

## **MINUTES OF THE PLANNING AND ZONING COMMISSION**

**DATE: August 9, 2012**

**TIME: 6:30 pm**

The regular meeting and public hearing of the Planning and Zoning Commission was held on the above date and time in City Council Chambers, third floor of City Hall with the following members and staff in attendance: Matt Edwards, (Vice-Chair); Jay McClelland, Jim Hansen, Phil Young, Tom Baird, King Coltrin, Gloria Roling; Michael MacPherson, Principal City Planner; Mary Lilly Smith, Economic Development Director, Thomas Rykowski, City Attorney; Errin Kemper, Public Works, Dawn Gardner, Traffic Division; Judy White, Executive Secretary. Absent: Lawhon and Ray.

### **ROLL CALL:**

### **APPROVAL OF MINUTES:**

The minutes of July 12, 2012, of the Planning and Zoning Commission were approved unanimously.

### **COMMUNICATIONS:**

Mr. MacPherson stated that the applicant for Relinquish Easement 783, Consent Item Number 1 on the agenda, has requested the item be tabled until August 23, 2012. They have several issues they are working out and they are not ready to proceed.

### **CONSENT ITEMS**

1. **Relinquish Easement 783**  
(2640 West Republic Road)

**Jeknie, LLC**

### **OTHER PUBLIC HEARINGS:**

Preliminary Plats:

2. **Cottages at All Saints**  
(2701 and 2751 East Galloway)

**All Saints Anglican Church**

Mr. Baird recused himself from the hearing.

Mr. MacPherson stated the purpose of the application is to approve a preliminary plat to subdivide 17.05 acres into a fourteen (14) lot subdivision with common area.

The applicant is proposing a fourteen (14) lot subdivision with private streets, common area and a gate at the end of the Inman Street turnaround. The applicant will dedicate and construct two (2) new public hammerhead turnarounds at Inman and Sequiota Streets. The applicant intends use the property for a church, private school and residential subdivision, which are all permitted uses in the R-SF, Single-Family Residential District. The applicant has already begun construction of a new church on Lot 1 along Galloway Street which is considered a lot of record. Currently there is a house on Lot 2 that is being used and that particular lot will eventually be used as a school for the church and the remaining twelve (12) lots, which are residential lots, will be part marketed toward parishioners of the Parish.

The applicant is proposing a large common area (approximately 8.26 acres) that will encompass the private street, stormwater detention area, which Mr. MacPherson pointed out on the map, and an area that does not have access to sanitary sewer and will be designated as a "no build" area. The subdivision will be served by private streets (All Saints Lane and Inman Street) that will be dedicated within common area. All common areas will be maintained by the established property owners association.

The applicant is proposing a phasing plan that will allow Lots 2-14 to be platted, first, and Lot 1, second.

If Planning and Zoning Commission approves the preliminary plat, 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.

As mentioned in Stormwater comments, a complaint has been received from the downstream property regarding the detention basin outlet structure location. The plans were approved since the site demonstrated that the basin would outlet into an existing natural watercourse with a watershed of approximately seventy-five (75) acres. A meeting will be held onsite between the downstream property owner, the City, and the designer to review the design and to determine what course of action shall be followed.

The applicant has submitted two letters (Exhibit B) that were exchanged between the church and the neighborhood to explain their reasoning behind providing a gated entrance/exit at the end of the Inman turnaround. The proposed gate must meet all requirements of the Zoning Ordinance including a knox box for emergency access.

Mr. MacPherson stated that staff findings are that the applicant's proposal is consistent with the City's Subdivision Regulations. The applicant is proposing a private street system and will have the connection to Inman Street gated. The applicant is proposing to final plat Lots 2-14 in the beginning and later Lot 1 as described on their phasing plan. The applicant is proposing a large common area (approximately 8.26 acres) that will encompass the private street, stormwater detention area, and an area that does not have access to sanitary sewer. These common areas will be maintained by the established property owners association. With those conditions, staff is recommending approval of the preliminary plat.

Mr. Edwards opened the public hearing.

