee, to accept a grant supplement from
2 the Missouri Department of Health and Senior Services, federally
3 funded by reimbursement from the Centers for Medicare and Medicaid
4 Services for the Children’s Health Insurance Program and the Health
5 Services Initiative, and amending the budget of the Springfield-Greene
6 County Health Department for Fiscal Year 2015-2016 in the amount of
7 \$118,695.96 to appropriate the grant supplement.
8
9

10 WHEREAS, pursuant to General Ordinance No. 6072, City Council authorized
11 the City Manager to apply for grants as they become known and available provided the
12 notice of application and deadline for submission of the grant are no longer than 60
13 days apart; and
14

15 WHEREAS, the City has the opportunity, through the Springfield-Greene County
16 Health Department (SGCHD), to accept a grant supplemental funding, supporting core
17 public health activities; and
18

19 WHEREAS, an amendment to the budget provided for the SGCHD for Fiscal
20 Year 2015-2016 has been approved and recommended by the City Manager and the
21 Director of Health.
22

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

26 Section 1 – The City Manager, or his designee, is hereby authorized to accept
27 additional grant funding in the amount of \$118,695.96 from Missouri Department of
28 Health and Senior Services (DHSS) as referenced in the attached “Exhibit A,” for the
29 receipt and use by the SGCHD, and to do all things necessary to carry out the grant,
30 including the execution of contracts, provided the form of the contract is approved by
31 the City Manager’s and the City Attorney’s respective offices.
32

EXPLANATION TO COUNCIL BILL NO. 2016- 129

ORIGINATING DEPARTMENT: Health

FILED: 5-24-16

PURPOSE: To accept additional funding from the Missouri Department of Health and Senior Services (DHSS), through a one-time supplemental increase of funds, dispersed through the Aid to Local Public Health 2016 state fiscal year; these additional funds represent an increase in the financing the City receives from the State, through the Participation Agreement for State Investment in Local Public Health Service grant (CORE Grant), to support activities of the Public Health, thus requiring an amendment to the budget of the Springfield-Greene County Health Department (SGCHD) for the Fiscal Year 2015-2016 in the amount of \$118,695.96.

BACKGROUND: This additional funding from the DHSS will be used to conduct basic public health operations.

This budget adjustment accepts the increase in funds for SGCHD and earmarks the same for the SGCHD Fiscal Year 2015-2016 budget.

The CORE Grant supports the following Field Guide 2030 goal(s): Chapter 10, Public Health; Major Goal 8, Strengthen the Health Department's capacity to conduct ongoing assessments, expand core public health services and programs, and serve as a model for prevention.

This ordinance authorizes the acceptance of grant funds from the state or federal government and may be passed as a one-reading ordinance under City Charter Section 2.16(25) as it relates to a contract for the acceptance of grand funds from a state or federal agency.

Submitted by:



Kevin Gipson, Director of Health

Approved by:



Greg Burris, City Manager

Exhibit A

McKinnis, Karen

To: McKinnis, Karen
Subject: FW: DHSS/CLPHS: \$3.5 million Supplemental Funding

From: Reed, Sheila [<mailto:Sheila.Reed@health.mo.gov>]
Sent: Wednesday, May 11, 2016 4:33 PM
To: DHSS.LPHA Administrator List
Cc: Anderson, Jo; Kirbey, Harold; Tesreau, Kerri; Brown, Lisa; Harrison, Jennifer
Subject: FW: DHSS/CLPHS: \$3.5 million Supplemental Funding

The link to the funding spreadsheet should work now. Please try the link below and contact me if problems. Thanks

<http://clphs.health.mo.gov/lphs/>

From: Reed, Sheila
Sent: Wednesday, May 11, 2016 4:17 PM
To: DHSS.LPHA Administrator List
Cc: Anderson, Jo; Kirbey, Harold; Brown, Lisa; Tesreau, Kerri; Harrison, Jennifer
Subject: DHSS/CLPHS: \$3.5 million Supplemental Funding

Good news,

On April 29, Governor Nixon signed the one-time supplemental \$3,500,000 budget request for Aid to Local Public Health for the current 2016 state fiscal year. The one-time funds are available due to the increased percentage of reimbursement from the Centers for Medicare and Medicaid Services for the Children's Health Insurance Program, Health Services Initiative which is distributed through the Participation Agreement for State Investment in Local Public Health Services.

For agencies that bill monthly, the May invoice amount has been adjusted to include the additional funding and is shown in the *Revised May 2016 DH-38 Invoice Amount with \$3.5M Supplemental Funding* column posted at:

<http://clphs.health.mo.gov/lphs/>.

The May invoice amount will be adjusted in MOPHIRS to reflect the additional funding amount and agencies that bill monthly will submit their May invoice through MOPHIRS (Missouri Public Health Invoicing Reporting System).

Note: The monthly May invoice cannot be submitted prior to May 31 and must be submitted no later than COB June 6, 2016.

For agencies that bill quarterly, MOPHIRS *cannot* be utilized for the additional payment. A DH-38 Vendor Request for Payment form will be required for the amount shown in the *Revised May 2016 DH-38 Invoice Amount with \$3.5M Supplemental Funding* column posted at: <http://clphs.health.mo.gov/LPHS/>. Agencies that bill quarterly will receive a separate email message from CLPHS that includes a template of the DH-38 form for completion.

Note: This invoice cannot be submitted prior to May 31 and must be submitted no later than COB June 6, 2016.

Please contact me if you have any questions.

Sheila Reed

Missouri Department of Health and Senior Services, Center for Local Public Health Services
920 Wildwood P.O. Box 570 Jefferson City, MO 65102

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit B

BA Number 0051

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
27010	11	50010	416010			118,695.96	Aid to Local Public Health Contract Amendment
Net Revenue Adjustment						118,695.96	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
27010	11	50010	502780			118,695.96	Health General Operations
Net Expenditure Adjustment						118,695.96	

Fund Balance Appropriation:

Fund	Title	Amount

Explanation:

Grant addendum from the Missouri Department of Health and Senior Services (DHSS) through the Preventive Health and Health Ser

Requested By:

Keri Cooper 5/24/16
Department Head Date

Approved By:

Mary Mann Dacker 5/24/16
Director of Finance Date

City Manager Date

Authorization:

Council Bill No. 2016-129
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____

One-rdg. _____
P. Hrngs. _____
Pgs. 13
Filed: 05-24-16

Sponsored by: Ferguson

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 130

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 AUTHORIZING the Director of Planning and Development to accept the dedication of
2 the public streets and easements, to the City of Springfield, Missouri,
3 as shown on the Preliminary Plat of Highland Gardens Lot 13, Block
4 8, generally located at 3248 West State Street, upon the applicant
5 filing and recording a final plat that substantially conforms to the
6 preliminary plat; and authorizing the City Clerk to sign the final plat
7 upon compliance with the terms of this ordinance. (Staff recommends
8 that City Council accept the public streets and easements.)
9 _____

10
11 WHEREAS, on May 12, 2016, the Planning and Zoning Commission approved
12 the preliminary plat and subdivision of Highland Gardens Lot 13, Block 8, generally
13 located at 3248 West State Street, as a subdivision of the City of Springfield, Greene
14 County, Missouri.

15
16 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
17 SPRINGFIELD, MISSOURI, as follows, that:

18
19 Section 1 – The City Council hereby authorizes the Director of Planning and
20 Development to accept the land and easements dedicated to the City for public use as
21 shown on the Preliminary Plat of Highland Gardens Lot 13, Block 8, generally located at
22 3248 West State Street as approved by the Planning and Zoning Commission, the
23 original of which is on file in the Department of Planning and Development (Approved
24 Preliminary Plat), a reduced version of which is included for general reference as
25 "Exhibit B-Attachment 2," upon the applicant filing and recording a final plat in
26 accordance with Chapter 36, Article II. Subdivision Regulations (Subdivision
27 Regulations) which plat shall substantially conform to the Approved Preliminary Plat,
28 including those conditions established by the Planning and Zoning Commission, which
29 conditions are shown in the explanation to this ordinance, a copy of which is attached
30 hereto and incorporated herein as if copied verbatim, and hereby authorizes acceptance
31 of the public improvements required by this ordinance and the Subdivision Regulations
32 of the City, upon the Director of Public Works certifying to the Director of Planning and

33 Development and the City Clerk that the public improvements have been made in
34 accordance with City standards and specifications.

35
36 Section 2 – The final plat shall not be recorded until the public improvements
37 relating to the Approved Preliminary Plat, as set out in the Explanation and Zoning and
38 Subdivision report attached hereto and incorporated herein by reference, shall have
39 been constructed by the person or party subdividing the property according to the
40 specifications of the City of Springfield, Missouri, and to the approval of the Director of
41 Public Works of the City; and provided that said party shall have paid to the City of
42 Springfield engineering fees, permit fees, licenses, and other fees occasioned by the
43 construction of said improvements; or, in lieu of the construction of said improvements,
44 that said parties have filed with the City Manager, according to the terms of the
45 Subdivision Regulations of the City, the prescribed financial assurances to insure the
46 construction of said improvements, and the payment to the City of all engineering fees,
47 permit fees, licenses, and other fees occasioned or which will be occasioned by the
48 construction of the improvements.

49
50 Section 3 – Upon compliance with all the requirements of this ordinance, the City
51 Clerk is hereby authorized to endorse the Council's approval upon the final plat
52 pursuant to Section 445.030, RSMo.

53
54 Section 4 – Should said parties fail to submit a final plat for the subdivision or
55 portion thereof which substantially conforms to the preliminary plat within two years from
56 the date of this ordinance, then this ordinance shall be of no effect and shall be
57 considered void.

58
59
60 Passed at meeting: _____

61
62 _____
63 Mayor

64
65 Attest: _____, City Clerk

66
67 Filed as Ordinance: _____

68
69 Approved as to form: A. Charles T. Widen, Assistant City Attorney

70
71 Approved for Council action: Greg B. Smith, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 130

FILED: 05-24-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To accept the dedication of the public streets and easements as shown on the Preliminary Plat of Highland Gardens lot 13 block 8 generally located at 3248 West State Street. (Staff recommends that City Council accept the public streets and easements.)

BACKGROUND INFORMATION:

- A. An original Preliminary Plat of Highland Gardens lot 13 block 8 dated April 14, 2016, is on file in the Department of Planning and Development. A reduced version is included for general reference in “Exhibit B - Attachment 2.”
- B. The Planning and Zoning Commission held a public hearing on May 12, 2016, and approved the preliminary plat by a vote of 5 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.
 - a. Public sewer is currently available only on Lot 1. Public sewer must be extended south to serve Lots 2 and 3 which will require submission, review and approval of public improvement plans. The public improvements must be constructed or escrowed before the final plat can be approved. Approval of escrow is determined by the Director of Public Works
 - b. Sidewalk construction is required along the property frontage of State Street. The sidewalk must be included on the public improvement plans, constructed or funds escrowed prior to approval of the final plat.
 - 2. All required street rights-of-way, drainage and utility easements and limitations of access, shall be dedicated on the final plat.
 - a. A 10 foot by 10 foot right of way sight triangle (not a clear space triangle) is

required at the intersection of Laurel and State.

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 No. 300 of the Subdivision Regulations, the improvements shall be made or guaranteed by means of bond or escrow agreement. Release of the final plat for recording shall be withheld until the sub-divider has complied with this section.

Section No. 206 of the Subdivision Regulations requires that a final plat be submitted within two years of City Council's acceptance of the public streets and easements.

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

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this as an appropriate area for Low-Density Housing uses.

Supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use; Major Goal 4, Develop the community in a sustainable manner.

REMARKS: Staff recommends approval.

Submitted by:



Daniel Neal, Senior Planner

Recommended by:



Mary Lilly Smith, Director

Approved by:



Greg Burris, City Manager

EXHIBITS:

Exhibit A, Record of Proceedings

Exhibit B, Zoning and Subdivision Staff Report

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Preliminary Plat

Exhibit A

**RECORD OF PROCEEDINGS
Planning and Zoning Commission May 12, 2016**

Preliminary Plat Highland Gardens Lot 13 Block 8
3248 West State Street

Applicant: RNB Properties, LLC

Mr. Hosmer states that this is a request to approve a preliminary plat to subdivide approximately 0.48 acres into a 3 lot, residential subdivision. The Growth Management and Land Use Plan of the Comprehensive Plan identify this as an appropriate area for Low-Density Housing uses. (R-SF, Single-Family Residential uses). The applicant's proposal is consistent with the City's Subdivision Regulations. 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. Sidewalk is required to be constructed along the property frontage of State Street. Buyout in lieu of on-site stormwater detention is an option. 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. Staff recommends approval.

Mr. Ray opened the public hearing.

