

**ATTACHMENT 3  
RECOMMENDATION TO THE CITY COUNCIL  
Before the Planning Commission  
Of the  
City of Springfield**

**REQUEST TO AMEND THE SPRINGFIELD  
DEVELOPMENT CODE ]**

**RECOMMENDATION TO  
THE CITY COUNCIL**

**NATURE OF THE APPLICATION**

The proposed Springfield Development Code (SDC) Amendments apply to Section 5.13-100 Master Plans; Section 3.3-200 Drinking Water Protection (DWP) Overlay District; and various sections to correct Scrivener's errors created with the adoption of the reformatted SDC as listed in the attached staff report.

The proposed Master Plan amendments address staff's concerns regarding the current Master Plan review process by: better defining this process which allows long term phasing of development proposals; requiring an initial Type II rather than a Type III review procedure for smaller development proposals or those proposals which limit impacts on adjacent properties and infrastructure – the Development Services Director has the authority to raise any Type II review application to a Type III; requiring a neighborhood meeting hosted by the applicant to inform the neighbors of the applicant's proposal prior to formal application submittal; assuring application completeness by requiring a Pre-Submittal Meeting prior to formal application submittal; requiring specific Preliminary and Final Master Plan review processes; and redefining the categories of the Master Plan Modification process. The proposed amendments to the DWP Overlay District, due to updated Fire regulations, were proposed jointly by the City's Fire and Life Safety Department and the Springfield Utility Board. The proposed amendment of Scrivener's errors is the second, and hopefully last, SDC amendment of this type regarding the SDC reformatting process adopted last year.

1. The above referenced application has been accepted as complete.
2. The application was initiated and submitted in accordance with Section 5.4-105. Timely and sufficient notice of the public hearing, pursuant to Section 5.2-115, has been provided.
3. On September 16, 2008 the Planning Commission held a work session regarding the proposed SDC amendments.
4. On October 7, 2008 the Planning Commission held a public hearing regarding the proposed amendments. Two persons testified regarding the proposed Master Plan SDC amendments. No persons testified regarding the proposed Drinking Water Protection Overlay District or Scrivener's errors amendments. The Planning Commission continued the public hearing until December 2, 2008
5. On December 2, 2008 the Planning Commission reconvened the public hearing. The Development Services Department staff notes and recommendation together with the oral testimony and written submittals of the persons testifying at that hearing have been considered and are part of the record of this proceeding.

**CONCLUSION**

On the basis of this record, the proposed amendments are consistent with the criteria of SDC Section 5.6-115. This general finding is supported by the specific findings of fact and conclusion in the Staff Report and Findings.

**RECOMMENDATION**

The Planning Commission hereby recommends to the City Council to approve the request as recommended herein, CASE NUMBER LRP 2008-00011, at their February 17, 2009 meeting.

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Planning Commission Chairperson

ATTEST:  
AYES:  
NOES:  
ABSTAIN: