



Springfield Land Clearance for Redevelopment Authority

**Tuesday, May 1, 2018 at 4:00 PM
Conference Room 2-West, Busch Municipal Building**

Minutes

1. Call to Order
2. Roll Call

Present: Ryan Cosby, Allen Grymes, Steve Jackson, Dan Scott and Ron Tappan

Absent: None

Others Present: None

Staff: Sarah Kerner, Matt Schaefer, Bill Weaver, Judy White, Olivia Hough and Tom Rykowski

3. Approval of Minutes

Ron Tappan made a motion to approve the minutes from April 3, 2018. Allen Grymes seconded the motion. Motion approved (5-0)

4. New Business

Blight Report and Redevelopment Plan for the Kearney Street Corridor Redevelopment Area, generally located along Kansas Street between North Kansas Expressway and North Glenstone Avenue. Resolution No. 2018-3248

Staff presented overview of proposed Plan. Discussion occurred regarding the design guidelines mentioned in the Redevelopment Plan. Dan Scott raised a question about whether Chapter 99 allows us to establish design guidelines.

Tom Rykowski replied that yes, that you can have design requirements in Chapter 99, it has a lot of leeway on what you want to have required to get incentives.

Dan Scott raised a question about whether Chapter 99 projects can have a but-for requirement.

Sarah Kerner stated that the Workable Program addressed “but for” and is required to be included in all future redevelopment plans which then governs projects coming forward for abatement unless City Council approves an exception. She further explained that when projects come forward there are 2



requirements they must meet. 1) They must have a blight designation on the area and 2) they must comply with the adopted Redevelopment Plan that Council has control over.

Olivia Hough stated that the neighborhood residents/homeowners requested the design guidelines be included in the plan. The plan also has excluded uses for receiving incentives which was also a strong request from the residents/homeowners.

Dan Scott replied that he understands the perspective of the neighborhood but that doesn't mean that this body has the right to restrict design guidelines. If you want to restrict zoning uses than that is for the Planning and Zoning Commission.

Sarah Kerner replied that Chapter 99 specifically requires a land use plan to be included in the redevelopment plan. This may be an issue to resolved with a legal memo.

Steve Jackson asked about the boundary line to the east of Glenstone. If Walmart wants to do a facelift, does it quality for abatement since they are within a blighted area?

Matt Schaefer replied yes. The could potentially submit an application and they are making new improvements that conform with the redevelopment plan. The abatement would only be on the value of the new improvements.

Dan Scott asked why does this have to go to Council? Thought LCRA established with the authority to establish policy itself without going back to Council.

Sarah Kerner replied that LCRA grants all the actual abatements. All the projects that come forward will only come to LCRA for approval once the Redevelopment Plan is approved by City Council. LCRA is deciding whether the proposed project complies with the adopted plan.

Tom Rykowski asked to summarize Commissioner Scott's confusion by stating that Commissioner Scott believe that the detail of the plan exceeds the scope of the statutory allowance.

Dan Scott confirmed Tom's summarization. He does not believe LCRA has the right to become an architectural control, referring to Casey vs Kansas City legal decision.

There was discussion about possible amendments to the design requirements in the Plan but no motion was made. Olivia Hough confirmed that the design guidelines were included in the Plan based on the neighborhood feedback.



A discussion was held about the goals of the Kearney Street Redevelopment Plan - whether the intent is to incentivize higher quality developments or any development at all.

Tom Rykowski stated that Chapter 99 lacks a lot of case law interpretation. Is the concern the extent of our control beyond those little things, we are probably ok with what we have done but in difference to the concerns I will research the cases and statues. Since Chapter 99 is wide open we have a lot of latitude with the redevelopment plans. LCRA has a couple of options: 1) call a vote as is 2) Table and Law to provide legal memo on Chapter 99.

Steve Jackson stated that he would like to see what Law has to say on the issue of design requirements in Chapter 99 Redevelopment Plans before going forward. Is there any timing reason that the Board should not table the matter?

Sarah Kerner stated no

Allen Grymes raised a question about the excluded uses.

Matt Schaefer stated that the plan is not taking away any property rights. Anyone is free to bring any of the excluded uses to the area but they would not get abatement. The community is not providing a financial incentive for that type of development.

Dan Scott raised a question about if the Workable Program ordinance, and Staff responded that they would look into the question.

Dan Scott made a motion to table the Blight Report and Redevelopment Plan for the Kearney Street Corridor Redevelopment Area to the June 4, 2018 meeting. Allen Grymes seconded the motion. Motion approved (5-0)

5. Other Business

6. Adjourn