Mr. Randy Propst, 5906 S. Castlebay owner of RNB Properties, LLC and will be developing the property and want to split it up into 3 lots so we can build single family homes that will be handicapped accessible and through the City of Springfield's Affordable Home program.

Mr. Ray closed the public hearing.

COMMISSION ACTION:

Mr. Cline motions that we approve Preliminary Plat Highland Gardens Lot 13 Block 8 (3248 West State Street). Mr. Rose seconded the motion. The motion **carried** as follows: Ayes: Ray, Doennig, Shuler, Cline, and Rose. Nays: None. Abstain: None. Absent: Cox, Baird, and Matthews.



Bob Hosmer, AICP
Principal Planner

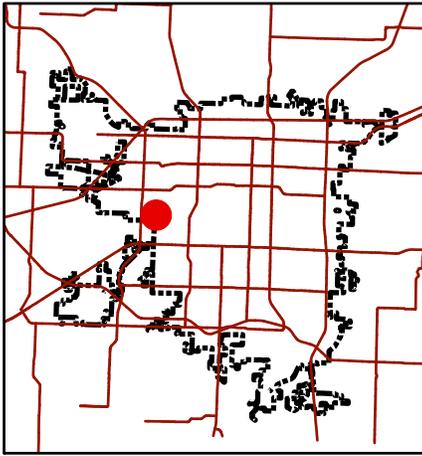
Exhibit B

Development Review Staff Report

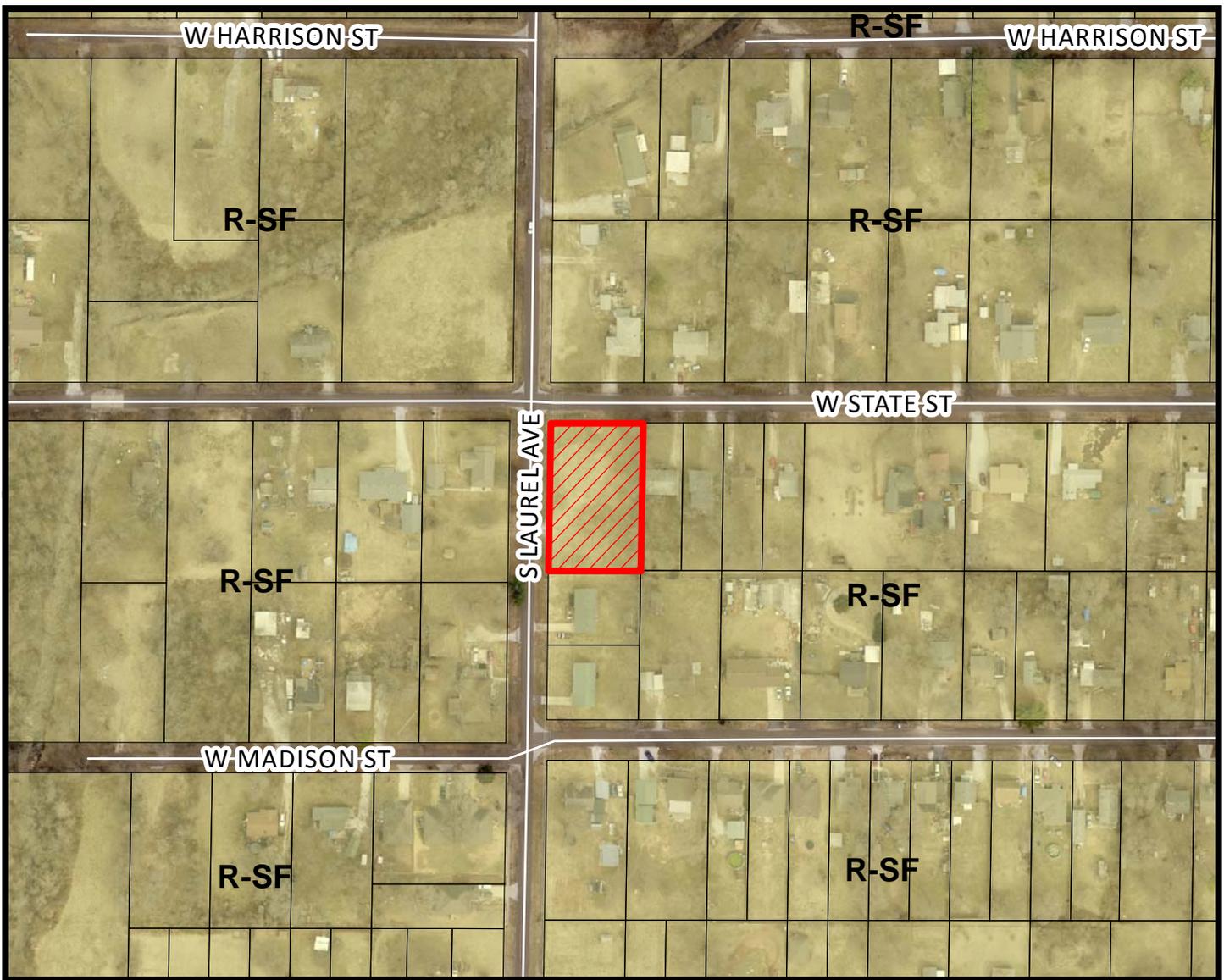
Department of Planning & Development - 417-864-1031
840 Boonville - Springfield, Missouri 65802

Preliminary Plat - Highland Gardens Lot 13 Block 8

LOCATION: 3248 W. State Street
CURRENT ZONING: R-SF, Single-Family Residential District
PROPOSED ZONING: N/A



LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

DEVELOPMENT REVIEW STAFF REPORT
PRELIMINARY PLAT – HIGHLAND GARDENS LOT 13 BLOCK 8

PURPOSE: To approve a preliminary plat to subdivide approximately 0.48 acres into a 3 lot residential subdivision

REPORT DATE: April 26, 2016

LOCATION: 3248 W. State Street

APPLICANT: RNB Properties, LLC

TRACT SIZE: Approximately 0.48 acres

EXISTING USE: Vacant/undeveloped land

PROPOSED USE: Single-family residential uses

FINDINGS FOR STAFF RECOMMENDATION:

1. The applicant's proposal is consistent with the City's *Subdivision Regulations*.

RECOMMENDATION:

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.
 - a. Public sewer is currently only available for Lot 1. Public sewer will have to be extended south to serve Lots 2 & 3 which will require public improvement plans. Submit public improvement plans for review and approval. The public improvements will have to be constructed or escrowed before the final plat can be approved. Approval of escrow is determined by the Director of Public Works
 - b. Sidewalk is required to be constructed along the property frontage of State Street. The sidewalk must be included on the public improvement plans, constructed or funds escrowed prior to approval of the final plat.
2. All required street rights-of-way, drainage and utility easements and limitations of

access shall be dedicated on the final plat.

- a. A 10 foot by 10 foot right of way sight triangle (not a clear space triangle) is required at the intersection of Laurel and State.
3. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.
4. It is determined that the public interest requires assurance concerning adequate maintenance of common space areas and improvements. The restrictive covenants, rules and bylaws creating the common ownership must therefore provide that if the owners of the Property Owners Association shall fail to maintain the common areas or improvements in reasonable order and condition in accordance with the approved plans, the City may, after notice and hearing, maintain the same and assess the costs against the units or lots, per the Common Open Space and Common Improvement Regulations section of the Zoning Ordinance.
5. The developer shall be responsible for the relocation costs of any existing utility services and shall be responsible for clearing all utility easements of trees, brush and overhanging tree limbs.
6. All other requirements which are necessary for this subdivision to be in compliance with the Subdivision Regulations.

If the request is recommended for denial by the Commission and the applicant requests City Council consideration, all the above conditions, plus any amendments made by the Planning and Zoning Commission, shall be included in the Council Bill.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-SF	Single-family residence
East	R-SF	Single-family residence
South	R-SF	Single-family residence
West	R-SF	Single-family residence

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this as an appropriate area for Low-Density Housing uses. The recommended zoning is R-SF, Single-Family Residential uses.

STAFF COMMENTS:

1. The applicant is proposing to subdivide approximately 0.48 acres into a 3 lot residential subdivision named "HIGHLAND GARDENS LOT 13 BLOCK 8". The property is currently zoned R-SF, Single-Family Residential and vacant/undeveloped land.
2. 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.

CITY COUNCIL:

May 31, 2016

STAFF CONTACT:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1

BACKGROUND REPORT PRELIMINARY PLAT – HIGHLAND GARDENS LOT 13 BLOCK 8

BUILDING DEVELOPMENT SERVICES COMMENTS:

No issues.

CLEAN WATER SERVICES COMMENTS:

1. Public sewer is currently only available for Lot 1. Public sewer will have to be extended south to serve Lots 2 & 3 which will require public improvement plans. Submit public improvement plans for review and approval. The public improvements will have to be constructed or escrowed before the final plat can be approved. Approval of escrow is determined by the Director of Public Works.

CITY UTILITIES COMMENTS:

All utilities are available on Laurel Avenue and State Street. A new power pole will need to be set between lots 1 and 2. Underground or overhead service can be taken from this pole. Lot 2 has an existing water meter that can be re-used. Lots 1 and 3 will require new water meters. Natural Gas is available on the south side of State St. and east side of Laurel Ave.

FIRE DEPARTMENT COMMENTS:

No issues.

TRAFFIC DIVISION COMMENTS:

1. A 10 foot by 10 foot right of way sight triangle (not a clear space triangle) is required at the intersection of Laurel and State.
2. Sidewalk is required to be constructed along the property frontage of State Street. The sidewalk must be included on the public improvement plans, constructed or funds escrowed prior to approval of the final plat.
3. Both State Street and Laurel Avenue are classified as local residential streets which require 25 feet of right of way from the centerline. It appears adequate right of way exists; however, we recommend this be determined by a survey.
4. One access will be allowed to each lot. Driveways will need to be built to City of Springfield ST-8 standards. If Lot 1 takes driveway access to Laurel Avenue, access must be at least 20 feet from the edge of the right of way sight triangle.

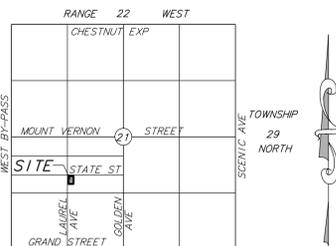
STORMWATER COMMENTS:

The property is located in the Upper Wilson's Creek drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of any flooding problems in the area. If the project increases the amount of impervious surfacing; detention and water quality is required according to Chapter 96. Buyout in lieu of on-site stormwater detention is an option. Since the project will be disturbing less than one (1) acre there will not be a land disturbance permit required. There are existing culverts and ditches available for this development to discharge into. There are no sinkholes on the proposed property.

Please note that development (or re-development) of the property will be subject to the following conditions at the time of development:

1. Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10 and 100 year rain events. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements.
2. Concentrated points of discharge from these improvements will be required to drain into the public right-of-way or a drainage easement.
3. Please keep in mind that more detailed stormwater calculations will have to be submitted before any permits can be approved.

Public Works Stormwater Division	Response
Which Drainage Basin is this located?	Upper Wilson's Creek
Is property located in Floodplain?	No
Is property located on a sinkhole?	No
Is stormwater buyout an option?	Yes



BENCHMARKS
 CITY OF SPRINGFIELD BENCHMARK #82
 WESTERN @ LOMBARD
 S.E. QUADRANT
 STANDARD COS MONUMENT
 ELEVATION = 1198.29

TBM #1
 3/4" IRON PIN
 SOUTHWEST CORNER
 OF LOT 13 BLOCK 8
 ELEVATION = 1230.69

CONTOUR INTERVAL 1'

PRELIMINARY PLAT
HIGHLAND GARDENS LOT 13 BLOCK 8

A REPLAT OF LOT 13 BLOCK 8 HIGHLAND GARDENS

BEING PART OF THE N.E. 1/4 OF THE S.W. 1/4 OF SEC. 21, TWP. 29 N, RNG. 22 W
 A SUBDIVISION IN SPRINGFIELD, GREENE COUNTY, MISSOURI
 3248 W STATE STREET

OWNER: RNB PROPERTIES LLC
 RANDALL B PROPST
 3343 S PARKMONT CT
 SPRINGFIELD MO 65807

SOURCE OF DESCRIPTION: BOOK 2014 PAGE 011376-14

PROPERTY DESCRIPTION
 ALL OF LOT THIRTEEN (13) BLOCK 8 OF HIGHLAND GARDENS,
 A SUBDIVISION IN SPRINGFIELD, GREENE COUNTY,
 MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

DEDICATION:

I, RANDALL B PROPST, MEMBER OF RNB PROPERTIES, L.L.C., OWNER OF SAID REAL ESTATE DESCRIBED AND SHOWN HEREON, DO HEREBY CERTIFY TO HAVE CAUSED SAID REAL ESTATE TO BE PLATTED AS SHOWN HEREON AND THAT SAID REAL ESTATE SHALL BE KNOWN AND DESIGNATED AS HIGHLAND GARDENS LOT 13 BLOCK 8 AND THAT ALL STREETS, EASEMENTS AND ACCESS LIMITATIONS AS SHOWN HEREON ARE DEDICATED TO THE PUBLIC.

IN WITNESS WHEREOF, WE, AS SOLE OWNER, HAVE HEREUNTO SET OUR HAND AND AFFIXED MY SEAL THIS _____ DAY OF _____, 2014.

RNB PROPERTIES, L.L.C. - RANDALL B PROPST - MEMBER

ACKNOWLEDGMENT

STATE OF MISSOURI
 COUNTY OF GREENE

ON THE _____ DAY OF _____, 2014, BEFORE ME PERSONALLY APPEARED RANDALL B PROPST, TO ME KNOWN, WHO DULY SWORN, DID STATE TO BE A MEMBER OF RNB PROPERTIES, L.L.C., AND THAT THE FOREGOING INSTRUMENT WAS SIGNED AND SEALED ON BEHALF OF SAID RNB PROPERTIES, L.L.C. BY AUTHORITY OF ITS MEMBERS AND ACKNOWLEDGE SAID INSTRUMENT TO BE THE FREE ACT AND DEED OF SAID RNB PROPERTIES, L.L.C.

IN WITNESS WHEREOF I HAVE SET MY HAND AND AFFIXED MY OFFICIAL SEAL AT MY OFFICE IN _____ COUNTY, MISSOURI, THE FIRST DAY WRITTEN ABOVE.

NOTARY PUBLIC: _____

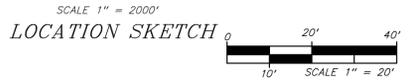
PRINT NAME: _____

MY COMMISSION EXPIRES: _____

CERTIFICATE OF APPROVAL
 BY THE DEPARTMENT OF PLANNING AND DEVELOPMENT

I, Michael K. MacPherson, Principal Planner, of Planning and Development of the City of Springfield, Greene County, Missouri, in accordance with the authority granted to me by Section 203 of Article 11 of the Land Development Code, Chapter 36, Springfield City Code, do hereby approve the Administrative Re-plat of HIGHLAND GARDENS LOT 13 BLOCK 8, a subdivision of said City of Springfield on this _____ day of _____, 2014.

Michael K. MacPherson
 Principal Planner



BEARINGS BASED UPON GRID NORTH
 NAD 1983
 MISSOURI COORDINATE SYSTEM
 CENTRAL ZONE
 MISSOURI GEOGRAPHIC CONTROL SYSTEM MONUMENTS
 GR-42 & GR-42A
 GRID FACTOR 0.9999491
 1 METER = 0.28063333 FEET
 (376.726 METERS) NAVD 1988

STATE PLANE COORDINATES FOR CONTROLLING CORNERS (GIVEN IN METERS)

Corner#	North	East
GR 42	152,541.57	424,463.26
1	152,240.30	425,027.80
2	152,239.46	425,062.64
3	152,183.16	425,060.47
4	152,184.04	425,025.68

INTERNAL ANGLES

CORNER #	ANGLE
1	90°48'47"
2	88°57'53"
3	90°58'30"
4	89°18'50"
TOTAL	360°00'00"

(N-2) X 180°

MINIMUM FINISH FLOOR FOR SANITARY SEWER

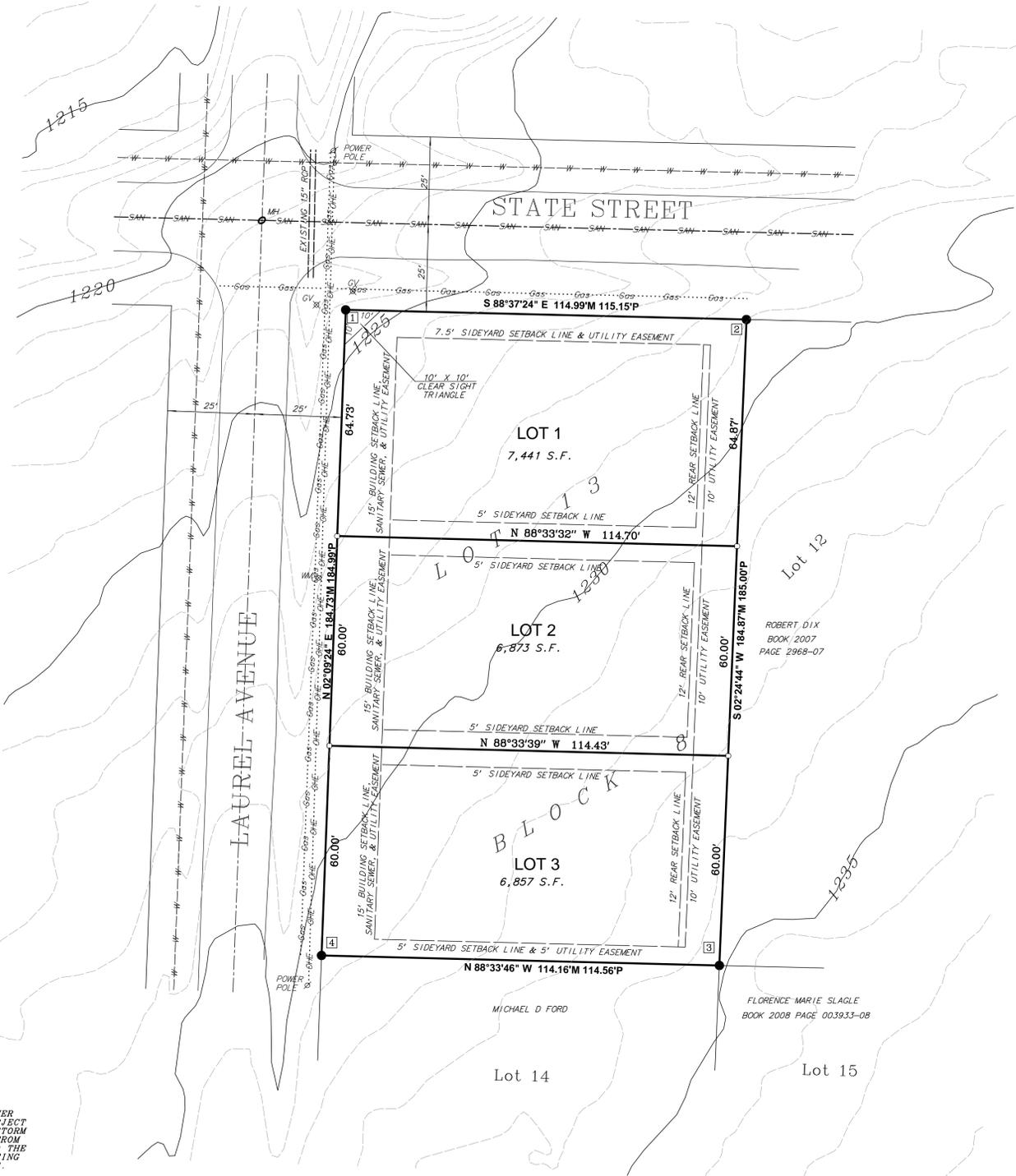
LOT #	ELEVATION
1	1228.0
2	1228.0
3	1228.0

LEGEND

- WV WATER VALVE
- WM WATER METER
- GV GAS VALVE
- SL STREET LIGHT
- FH FIRE HYDRANT
- MH MANHOLE
- S SANITARY SEWER LINE
- OHE OVERHEAD ELECTRIC LINE
- WHE WATER LINE
- G GAS LINE

NOTE: THE AREA SHOWN HEREON IS NOT LOCATED IN A STORM SEWER DISTRICT AS OF THE DATE OF RECORDING AND MAY BE SUBJECT TO FUTURE ASSIGNMENT COST IF INCLUDED IN A FUTURE STORM WATER BENEFIT DISTRICT DEEMED NECESSARY RESULTING FROM PROBLEMS CREATED BY SURFACE RUN-OFF. THIS IS DUE TO THE FACT THAT THE SURFACE WATER RUN-OFF IS PRESENTLY BEING ACCOMMODATED BY STREET AND OPEN DRAINAGE FACILITIES.

THIS PROPERTY DOES NOT LIE WITHIN A FLOOD HAZARD AREA AS DETERMINED BY THE FLOOD INSURANCE RATE MAP # 29077C0328E DATED 12-17-2010.



ROBERT DIX
 BOOK 2007
 PAGE 2968-07

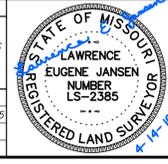
FLORENCE MARIE SLAGLE
 BOOK 2008 PAGE 003933-08

Attachment 2

KNOWN ALL MEN BY THESE PRESENTS: THAT I, LAWRENCE E JANSEN LS 2385, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL SURVEY OF THE LAND HEREIN DESCRIBED AND THAT THE CORNER MONUMENTS AND LOT CORNER PINS SHOWN HEREIN WERE PLACED UNDER THE PERSONAL SUPERVISION OF LAWRENCE E. JANSEN LS 2385 IN ACCORDANCE WITH SECTION 410.5 OF THE SUBDIVISION REGULATIONS, ARTICLE 11, CHAPTER 36, OF THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, AND I DID ATTEMPT TO MEET THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS OF THE MISSOURI DEPARTMENT OF NATURAL RESOURCES, AND THE STANDARDS ADOPTED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

Lawrence E Jansen 4-14-16
 LAWRENCE E. JANSEN PLS 2385 DATE

CLASS "URBAN" SURVEY
 EIP - EXISTING IRON PIN
 SIP - SET IRON PIN
 BM - PERMANENT MONUMENTS
 P - PLAT DISTANCE
 M - MEASURED DISTANCE
 D - DEED DISTANCE
 Job No.: 1406-003
 Date of Preparation: 6-05-2015
 Drawn By: LEJ
 Checked By: LEJ



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

One-rdg. X
P. Hrngs. _____
Pgs. 3
Filed: 05-24-16

Sponsored by: Fisk

COUNCIL BILL NO. 2016- 131 RESOLUTION NO. _____

A RESOLUTION

1 APPROVING the appointment of Wally Nattinger and the reappointment of Cara
2 Walker and Sylvia Jura to the Board of Directors of the Airport Plaza
3 Community Improvement District. (Staff recommends approval.)
4 _____
5

6 WHEREAS, on July 11, 2005, the City Council of the City of Springfield, Missouri,
7 passed Special Ordinance No. 24824 which established the Airport Plaza Community
8 Improvement District Community Improvement District (CID); and
9

10 WHEREAS, the Airport Plaza CID petition established the qualifications and
11 representation requirements for appointing the members of the Board of Directors for
12 the Airport Plaza CID; and
13

14 WHEREAS, there is presently a need to appoint three members to the Board of
15 Directors; and
16

17 WHEREAS, the Mayor of the City of Springfield, Missouri, with the advice and
18 consent of the City Council, may appoint the Airport Plaza CID members.
19

20 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
21 SPRINGFIELD as follows, that:
22

23 Section 1 – The Mayor, with the advice and consent of City Council, hereby
24 appoints Wally Nattinger, Cara Walker, and Sylvia Jura to the position of members of
25 the Board of Directors of the Airport Plaza CID, with the appointment of Wally Nattinger,
26 as a new appointment, with his term ending in 2019, and the reappointments of Cara
27 Walker and Sylvia Jura with their terms ending in 2019.
28

29 Section 2 - This resolution shall be effective immediately upon adoption.
30

31 Passed at meeting: _____
32
33
34

35 _____
Mayor

36
37
38
39
40
41
42
43
44
45
46

Attest: _____, City Clerk

Filed as Resolution _____

Approved as to form: *A. Charles T. Wieder* , Assistant City Attorney

Approved for Council action: *Greg Buntz* , City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 131

FILED: 05-24-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To confirm the appointment of Wally Nattinger and the reappointment of Sylvia Jura and Cara Walker to the Airport Plaza Community Improvement District Board of Directors. (Staff recommends approval.)

BACKGROUND INFORMATION: As required by the petition establishing the Airport Plaza Community Improvement District (CID), the City Council must confirm appointments to the CID Board of Directors. The CID Board of Directors recommends the following appointments to the Board:

<u>Seat</u>	<u>Name</u>	<u>Qualification</u>	<u>Term Expires</u>	<u>Notes</u>
3	Wally Nattinger	Representative of real property owner in the District	12/31/2019	New appointment
4	Cara Walker	Representative of real property owner in the District	12/31/2019	Reappointment
5	Sylvia Jura	Representative of real property owner in the District	12/31/2019	Reappointment

This bill supports the following Field Guide 2030 goal(s): Chapter 3, Economic Development; Major Goal 2, Aggressively use economic development incentives to encourage investment in the community and to encourage job creation and retention.

REMARKS: Staff recommends approval.

Submitted by:



Matt D. Schaefer
Senior City Planner



Mary Lilly Smith
Director, Planning and Development



Greg Burris
City Manager

One-rdg. X
P. Hrngs.
Pgs. 3
Filed: 05-24-16

Sponsored by: Fulnecky

COUNCIL BILL NO. 2016- 132

RESOLUTION NO.

A RESOLUTION

1 APPROVING the appointment of Stephanie Montgomery, and the reappointments of
2 Stuart Stenger and Stephen Alabach to the Board of Directors of the
3 James River Commons Community Improvement District. (Staff
4 recommends approval.)
5
6

7 WHEREAS, on December 12, 2005, the City Council of the City of Springfield,
8 Missouri passed Special Ordinance No. 24910 which established the James River
9 Commons Community Improvement District (CID); and
10

11 WHEREAS, on September 29, 2008, City Council passed Special Ordinance No.
12 25484 which renewed and extended the existence of the James River Commons CID;
13 and
14

15 WHEREAS, the James River Commons CID petition established the
16 qualifications and representation requirements for appointing the members of the Board
17 of Directors for the James River Commons CID; and
18

19 WHEREAS, there is presently a need to appoint three members to the Board of
20 Directors; and
21

22 WHEREAS, the Mayor of the City of Springfield, Missouri, with the advice and
23 consent of the City Council, may appoint the James River Commons CID Board
24 members.
25

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

29 Section 1 – The Mayor, with the advice and consent of City Council, hereby
30 appoints Stuart Stenger, Stephen Alabach, and Stephanie Montgomery to the position
31 of members of the Board of Directors of the James River Commons CID, with the
32 appointment of Stephanie Montgomery as a new appointment, with her term ending in
33 2020, and the reappointments of Stuart Stenger and Stephen Alabach with their terms
34 ending in 2020.
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Section 2 - This resolution shall be effective immediately upon adoption.

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Resolution _____

Approved as to form: Achale T. Wiedner, Assistant City Attorney

Approved for Council action: Greg Burt, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 132

FILED: 05-24-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To confirm the appointment of Stephanie Montgomery, and the reappointment of Stephen Alabach and Stuart Stenger to the James River Commons Community Improvement District (CID) Board of Directors. (Staff recommends approval.)

BACKGROUND INFORMATION: As required by the petition establishing the James River Commons (CID), the City Council must confirm appointments to the CID Board of Directors. The CID Board of Directors recommends the following appointments to the Board:

<u>Seat</u>	<u>Name</u>	<u>Qualification</u>	<u>Term Expires</u>	<u>Notes</u>
3	Stuart Stenger	Representative of real property owner in the District	5/28/2020	Reappointment
4	Stephen Alabach	Representative of real property owner in the District	5/28/2020	Reappointment
5	Stephanie Montgomery	Representative of real property owner in the District	5/28/2020	New Appointment

This bill supports the following *Field Guide 2030* goal(s): Chapter 3, Economic Development; Major Goal 2, Aggressively use economic development incentives to encourage investment in the community and to encourage job creation and retention.

REMARKS: Staff recommends approval.

Submitted by:



Matt D. Schaefer
Senior City Planner



Mary Lilly Smith
Director, Planning and Development



Greg Burris
City Manager

One-rdg. X
P. Hrngs. _____
Pgs. 3
Filed: 5-24-16

Sponsored by: Stephens

COUNCIL BILL NO. 2016- 133

RESOLUTION NO. _____

A RESOLUTION

1 ADOPTING the updated Springfield-Greene County Emergency Operations Plan as
2 prepared by the Springfield-Greene County Office of Emergency
3 Management.
4 _____
5

6 WHEREAS, on September 6, 2011, the City Council adopted the Springfield-
7 Greene County Emergency Operations Plan with the passing of Council Bill No. 2011-
8 209.
9

10 WHEREAS, Emergency Operations Plan will direct the actions of departments
11 and agencies in the event of an emergency or disaster situation; and
12

13 WHEREAS, having an up to date plan in place will save lives, minimize injuries,
14 protect property, and ensure continued operation of governmental functions in the event
15 of an emergency or disaster situation; and
16

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

20 Section 1 – The updated Springfield-Greene County Emergency Operations
21 Plan, which is on file in the Office of the City Clerk, is hereby adopted and approved.
22 The plan shall be evaluated and updated periodically as deemed necessary by the City
23 Manager and the Office of Emergency Management.
24

25 Section 2 – This resolution shall be effective immediately upon adoption.
26

27 Passed at meeting: _____
28
29
30

31 _____
32 Mayor

33 Attest: _____, City Clerk
34
35

36 Filed as Resolution _____

37

38

39 Approved as to form: *Marianne Gander Banks*, Interim City Attorney

40

41

42 Approved for Council action: *Greg Burt*, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 133

FILED: 05-24-16

ORIGINATING DEPARTMENT: Office of Emergency Management

PURPOSE: To adopt the updated Springfield-Greene County Emergency Operations Plan.

BACKGROUND INFORMATION: City Council last adopted an updated Springfield-Greene County Emergency Operations Plan (EOP) on September 6, 2011. In an effort to be a national model of best practices in mitigation, preparedness, response and recovery against high-impact events to reduce loss of life, damage to property and harm to the environment, the Springfield-Greene County Office of Emergency Management (OEM), periodically reviews and updates the EOP as deemed necessary by the City Manager and OEM department leaders. The EOP recently underwent such a review and update which was coordinated between the OEM and departments identified within the plan. The proposed volume is the product of their efforts.

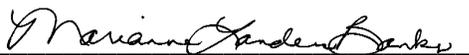
REMARKS: The Springfield-Greene County OEM recommends adoption of the reviewed and updated EOP.

Submitted by:



Chet Hunter,
Director of Emergency Management

Recommended by:



Marianne Banks,
Interim City Attorney

Approved by:



Greg Burris,
City Manager

One-rdg. _____
P. Hrngs. _____
Pgs. 22
Filed: 05-10-16

Sponsored by: Burnett

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 107

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 AUTHORIZING the City Manager, or his designee, to enter into an addendum to the
2 Services Agreement with Greene County for the maintenance of
3 electronic traffic control devices and to update the schedules as
4 needed on an annual basis.
5 _____
6

7 WHEREAS, the City Council authorized the City Manager through Special
8 Ordinance No. 25333 to enter into an agreement with Greene County (County) to
9 establish cooperation in the maintenance of electronic traffic control devices; and
10

11 WHEREAS, a copy of this agreement is attached as "Exhibit 1 (Agreement);" and
12

13 WHEREAS, the Agreement provides that the Schedule of Facilities be updated
14 on an annual basis to reflect the location of the devices; and
15

16 WHEREAS, the Agreement further provides that the Schedule of Services and
17 Costs be updated annually to reflect the proper rates at which the County will reimburse
18 the City; and
19

20 WHEREAS, this ordinance authorizes the City Manager, or his designee, to
21 revise the schedule on an annual basis.
22

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

26 Section 1 –The City Manager, or his designee, is hereby authorized, to enter into
27 an addendum to the Services Agreement with Greene County for the maintenance of
28 electronic traffic control devices and to update the schedules as needed on an annual
29 basis; said agreement to be in substantially the form as that document attached hereto
30 and incorporated herein by reference as "Exhibit 2."
31

32 Section 2 – This ordinance shall be in full force and effect from and after
33 passage.

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Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Amanda R. Callaway, Assistant City Attorney

Approved for Council action: [Signature], City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 107

FILED: 05-10-16

ORIGINATING DEPARTMENT: Public Works

PURPOSE: Authorizing the City Manager, or his designee, to enter into an addendum to the Services Agreement with Greene County (County) for the maintenance of electronic traffic control devices and to update the schedules as needed on an annual basis.

BACKGROUND INFORMATION: In 2008, City Council authorized the City Manager, through Special Ordinance No. 25333, to enter into an agreement with the County to establish cooperation in the maintenance of electronic traffic control devices at various locations in Greene County within the Urban Service Area.

The original agreement (“Exhibit 1”) includes a Schedule of Facilities that lists the location and devices to be maintained by the City. The addendum (“Exhibit 2”) provides an update to the Schedule of Facilities by adding the communications facilities along National Avenue (Farm Road 163) between Weaver Road and Plainview Road (Farm Road 182).

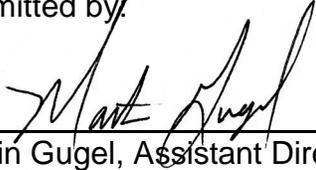
The original agreement also includes a Schedule of Services and Costs that itemizes the maintenance services to be rendered by the City and the labor and vehicle costs for which the County is responsible for reimbursement to the City. This Addendum provides an update to the Schedule of Services and Costs by adding wireless radio units and network switches to the list of devices to be maintained by the City at the request of the County, and it provides updated hourly personnel rates for determining incurred labor costs to be reimbursed by the County.

The original agreement allowed for the City Traffic Engineer to amend both schedules on an annual basis to add or delete locations and/or devices and to update the costs for the services to be reimbursed by the County. That authority was not delegated properly in Special Ordinance No. 25333. Therefore, that authority is being sought in the proposed Ordinance. The original agreement requires that both schedules be on file with the City Clerk.

Supports the following Field Guide 2030 goal(s): Chapter 12, Transportation; Major Goal 2, Operations and Maintenance The City of Springfield should continue to maintain streets, sidewalks, trails, and the airport, using the most effective strategies to maximize the efficient operation of the existing systems, keeping in mind safety, accessibility, sustainability, and collaboration; Objective 2d, The City of Springfield should coordinate operations and maintenance efforts with Greene County, the State of Missouri, rail, and transit to ensure a seamless connection to the regional system.

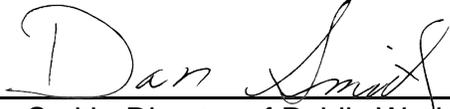
REMARKS: This agreement is an example of the City and County working together to provide for reliable operation of transportation facilities in the Springfield area. Public Works recommends approval of this Council bill.

Submitted by:



Martin Gugel, Assistant Director of Public Works

Recommended by:



Dan Smith, Director of Public Works

Approved by:



Greg Burris, City Manager

Exhibit 1

2008-0432

CONTRACT

	Routing Order	Date	Initials
Contract Administrator	MARILYN DAY	05/27/2008	MD
Assistant City Attorney	NANCY YENDES	05/28/2008	
Deputy City Manager	EVELYN HONEA	05/27/2008	
		5/29/08	eh
City Clerk	BRENDA CIRTIN	6-2-08	BL

New Contract
 Contract Renewal
 Addendum
 Change Order

Type Of Contract: INTERGOVERNMENTAL

Contractor: GREENE COUNTY

Originating Dept: PUBLIC WORKS

Contact Person: EARL NEWMAN

Effective Date: 05/27/2008

Termination Date:

Amount: \$.00 **Requisition:** **PO:**

Additional Amt: \$.00

Notes:

Description: COOPERATIVE AGREEMENT FOR MAINTENANCE OF ELECTRONIC TRAFFIC CONTROL DEVICES

Council Bill: 2007-400

Ordinance No. 25333

3 to E Newman

ROUTING ORDER	(1) ORIGINATING DEPT.	(2) GREENE COUNTY	(3) FINANCE DEPARTMENT
	(4) LAW DEPARTMENT	(5) CITY MANAGER'S OFC.	(6) CITY CLERK'S OFFICE
EFFECTIVE DATE ____, 20__	TERMINATION DATE	CONTRACT NUMBER: <i>2008-0432</i>	
CITY		COUNTY	
CITY OF SPRINGFIELD 840 BOONVILLE, P.O. BOX 8368 SPRINGFIELD, MO 65802 PHONE (417) 864-1980 FAX (417) 864-1983 ATTN: EARL NEWMAN DEPT.: PUBLIC WORKS - TRAFFIC		GREENE COUNTY, MISSOURI 2065 N CLIFTON SPRINGFIELD, MO 65803 PHONE (417) 831-3591 FAX (417) 831-5216: ATTN: DAN SMITH, HIGHWAY ADMINISTRATOR	

AGREEMENT

THIS AGREEMENT, made and entered into this 27th day of May, 2008, by and between the City of Springfield, a municipal corporation of the State of Missouri, hereafter referred to as "City", and the County of Greene in the State of Missouri, hereafter referred to as "County".

Whereas, the City and County desire to enter into an agreement whereby they may cooperate in the maintenance of electronic traffic control devices at various locations in Greene County; and

Whereas, such cooperation is authorized by the constitution and laws of the State of Missouri; and

Whereas, the benefits of maintaining electronic traffic control devices in an operating condition for the use and safety of the general public will inure to the benefit of the citizens of both the City and County.

NOW, THEREFORE, in consideration of the mutual promises herein, it is agreed by and between the City and County as follows:

1. **Schedule of Facilities:** The City and County will develop and maintain a mutually agreed "Schedule of Facilities" (Exhibit A) that lists the location and devices to be maintained by the City. Included facilities shall be limited to those located within the Urban Service Area as defined by Springfield City Council. The "Schedule of Facilities" may be modified at any time to add or delete locations and/or devices upon written notification by County and acknowledgement of notification and acceptance of the location by City Traffic Engineer.
2. **Schedule of Services and Costs:** The City and County will develop and maintain a mutually agreed "Schedule of Services and Costs" (Exhibit B) that itemizes the maintenance services rendered by the City and the frequency in which desired preventive maintenance services will be performed. The City will provide additional maintenance services upon request by the County. The County will be responsible for reimbursement to the City for labor and vehicle costs as set forth in the "Schedule of

Services and Costs” and for the direct cost of parts necessary to maintain the facilities included in the “Schedule of Facilities”. The “Schedule of Services and Costs” will be updated on a periodic basis and will be effective for a period to be agreed upon by the City and County.

3. **Schedules filed with City Clerk:** Copies of the most current “Schedule of Facilities” and “Schedule of Services and Costs” shall be kept on file with the City Clerk.
4. **Signal device operational settings:** The City will develop programming of signal device operational settings as requested by County and submit to County for review and approval prior to implementation. No changes in programming will be implemented without approval by County.
5. **City may hire contractor:** The City may utilize the services of a contractor provided through the City’s Annual Maintenance Contract for Signal Repairs to perform maintenance services to County facilities included in this Agreement, provided that the City shall require its contractor to secure and maintain in force liability insurance and property damage insurance in standard form protecting it, and the interest of the County and the City against all liability whatsoever occasioned by accident or casualty on or about the County’s or City’s property which may arise out of the performance of this Agreement. Such policy shall be written by an insurance company or companies acceptable to the City and licensed to do business in the State of Missouri, which policy(s) shall name the County and City as additional named insureds 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. ([HTTP://www.insurance.mo.gov/industry/soimmunity.htm](http://www.insurance.mo.gov/industry/soimmunity.htm)). The policy of liability insurance the Contractor agrees to provide and keep in force during the term of its performance of maintenance services to County facilities shall during the 2008 calendar year provide coverage with limits of liability not less than \$2,418,992.00 for all claims arising out of a single occurrence or \$362,849.00 with respect to injuries, and/or death of any one person in a single occurrence or an amount not less than \$1,000,000.00 for all claims to property arising out of a single occurrence or \$100,000.00 to any one owner with respect to damage to property. Contractor will promptly deliver to City the policy(s) of insurance or certificates evidencing such insurance and the payment of the premiums thereon by Contractor.

The City shall also require its Contractor to defend, indemnify and save harmless the City and the County, and their respective elected or appointed officials, agents and employees from and against any and all liability, suits, damages, costs (including attorney fees), losses, outlay and expenses from claims and any manner caused by, or allegedly caused by, or arising out of, or connected with the work of the Contractor under this Agreement, including, but not limited to, claims for personal injuries, death, property damage, notwithstanding any possible negligence, whether sole or concurrent, on the part of the City or County, their officials, agents and employees. The City shall further require its Contractor to provide and keep in force workers’ compensation insurance, including occupational disease provisions for all employees of Contractor, as required by Missouri statutes.

6. **New installations:** Design plans for the installation of new electronic traffic control devices within the Urban Service Area, excluding those on state highways, will be produced according to City of Springfield design guidelines. County agrees to provide City the opportunity for review of such design plans prior to the County’s approval of final plans. City agrees to make available the services of its Traffic Signal Inspector to assist in the supervision of construction of devices to be added to the “Schedule of Facilities”.

7. **No City interest in County ROW:** County and City acknowledge that this agreement gives to City no interest in the right-of-way or property of the County as that term is used in Section 537.600, et seq., RSMo, for any of the facilities themselves, or any portion of roadway.
8. **Indemnity by County and City:** To the extent not covered by sovereign immunity under Missouri Law, the County hereby agrees to assume responsibility for the liabilities imposed by law on its employees, agencies, and institutions and the City hereby agrees to assume responsibility for the liabilities imposed by law on its employees, agencies, and institutions. Each party to this agreement shall be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of services and/or products by the other party. This language is not intended to act as a waiver or limitation of either County's or City's rights and or defenses with regard to sovereign immunity under Federal Law, Missouri Law or Municipal Regulation.
9. **Termination:** Either party may terminate this agreement in its entirety by giving 30 days written notice to the other party. Upon termination, City shall be entitled to payment from County for all services it has provided in accordance with paragraph 2 of this agreement. Indemnity obligations shall survive termination as to any occurrences prior thereto.
10. **Conflict of Interest:** No salaried officer or employee of the City or County, and no member of the City Council or the County Commission shall have a financial interest, direct or indirect, in this contract. Applicable federal regulations and provisions of Section 105.450 et. seq. RSMo. relating to conflicts of interest shall be observed.
11. **Entire Agreement:** This agreement, together with the "Schedule of Facilities" and the "Schedule of Services and Costs", contain 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.
12. **Venue:** This agreement and every question arising hereunder shall be construed or determined according to the law of the State of Missouri. Should any part of this agreement be adjudicated, venue shall be proper only in the Circuit Court of Greene County, Missouri.
13. **Notice:** All notices required or permitted under this agreement shall be in writing and may be given by first class mail addressed to City Manager, 840 Boonville, Springfield, Missouri 65802, and Highway Administrator, 2065 N Clifton, Springfield, Missouri 65803. The date of delivery of any notice shall be the presumed to be on the date falling on the second full day after the day of its mailing.

[THE REMAINDER OF THIS PAGE HAS INTENTIONALLY BEEN LEFT BLANK]

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and year herein stated.

CITY OF SPRINGFIELD, MISSOURI

By: *Judith Honea*
City Manager

GREENE COUNTY, MISSOURI, BY AND THROUGH THE GREENE COUNTY COMMISSION

By: *[Signature]*
Presiding Commissioner

By: *[Signature]*
Commissioner, 1st District

By: *Roseann Bentley*
Commissioner, 2nd District

Attest: *[Signature]*
County Clerk

By: *[Signature]*
Highway Administrator

APPROVED AS TO FORM BY:

[Signature]
City Attorney

[Signature]
County Attorney

**Greene County – City of Springfield Agreement for
Maintenance of Electronic Traffic Control Devices**

SCHEDULE A – LIST OF FACILITIES

Effective Date: _____

Note: Schedule to remain in effect until mutually amended or terminated according to Contract 200__-____:

TRAFFIC SIGNALS

1. Farm Road 160 (Battlefield Road) and Carver Middle School Entrance (Private Road)
2. Republic Street and Farm Road 135 (Golden Avenue)
3. Farm Road 163 (National Avenue) and Farm Road 182 (Plainview Road)

SCHOOL FLASHERS

1. Carver School – Speed Zone Flashers and Electronic Speed Board on Battlefield Road (FR 160) for Eastbound Traffic Only

INTERSECTION FLASHERS

1. Farm Road 123 and Farm Road 156 – One Stop Sign Flasher on Farm Road 123 for Southbound Traffic Only

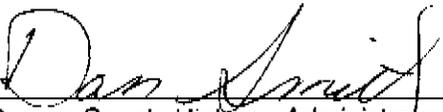
INTERCONNECT BETWEEN SIGNALS

1. Battlefield Road (FR 160) (South Side of road) – Carver School Entrance to City Limit – Conduit, Fiber Optic Cable, and Pull Boxes

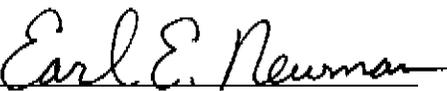
OTHER EQUIPMENT

1. Two Portable Trailer-Mounted Electronic Speed Boards

ACKNOWLEDGED


Greene County Highway Administrator

5-1-08
Date


City Traffic Engineer

5-23-08
Date

**Greene County – City of Springfield Agreement for
Maintenance of Electronic Traffic Control Devices**

SCHEDULE B – LIST OF SERVICES AND COSTS

Effective Date: _____

Note: Schedule to Remain in Effect Until Mutually Amended or Terminated According to Contract 200__-_____.

SERVICES:

As requested by the Greene County Highway Administrator or authorized designee, the following services are to be provided by the City of Springfield as part of maintaining Greene County electronic traffic control devices in accordance with Contract 200__-_____:

1. Trouble-Shooting (observing operation, inspection of equipment, diagnostic analysis, etc.)
2. Securing of Damaged Equipment
3. Repairs and/or Replacement of Equipment
4. Replacement of Lamps (including cleaning lenses and reflectors, and oiling hinges) or Conversion of Lamps to LED Heads
5. Preventive Maintenance (including cleaning, replacement of filters, conflict monitor testing and visual inspection of all equipment)
6. Provide Traffic Control relative to Work needs
7. Development and Implementation of Programming
8. Other services as requested

Standard services to be provided annually are:

1. Check conflict monitors for proper operation
2. Replace air filters in all controller cabinets

Devices to be maintained upon request could include any of the following:

Traffic Signal Controller Cabinet and Contents, Flasher Cabinet and Contents, Electric Power Supply Assembly, Solar Power Supply Assembly (including solar panel, batteries and cabinet), Poles and Mast Arms, Concrete Bases, Signal/Flasher Heads, Conduit, Cabling, Pedestrian Pushbuttons, Pull Boxes, Traffic Detectors, and Interconnect Cable.

COSTS:

Greene County agrees to reimburse the City of Springfield for incurred costs associated with the maintenance of Greene County electronic traffic control devices at the following rates in accordance with Contract 200__-_____:

<u>Personnel – Normal Working Hours (M-F 7:00 a.m. – 4:30 p.m.)</u>	<u>Hourly Rate</u>
Signal Technician	\$32.22
Signal Coordinator	\$34.49
Signal Supervisor	\$37.80
Associate Engineer	\$44.06

<u>Personnel – Emergency Callout - Overnight, Weekends and Holidays - Per Occurrence</u>	
Signal Technician	\$193.32
(4 hour minimum @ 1 ½ times hourly rate)	

<u>Vehicles</u>	<u>Hourly Rate</u>
Bucket Truck	\$30.00
Boom Truck	\$50.00
Pickup	\$15.00

<u>Equipment</u>	<u>Daily Rate</u>
Temporary Trailer-Mounted Signal	\$100.00

Materials

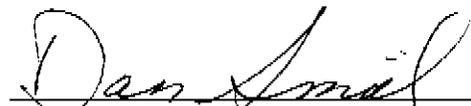
To be reimbursed at direct invoice cost.

Personnel rates shall be the burdened rate for each titled position based on the latest revision to the City Salary Ordinance as provided by the City's Finance Department.

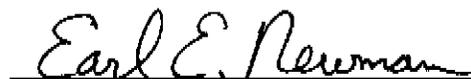
Construction – All items installed/repaired by Contract shall be invoiced per Annual Traffic Signal Maintenance Contract for Labor, Materials and Equipment.

Note: Greene County shall be responsible for installation/maintenance of all traffic signing required associated with signal installation/operation.

ACKNOWLEDGED


Greene County Highway Administrator

5-1-08
Date


City Traffic Engineer

5-23-08
Date

**Greene County – City of Springfield Agreement for
Maintenance of Electronic Traffic Control Devices**

SCHEDULE A – LIST OF FACILITIES

Effective Date: 9-8-11

Note: Schedule to remain in effect until mutually amended or terminated according to Contract 2008-0432:

TRAFFIC SIGNALS

1. Farm Road 160 (Battlefield Road) and Carver Middle School Entrance (Private Road)
2. Farm Road 163 (National Avenue) and Farm Road 182 (Plainview Road)

SCHOOL FLASHERS

1. Carver School – Hardwired Speed Zone Flashers for eastbound and westbound traffic on Battlefield Road (FR 160) and Electronic Speed Board on Battlefield Road (FR 160) for eastbound traffic only.
2. McBride School – Two Solar Powered Speed Zone Flashers on Golden Avenue. One northbound and one southbound. Two Solar Powered Speed Zone Flashers on Weaver Road. One eastbound and one westbound.
3. Cherokee School – Two Solar Powered Speed Zone Flashers on Plainview Road. One eastbound and one westbound.
4. Wanda Gray School – Two Solar Powered Speed Zone Flashers on Plainview Road. One eastbound and one westbound.
5. Harrison School – Two Solar Powered Speed Zone Flashers on Golden Avenue. One northbound and one southbound.
6. Hickory Hills School – Two Solar Powered Speed Zone Flashers on Farm Road 193. One northbound and one southbound.

INTERSECTION FLASHERS

1. Farm Road 123 and Farm Road 156 – One Stop Sign Flasher on Farm Road 123 for Southbound Traffic Only.

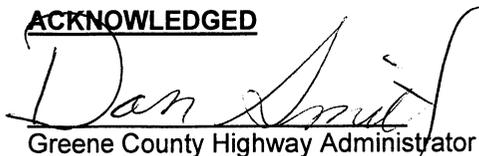
INTERCONNECT BETWEEN SIGNALS

1. Battlefield Road (FR 160) (South Side of road) – Carver School Entrance to City Limit – Conduit, Fiber Optic Cable, and Pull Boxes.

OTHER EQUIPMENT

1. Two Portable Trailer-Mounted Electronic Speed Boards

ACKNOWLEDGED


Greene County Highway Administrator

9/8/11
Date


Traffic Engineer - Transportation Management

9-8-11
Date

**Greene County – City of Springfield Agreement for
Maintenance of Electronic Traffic Control Devices**

SCHEDULE A – LIST OF FACILITIES

Effective Date: 8/20/2012

Note: Schedule to remain in effect until mutually amended or terminated according to Contract 2008-0432:

TRAFFIC SIGNALS

1. Farm Road 160 (Battlefield Road) and Carver Middle School Entrance (Private Road)
2. Farm Road 163 (National Avenue) and Farm Road 182 (Plainview Road)

SCHOOL FLASHERS

1. Carver School – Hardwired Speed Zone Flashers for eastbound and westbound traffic on Battlefield Road (FR 160) and Electronic Speed Board on Battlefield Road (FR 160) for eastbound traffic only.
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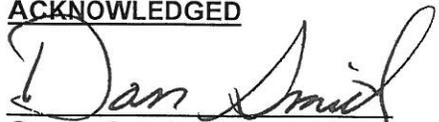
INTERCONNECT BETWEEN SIGNALS

1. Battlefield Road (FR 160) (South Side of road) – Carver School Entrance to City Limit – Conduit, Fiber Optic Cable, and Pull Boxes.

OTHER EQUIPMENT

1. Two Portable Trailer-Mounted Electronic Speed Boards

ACKNOWLEDGED


Greene County Highway Administrator

8/16/2012
Date


Traffic Engineer - Transportation Management

8/20/2012
Date

**Greene County – City of Springfield Agreement for
Maintenance of Electronic Traffic Control Devices**

SCHEDULE B – LIST OF SERVICES AND COSTS

Effective Date: 9/24/2012

Note: Schedule to Remain in Effect Until Mutually Amended or Terminated According to Contract 2008-0432.

SERVICES:

As requested by the Greene County Highway Administrator or authorized designee, the following services are to be provided by the City of Springfield as part of maintaining Greene County electronic traffic control devices in accordance with Contract 2008-0432:

1. Trouble-Shooting (observing operation, inspection of equipment, diagnostic analysis, etc.)
2. Securing of Damaged Equipment
3. Repairs and/or Replacement of Equipment
4. Replacement of Lamps (including cleaning lenses and reflectors, and oiling hinges) or Conversion of Lamps to LED Heads
5. Preventive Maintenance (including cleaning, replacement of filters, conflict monitor testing and visual inspection of all equipment)
6. Provide Traffic Control relative to Work needs
7. Development and Implementation of Programming
8. Other services as requested

Standard services to be provided annually are:

1. Check conflict monitors for proper operation
2. Replace air filters in all controller cabinets

Devices to be maintained upon request could include any of the following:

Traffic Signal Controller Cabinet and Contents, Flasher Cabinet and Contents, Electric Power Supply Assembly, Solar Power Supply Assembly (including solar panel, batteries and cabinet), Poles and Mast Arms, Concrete Bases, Signal/Flasher Heads, Conduit, Cabling, Pedestrian Pushbuttons, Pull Boxes, Traffic Detectors, and Interconnect Cable.

COSTS:

Greene County agrees to reimburse the City of Springfield for incurred costs associated with the maintenance of Greene County electronic traffic control devices at the following rates in accordance with Contract 2008-0432:

<u>Personnel – Normal Working Hours (M-F 7:00 a.m. – 4:30 p.m.)</u>	<u>Hourly Rate</u>
Signal Technician	\$33.97
Signal Coordinator	\$36.37
Signal Supervisor	\$39.34
Professional Engineer	\$49.43

<u>Personnel – Emergency Callout - Overnight, Weekends and Holidays - Per Occurrence</u>	
Signal Technician (4 hour minimum @ 1 ½ times hourly rate)	\$203.82

<u>Vehicles</u>	<u>Hourly Rate</u>
Bucket Truck	\$30.00
Boom Truck	\$50.00
Pickup	\$15.00

<u>Equipment</u>	<u>Daily Rate</u>
Temporary Trailer-Mounted Signal	\$100.00

Materials

To be reimbursed at direct invoice cost.

Personnel rates shall be the burdened rate for each titled position based on the latest revision to the City Salary Ordinance as provided by the City's Finance Department.

Construction – All items installed/repaired by Contract shall be invoiced per Annual Traffic Signal Maintenance Contract for Labor, Materials and Equipment or other publicly bid (per State Procurement Laws) contract as necessary to complete the work.

Note: Greene County shall be responsible for installation/maintenance of all traffic signing required associated with signal installation/operation.

ACKNOWLEDGED


Greene County Highway Administrator


Date


City Traffic Engineer

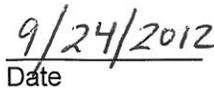

Date

Exhibit 2

ROUTING ORDER	(1) ORIGINATING DEPT.	(2) GREENE COUNTY	(3) FINANCE DEPARTMENT
	(4) LAW DEPARTMENT	(5) CITY MANAGER'S OFC.	(6) CITY CLERK'S OFFICE
EFFECTIVE DATE ____, 20__	TERMINATION DATE	CONTRACT NUMBER: 2008-0432-01	
CITY		COUNTY	
CITY OF SPRINGFIELD 840 BOONVILLE, P.O. Box 8368 SPRINGFIELD, MO 65802 PHONE (417) 864-1167 FAX (417) 864-1176 ATTN: TOM DANCEY DEPT.: PUBLIC WORKS – TRANSPORTATION MNGT.		GREENE COUNTY, MISSOURI 2065 N CLIFTON SPRINGFIELD, MO 65803 PHONE (417) 831-3591 FAX (417) 831-5216 ATTN: RICK ARTMAN, HIGHWAY ADMINISTRATOR	

ADDENDUM

THIS ADDENDUM, made and entered into this ____ day of _____, 20____, by and between the City of Springfield, a municipal corporation of the State of Missouri, hereafter referred to as "City", and the County of Greene in the State of Missouri, hereafter referred to as "County".

Whereas, the City and County desire to amend agreement #2008-0432 with an updated Schedule of Services and Costs to account for needed changes in services and costs; and

Whereas, such cooperation is authorized by the constitution and laws of the State of Missouri; and

Whereas, the benefits of maintaining electronic traffic control devices in an operating condition for the use and safety of the general public will inure to the benefit of the citizens of both the City and County.

NOW, THEREFORE, in consideration of the mutual promises herein, it is agreed by and between the City and County as follows:

- Schedule of Facilities:** The City and County will develop and maintain a mutually agreed "Schedule of Facilities" (Exhibit A) that lists the location and devices to be maintained by the City. Included facilities shall be limited to those located within the Urban Service Area as defined by Springfield City Council. The "Schedule of Facilities" may be modified at any time to add or delete locations and/or devices upon written notification by County and acknowledgement of notification and acceptance of the location by City Traffic Engineer.
- Schedule of Services and Costs:** The City and County will develop and maintain a mutually agreed "Schedule of Services and Costs" (Exhibit B) that itemizes the maintenance services rendered by the City and the frequency in which desired preventive maintenance services will be performed. The City will provide additional maintenance services upon request by the County. The County will be responsible for reimbursement to the City for labor and vehicle costs as set forth in the "Schedule of



Services and Costs” and for the direct cost of parts necessary to maintain the facilities included in the “Schedule of Facilities”. The “Schedule of Services and Costs” will be updated on a periodic basis and will be effective for a period to be agreed upon by the City and County.

3. **Entire Agreement:** This addendum, together with the Agreement, “Schedule of Facilities”, and the “Schedule of Services and Costs”, contain the entire agreement of the parties. All other provisions of Contract No. 2008-0432 shall remain in full force and effect.

[THE REMAINDER OF THIS PAGE HAS INTENTIONALLY BEEN LEFT BLANK]

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and year herein stated.

CITY OF SPRINGFIELD, MISSOURI

GREENE COUNTY, MISSOURI, BY AND THROUGH
THE GREENE COUNTY COMMISSION

By: _____
City Manager

By: _____
Presiding Commissioner

By: _____
Commissioner, 1st District

By: _____
Commissioner, 2nd District

By: _____
Highway Administrator

APPROVED AS TO FORM BY:

City Attorney

County Attorney



**Greene County – City of Springfield Agreement for
Maintenance of Electronic Traffic Control Devices**

SCHEDULE B – LIST OF SERVICES AND COSTS

Effective Date: _____

Note: Schedule to Remain in Effect Until Mutually Amended or Terminated According to Contract 2008-0432.

SERVICES:

As requested by the Greene County Highway Administrator or authorized designee, the following services are to be provided by the City of Springfield as part of maintaining Greene County electronic traffic control devices in accordance with Contract 2008-0432:

1. Trouble-Shooting (observing operation, inspection of equipment, diagnostic analysis, etc.)
2. Securing of Damaged Equipment
3. Repairs and/or Replacement of Equipment
4. Replacement of LED signal indications
5. Preventive Maintenance (including cleaning, replacement of filters, conflict monitor testing and visual inspection of all equipment)
6. Provide Traffic Control relative to Work needs
7. Development and Implementation of Programming
8. Other services as requested

Standard services to be provided annually are:

1. Check conflict monitors for proper operation
2. Replace air filters in all controller cabinets

Devices to be maintained upon request could include any of the following:

Traffic Signal Controller Cabinet and Contents, Flasher Cabinet and Contents, Electric Power Supply Assembly, Solar Power Supply Assembly (including solar panel, batteries and cabinet), Poles and Mast Arms, Concrete Bases, Signal/Flasher Heads, Conduit, Cabling, Pedestrian Pushbuttons, Pull Boxes, Traffic Detectors, Interconnect Cable, Wireless Radio Units, and Network Switches.

COSTS:

Greene County agrees to reimburse the City of Springfield for incurred costs associated with the maintenance of Greene County electronic traffic control devices at the following rates in accordance with Contract 2008-0432:

<u>Personnel – Normal Working Hours (M-F 7:00 a.m. – 4:30 p.m.)</u>	<u>Hourly Rate</u>
Signal Technician	\$35.12
Signal Coordinator	\$37.35
Signal Supervisor	\$40.03
Professional Engineer	\$44.53

<u>Personnel – Emergency Callout - Overnight, Weekends and Holidays - Per Occurrence</u>	
Signal Technician	\$194.60
(4 hour minimum @ overtime hourly rate)	

<u>Vehicles</u>	<u>Hourly Rate</u>
Bucket Truck	\$30.00
Boom Truck	\$50.00
Pickup	\$15.00

<u>Equipment</u>	<u>Daily Rate</u>
Temporary Trailer-Mounted Signal	\$100.00

Materials

To be reimbursed at direct invoice cost.

Personnel rates shall be the burdened rate for each titled position based on the latest revision to the City Salary Ordinance as provided by the City's Finance Department.

Construction – All items installed/repaired by Contract shall be invoiced per Annual Traffic Signal Maintenance Contract for Labor, Materials and Equipment or other publicly bid (per State Procurement Laws) contract as necessary to complete the work.

Note: Greene County shall be responsible for installation/maintenance of all traffic signing required associated with signal installation/operation.

ACKNOWLEDGED

Greene County Highway Administrator

Date

Traffic Engineer - Transportation Management

Date

One-rdg.. _____
P. Hrngs. _____
Pgs. 5
Filed: 05-10-16

Sponsored by: Fisk

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 108

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING the budget for the Public Works Department of the City of Springfield,
2 Missouri, for the fiscal year 2016-2017 in the amount of \$30,000,000, to
3 appropriate the estimated proceeds from the 1/4 Cent Capital
4 Improvement Sales Tax approved by the Springfield voters on April 5,
5 2016, to be used to fund the 1/4 Cent Sales Tax Capital Improvement
6 Program for 2016-2019.
7
8

9 WHEREAS, the 1/4 Cent Capital Improvement Sales Tax (Tax) was approved on
10 April 5, 2016, by a vote of the citizens of Springfield; and
11

12 WHEREAS, the funds from the Tax are designated for high priority capital
13 improvement projects and to facilitate the efforts to design and begin contract
14 negotiations it is necessary to appropriate the estimated proceeds generated by the tax.
15

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

19 Section 1 – The budget for the fiscal year 2016-2017 for the Department of
20 Public Works of the City of Springfield, is hereby amended in the accounts and in the
21 amounts as shown on Budget Adjustment No. 0049, a copy of which is attached hereto
22 and incorporated herein by reference as “Exhibit A.”
23

24 Section 2 – The Council finds that the budget adjustment made in Section 1
25 above has been recommended by the City Manager.
26

27 Section 3 – The City Manager is directed to cause the appropriate accounting
28 entries to be made in the books and records of the City.
29

30 Section 4 – This ordinance shall be in full force and effect from and after passage.
31

32 Passed at meeting: _____
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Mayor

Attest: _____, City Clerk

Filed as Ordinance _____

Approved as to form: Amanda R. Callaway, Assistant City Attorney

Approved for Council action: Greg Burns, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016-108

FILED: 05-10-16

ORIGINATING DEPARTMENT: Public Works

PURPOSE: To approve a budget adjustment amending the Fiscal Year 2016-2017 budget of the Department of Public Works, in the amount of \$30,000,000, to appropriate the estimated proceeds from the 1/4-Cent Capital Improvement Sales Tax approved by Springfield voters on April 5, 2016, to be used to fund the 1/4-Cent Sales Tax Capital Improvement Program for 2016-2019.

BACKGROUND: The 1/4-Cent Capital Improvement Sales Tax was originally approved by Springfield voters in 1989 and renewed in 1992, 1995, 1998, 2001, 2004, 2007, 2010, 2013, and 2016 with a three-year “sunset” provision that helps provide accountability to the citizens of Springfield. These projects have typically included street improvements/resurfacing, sidewalks, traffic signals/traffic calming, storm water projects, neighborhood programs, safety signs/markings, reforestation/landscaping, economic development and quality of life enhancement projects through shared funding, and other high-priority capital improvements. Seventeen (17) projects and programs are approved for the 1/4-Cent Capital Improvements Sales Tax Program for 2016-2019.

The proceeds from the 1/4-Cent Capital Improvement Sales Tax have been designated for high-priority capital improvement projects in the amount of \$30,000,000. To facilitate efforts to design and begin contract negotiations for these projects, it is necessary to appropriate the estimated proceeds to be generated by the tax. A budget adjustment in the amount of \$30,000,000 is included for this purpose. The 2016-2019 1/4-Cent Capital Improvement Sales Tax is projected to generate \$33,000,000, providing an estimated contingency reserve of \$3,000,000 that is not being budgeted with this Council bill.

Supports the following Field Guide 2030 goal(s): Chapter 3, Economic Development; Major Goal 3, Plan for and develop infrastructure needed for sustainable, quality growth; Objective 3a, Prioritize key infrastructure improvements needed to facilitate private investment. Chapter 8, Natural Environment; Major Goal 14, Ensure sustainable, adequate City and County stormwater funding for water quality protection and infrastructure management; Objective 14a, Stormwater Management Funding - Provide sustainable, adequate funding for City/County Stormwater management programs. Chapter 12, Transportation; Major Goal 2, Operations and Maintenance The City of Springfield should continue to maintain streets, sidewalks, trails, and the airport, using the most effective strategies to maximize the efficient operation of the existing systems, keeping in mind safety, accessibility, sustainability, and collaboration, Objective 2a,

Keep streets and sidewalks and trails in good condition with an emphasis on arterial streets.

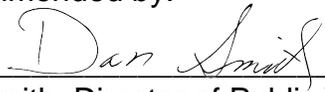
REMARKS: Public Works recommends approval of this Council bill and budget adjustment.

Submitted by:



Kirk Juranas, Assistant Director of Public Works

Recommended by:



Dan Smith, Director of Public Works

Approved by:



Greg Burris, City Manager

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit A

BA Number 0049

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
41090	20	73020	401510	000000	00000	30,000,000	Estimated 2016-2019 1/4-Cent Capital Improvement Sales Tax Revenues for voter approved projects
Net Revenue Adjustment						30,000,000	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
41090	20	73020	509110	000000	00000	30,000,000	2016-2019 1/4-Cent Capital Improvement Sales Tax Projects
Net Expenditure Adjustment						30,000,000	

Fund Balance Appropriation:

Fund	Title	Amount
		-

Explanation: To appropriate the estimated revenues of the 2016-2019 1/4-Cent Capital Improvement Sales Tax, approved by the Springfield voters on April 5, 2016, to be used to fund the 1/4-Cent Sales Tax Capital Improvement Program for 2016-2019.

Requested By:

 Dan Smith 5/10/16
Department Head Date

Approved By:

 Mary Mann O'Decker 5/10/16
Director of Finance Date

City Manager Date

Authorization:

Council Bill No. 2016-108
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____

One-rdg.. _____
P. Hrngs. _____
Pgs. 5
Filed: 05-10-16

Sponsored by: Schilling

First Reading: _____ Second Reading: _____

COUNCIL BILL NO. 2016- 109 SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING the budget for the Public Works Department of the City of Springfield,
2 Missouri, for fiscal year 2016-2017 in the amount of \$20,000,000, to
3 appropriate the estimated proceeds from the 1/8 Cent Transportation
4 Sales Tax approved by the Springfield voters on April 5, 2016, to be used
5 to fund the high priority transportation investments for 2017-2021.
6
7

8 WHEREAS, the 1/8 Cent Transportation Sales Tax (Tax) was approved on April
9 5, 2016, by a vote of the citizens of Springfield; and
10

11 WHEREAS, the funds from the Tax are designated for high priority transportation
12 projects and to facilitate the efforts to design and begin contract negotiations it is
13 necessary to appropriate the estimated proceeds generated by the tax.
14

15 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD,
16 MISSOURI, as follows, that:
17

18 Section 1 – The budget for the fiscal year 2016-2017 for the Public Works
19 Department of the City of Springfield, is hereby amended in the accounts and in the
20 amounts as shown on Budget Adjustment No. 0050, a copy of which is attached hereto
21 and incorporated herein by reference as “Exhibit A.”
22

23 Section 2 – The Council finds that the budget adjustment made in Section 1
24 above has been recommended by the City Manager.
25

26 Section 3 – The City Manager is directed to cause the appropriate accounting
27 entries to be made in the books and records of the City.
28

29 Section 4 – This ordinance shall be in full force and effect from and after passage.
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Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance _____

Approved as to form: Amanda R. Callaway, Assistant City Attorney

Approved for Council action: Greg Burt, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 109

FILED: 05-10-16

ORIGINATING DEPARTMENT: Public Works

PURPOSE: To approve a budget adjustment amending the Fiscal Year 2016-2017 budget of the Department of Public Works, in the amount of \$20,000,000, to appropriate the estimated proceeds from the 1/8-Cent Transportation Sales Tax approved by the Springfield voters on April 5, 2016, to be used to fund high-priority transportation investments for 2017-2021.

BACKGROUND: The 1/8-Cent Transportation Sales Tax was originally approved by Springfield voters in 1996 and renewed in 2000, 2004, 2008, 2012, and again in 2016 with a four-year "sunset" provision that helps provide accountability to the citizens of Springfield. These projects have typically included economic development and quality of life enhancement projects through shared funding, major street resurfacing and rehabilitation, traffic signal system improvements, turn lane and safety improvements, bridge repair/replacement, alternative transportation systems including bike routes, sidewalks, bus stops and rail crossing improvements, and other high-priority street and intersection improvement projects. Twelve (12) projects and programs are approved for the 1/8-Cent Transportation Sales Tax Program for 2017-2021.

The proceeds from the 1/8-Cent Transportation Sales Tax have been designated for high-priority transportation projects in the amount of \$20,000,000. To facilitate efforts to design and begin contract negotiations for these projects, it is necessary to appropriate the estimated proceeds to be generated by the tax. A budget adjustment in the amount of \$20,000,000 is included for this purpose. The 2017-2021 1/8-Cent Transportation Sales Tax is projected to generate \$22,500,000, providing an estimated contingency reserve of \$2,500,000 that is not being budgeted with this Council bill.

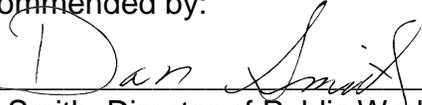
Supports the following Field Guide 2030 goal(s): Chapter 12, Transportation; Major Goal 1, Transportation Advocacy and Needs Assessment, Objective 1e, The City of Springfield will identify and work with responsible entities to develop public support and approval for a specific set of regional and local transportation priorities and (a) funding mechanism(s) to supplement (and not supplant) funding for priorities to be implemented with current and forecasted federal, state, regional, and local funding. Possible funding mechanisms that should be explored include expansion of the 1/8-Cent Transportation Sales Tax to all of Greene County or establishment of a regional transportation taxing district for the entire OTO metropolitan planning area. Major Goal 2, Operations and Maintenance, Objective 2a, Keep streets and sidewalks and trails in good condition with an emphasis on arterial streets.

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

Submitted by:


Kirk Juranas, Assistant Director of Public Works

Recommended by:


Dan Smith, Director of Public Works

Approved by:


Greg Burris, City Manager

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit A

BA Number 0050

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
40059	20	73020	401510	000000	00000	20,000,000	Estimated 2017-2021 1/8-Cent Transportation Sales Tax Revenues for voter approved projects
Net Revenue Adjustment						20,000,000	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
40059	20	73020	509110	000000	00000	20,000,000	2017-2021 1/8-Cent Transportation Sales Tax Projects
Net Expenditure Adjustment						20,000,000	

Fund Balance Appropriation:

Fund	Title	Amount
		-

Explanation: To appropriate the estimated revenues of the 2017-2021 1/8-Cent Transportation Sales Tax, approved by the Springfield voters on April 5, 2016, to be used to fund high-priority transportation projects for 2017-2021.

Requested By:

 Dan Smith 5-10-16
Department Head Date

Approved By:

 Mary Mann Dacker 5-10-16
Director of Finance Date

City Manager Date

Authorization:

Council Bill No. 2016-109
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____

One-rdg. _____
P. Hrngs. _____
Pgs. 5
Filed 5-10-16

Sponsored by: Ferguson

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016 - 110

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 APPROVING the sale of real property at 1731 North Clay Avenue to John Oke-
2 Thomas for the amount of \$11,700 and authorizing the issuance of a
3 deed for same.
4
5

6 WHEREAS, the City acquired the real property at 1731 North Clay Avenue for
7 \$8,570.50 and put it out for public bid; and
8

9 WHEREAS, John Oke-Thomas has offered to buy the property for \$11,700, an
10 offer the City Manager considers acceptable; and
11

12 WHEREAS, disposition of real property calls for City Council approval; and
13

14 WHEREAS, the City Council is committed to using all available funds, wherever
15 possible, to add to the Police-Fire Pension Fund.
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 City Council hereby approves the sale of the real estate located
21 at 1731 North Clay Avenue and depicted on "Exhibit A," to John Oke-Thomas for the
22 price and sum of \$11,700.
23

24 Section 2 - The City Council hereby authorizes the Mayor to execute such
25 documents as are necessary to convey title to the real estate to the purchaser herein
26 consistent with the offer and acceptance.
27

28 Section 3 - The budget of the Department of Building Development Services for
29 Fiscal Year 2015-2016 is hereby amended in the accounts and in the amounts as
30 shown on Budget Adjustment No. 0046, a copy of which is attached hereto and
31 incorporated herein by reference as "Exhibit B."
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33 Section 4 - The City Council hereby finds that the budget adjustment made
34 above has been recommended by the City Manager.

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Section 5 - The City Manager is directed to cause the appropriate accounting entries to be made in the books and records of the City.

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: *Duke McDonald*, Assistant City Attorney

Approved for Council Action: *Greg Burt* City Manager

EXPLANATION TO COUNCIL BILL NO. 2016 - 110

FILED: 5-10-16

ORIGINATING DEPARTMENT: City Manager's Office

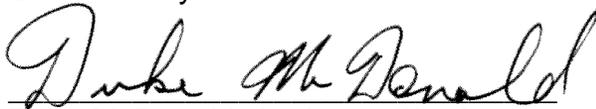
PURPOSE: To direct the City Manager, or his designee, to accept a \$11,700 bid from John Oke-Thomas to buy real property at 1731 North Clay Avenue and to authorize the Mayor, or his designee, to execute necessary documents to convey title to the property.

BACKGROUND INFORMATION: The City acquired the property for \$8,570.50 and, after putting it out for public bid, received the bid noted above. No city department needs the property and it does not have a public purpose. A real-estate conveyance requires City Council's approval. Net proceeds from the sale of the properties will be returned to the fund from which the property was purchased, up to the amount of the purchase price. The City Council has stated its intent to put any additional unrestricted proceeds from property sales into the Police-Fire Pension Fund.

The budget of the City for the Fiscal Year 2015-2016 is amended in the accounts and the amounts shown on the attached Budget Adjustment No. 0046, and labeled "Exhibit B."

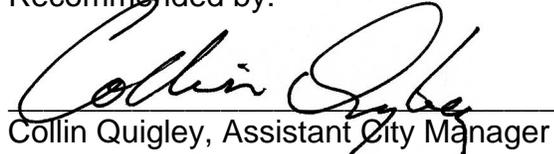
REMARKS: The above council bill originated with the Land Inventory Committee. Under "Administrative Memorandum #5D," the committee has declared the above property to be surplus.

Submitted by:



Duke McDonald, Assistant City Attorney

Recommended by:



Collin Quigley, Assistant City Manager

Approved by:



Greg Burris, City Manager



1731 N Clay Ave
City of Springfield, Missouri

Exhibit A

May 6, 2016

4 of 5



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

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CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit B

BA Number 0046

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
70710	09	14260	406170	000000	00000	3,129.50	Net proceeds of sale to Police and Fire Pension Fund
Net Revenue Adjustment						3,129.50	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
70710	09	14260	500240	000000	00000	3,129.50	Net proceeds of sale to Police and Fire Pension Fund
Net Expenditure Adjustment						3,129.50	

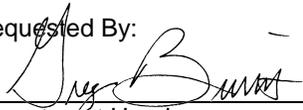
Fund Balance Appropriation:

Fund	Title	Amount

Explanation:

To appropriate net proceeds from the sale of property at 1731 North Clay to the Police and Fire Pension Fund.

Requested By:

 5/10/16
Department Head Date

Approved By:

 5/10/16
Director of Finance Date

Authorization:

Council Bill No. 2016-110
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____

City Manager _____ Date

One-rdg. _____
P. Hrngs. _____
Pgs. 5
Filed 5-10-16

Sponsored by: Ferguson

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016 - 111

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 APPROVING the sale of real property at 1735 North Clay Avenue to John Oke-
2 Thomas in the amount of \$11,700 and authorizing the issuance of a
3 deed for same.
4
5

6 WHEREAS, the City acquired the real property at 1735 North Clay Avenue for
7 \$8,570.50 and put it out for public bid; and
8

9 WHEREAS, John Oke-Thomas has offered to buy the property for \$11,700, an
10 offer the City Manager considers acceptable; and
11

12 WHEREAS, disposition of real property calls for City Council approval; and
13

14 WHEREAS, the City Council is committed to using all available funds, when ever
15 possible, to add to the Police-Fire Pension Fund.
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 City Council hereby approves the sale of the real estate property
21 located at 1735 North Clay Avenue as depicted on "Exhibit A," to John Oke-Thomas for
22 the price and sum of \$11,700.
23

24 Section 2 - The City Council hereby authorizes the Mayor to execute such
25 documents as are necessary to convey title to the real estate to the purchaser herein
26 consistent with the offer and acceptance.
27

28 Section 3 - The budget of the Department of Building Development Services for
29 Fiscal Year 2015-2016 is hereby amended in the accounts and in the amounts as
30 shown on Budget Adjustment No. 0047, a copy of which is attached hereto and
31 incorporated herein by reference as "Exhibit B."
32

33 Section 4 - The City Council hereby finds that the budget adjustment made
34 above has been recommended by the City Manager.

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Section 5 - The City Manager is directed to cause the appropriate accounting entries to be made in the books and records of the City.

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: Duke McDonald, Assistant City Attorney

Approved for Council Action: Greg Burt City Manager

EXPLANATION TO COUNCIL BILL NO. 2016 - 111

FILED: 5-10-16

ORIGINATING DEPARTMENT: City Manager's Office

PURPOSE: To direct the City Manager, or his designee, to accept a \$11,700 bid from John Oke-Thomas to buy real property at 1735 North Clay Avenue and to authorize the Mayor, or his designee, to execute necessary documents to convey title to the property.

BACKGROUND INFORMATION: The City acquired the property for \$8,570.50 and, after putting it out for public bid, received the bid noted above. No city department needs the property and it does not have a public purpose. A real-estate conveyance requires City Council's approval. Net proceeds from the sale of the properties will be returned to the fund from which each property was purchased, up to the amount of the purchase price. The City Council has stated its intent to put any additional unrestricted proceeds from property sales into the Police-Fire Pension Fund.

The budget of the City for the Fiscal Year 2015-2016 is amended in the accounts and the amounts shown on the attached Budget Adjustment No. 0047 and labeled "Exhibit B."

REMARKS: The above council bill originated with the Land Inventory Committee. Under "Administrative Memorandum #5D," the committee has declared the above property to be surplus.

Submitted by:



Duke McDonald, Assistant City Attorney

Recommended by:



Collin Quigley, Assistant City Manager

Approved by:



Greg Burris, City Manager



1735 N Clay Ave
City of Springfield, Missouri

Exhibit A
May 6, 2016



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0 25 50 100 Feet

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit B

BA Number 0047

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
70710	09	14260	406170	000000	00000	3,129.50	Net proceeds of sale to Police and Fire Pension Fund
Net Revenue Adjustment						3,129.50	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
70710	09	14260	500240	000000	00000	3,129.50	Net proceeds of sale to Police and Fire Pension Fund
Net Expenditure Adjustment						3,129.50	

Fund Balance Appropriation:

Fund	Title	Amount

Explanation:

To appropriate net proceeds from the sale of property at 1731 North Clay to the Police and Fire Pension Fund.

Requested By:

Duke McDonald 5/10/16
Department Head Date

Approved By:

Mary Mann Dacker 5/10/16
Director of Finance Date

Authorization:

Council Bill No. 2016-111
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____

City Manager Date

One-rdg. _____
P. Hrngs. _____
Pgs. 4
Filed 5-10-16

Sponsored by: Fulnecky

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016 - 112

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 APPROVING the sale of real property at 812 North Concord Avenue to Robert J.
2 Rigsby for \$1,500 and authorizing the issuance of a deed for same.
3
4

5 WHEREAS, the City acquired the real property at 812 North Concord Avenue for
6 \$6,590.91 and put it out for public bid; and
7

8 WHEREAS, Robert J. Rigsby has offered to buy the property for \$1,500, an offer
9 the City Manager considers acceptable; and
10

11 WHEREAS, disposition of real property calls for City Council approval.
12

13 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
14 SPRINGFIELD, MISSOURI, as follows, that:
15

16 Section 1 - The City Council hereby approves the sale of the real estate located
17 at 812 North Concord Avenue and depicted on "Exhibit A," to Robert J. Rigsby for the
18 price and sum of \$1,500.
19

20 Section 2 - The City Council hereby authorizes the Mayor to execute such
21 documents as are necessary to convey title to the real estate to the purchaser herein
22 consistent with the offer and acceptance.
23

24 Section 3 - The City Manager is directed to cause the appropriate accounting
25 entries to be made in the books and records of the City.
26

27 Section 4 - This ordinance shall be in full force and effect from and after passage.
28
29

30 Passed at meeting: _____
31
32

33 _____
34 Mayor

35 Attest: _____, City Clerk

36
37

38 Filed as Ordinance: _____

39
40

41 Approved as to form: *Duke McDonald*, Assistant City Attorney

42
43

44 Approved for Council Action: *Greg Burt* City Manager

EXPLANATION TO COUNCIL BILL NO. 2016 - 112

FILED: 5-10-16

ORIGINATING DEPARTMENT: City Manager's Office

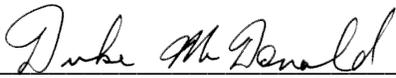
PURPOSE: To direct the City Manager, or his designee, to accept a \$1500 bid from Robert J. Rigsby to buy real property at 812 North Concord Avenue and to authorize the Mayor, or his designee, to execute necessary documents to convey title to the property.

BACKGROUND INFORMATION: The City acquired the property for \$6,590.91 due to demolition costs, recording fees, collection costs associated with court proceedings, and other costs. The City put the property out for public bid three previous times. The City received the bid noted above on this, the fourth bid round. No city department needs the property and it does not have a public purpose. It makes sense to sell the property to relieve the city of maintenance costs.

A real-estate conveyance requires City Council's approval. Net proceeds from the sale of the properties will be returned to the fund from which each property was purchased.

REMARKS: The above council bill originated with the Land Inventory Committee. Under "Administrative Memorandum #5D," the committee has declared the above property to be surplus.

Submitted by:



Duke McDonald, Assistant City Attorney

Recommended by:

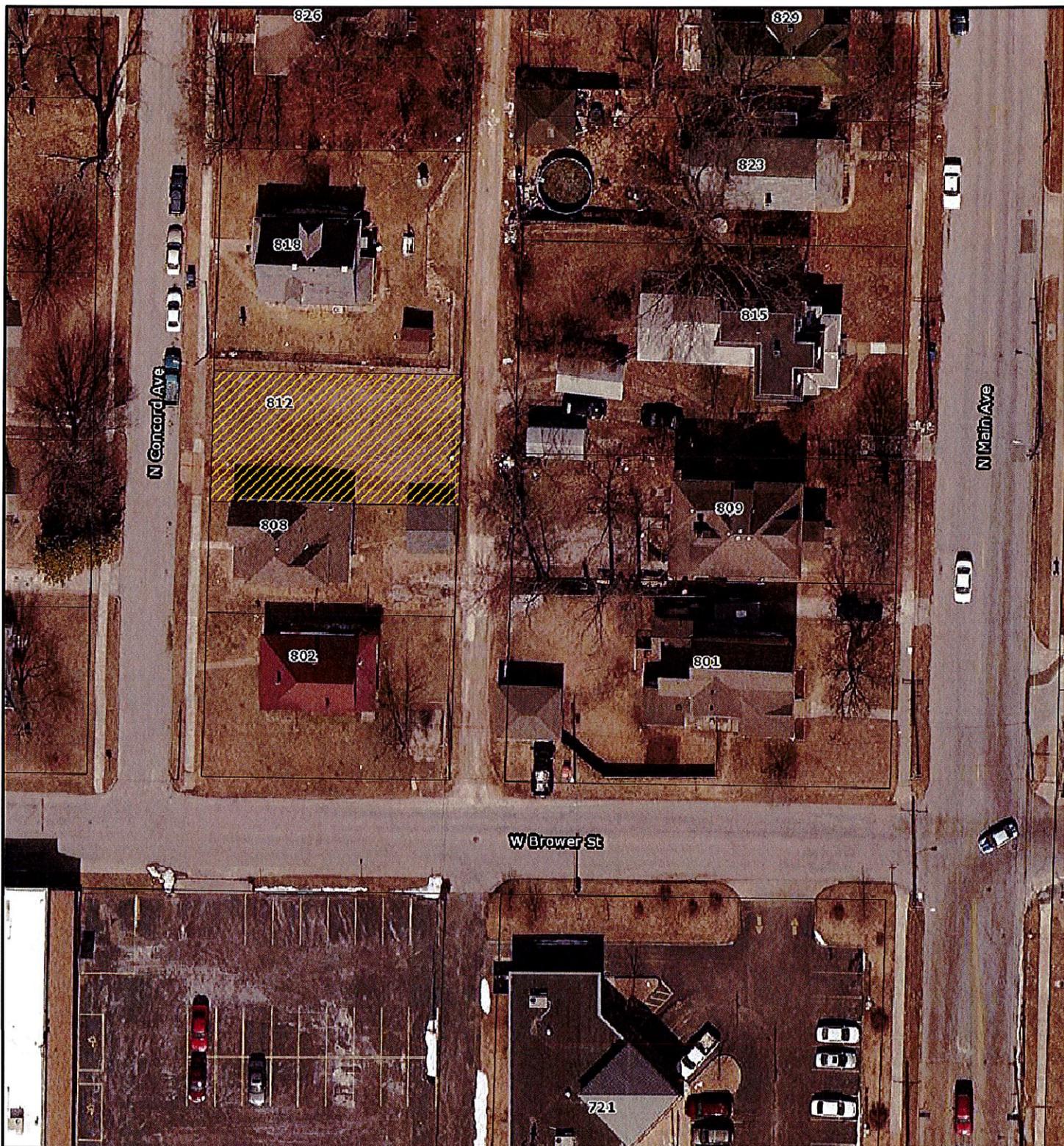


Collin Quigley, Assistant City Manager

Approved by:



Greg Burris, City Manager



City of Springfield, Missouri

Exhibit A

812 N. Concord Ave.



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