Mr. Rick Wilson, Wilson Surveying, 2002 S Stewart, Springfield, stated he is representing All Saints Anglican Church who is the applicant. Mr. Wilson stated that the preliminary plat meets all the requirements of the subdivision regulations and commented he would answer any questions.

Mr. Hansen asked Mr. Wilson if the gate on Inman Street would be permanently closed except for the knox

box.

Mr. Wilson stated it would have a Knox box or a key pad acceptable to the fire department for emergency services only. It is there in response to the neighbors living on Inman, who have been complaining about the amount of traffic they had on Sunday mornings, stating they don't need it as they can service it all by a private street. The ownership of the street will be retained by the Church and they will be the administrator.

Mr. Bart Huscher, 3417 South Lone Pine, Springfield stated that he is the neighbor to the east of this property and he has some concerns. His main concern is what they are doing with the stormwater, and stated he has met with Mr. Wilson as well as the City Engineer twice who state they are willing to do something but so far there has not been anything specific forthcoming. Mr. Huscher stated there is a two (2) foot pipe that dumps directly onto his property and is twenty (20) feet from his property line, adding he has consulted with an engineer who has done stormwater work for Wal-Mart, who told Mr. Huscher there is no way that the City would allow that if his property was city property. Mr. Huscher is concerned about it meeting the City code or requirements because the City Engineer told him that the pipe that is there is supposed to be eighteen (18) inches and is currently two (2) feet. The end of the outlet is less than twenty (20) feet from his property line and believes they would need to have more room than that to reduce the velocity of a two foot diameter pipe coming right at him. They have also changed the natural waterway that comes down along the back of his property so they have forced all the water from their property onto his property. You cannot see it from the map, but there was a pond back there where now they have built stormwater detention so they now have a big berm that is forcing all the water onto his property. Mr. Huscher said he is not against the church or the development of the property but his concern is that the change of the water flow will create problems on his property and would like the issue addressed before this is allowed to continue. They are also taking water that is downstream from him that is beyond his property line that is being brought back to him and dumped in the middle of his property. He referred to the map showing where their stormwater is located, pointing out where his property line is located and stated you can see at the end of their berm where they are taking water from back there and dumping it back on to him. Mr. Huscher believes that it will cause flooding on his property. He expressed concern about the buildable size of the lot and the size of the proposed homes.

Mr. Hansen asked Mr. Huscher if his lot is fairly steep.

Mr. Huscher said no it is flat, the steepness is on their side, pointing out his commercial building and his residence on the map. Mr. Huscher said he is trying to be cooperative as he let Mr. Wilson's surveying crew on his property to look at what is going on and Mr. Wilson has said that the church is willing to do something and Mr. Huscher will take him at his word, but feels that if the request is approved, he will have no leverage other than to take legal action and he does not want to do that, so his request is to table the proposal till there is some resolution to the stormwater.

Mr. Wilson commented that this is a preliminary plat and they have done more design at this stage than he has done in a subdivision before. Ordinarily it is bare ground and they would be starting after Commission approval and would be starting to do the engineering design. They have done a lot of engineering design on the site. The large pipe that Mr. Huscher referred to is there. It is aimed at his property which the channel runs across his property. It is also necked down controlling structures on the inside of the detention pond to where it will run only about half full. The principal behind using the larger than required pipe is that it allows the water to decelerate rather than being compressed and pushed out which allows it to flow more naturally by gravity. They have done the survey's and are analyzing them and the engineer, as soon as he

competes the project he is on now which will be in a couple of days, will be doing a new analysis of the channel on the Huscher property. The church has made a commitment that if they need to make a change to mitigate any situation on the Huscher property they will do so. They will be doing some plantings on the backside of the detention pond to help the visibility issue that he has because they have removed some trees. They are not through, this is just the first step, this is preliminary, this is not a construction document, they cannot sell any lots off of it, but it does allow them to move forward with the design of the subdivision and to work on the Huscher issue.

Mr. Hansen asked Mr. Wilson what the elevation difference is between the proposed detention area and the Huscher property.

Mr. Wilson stated that at Mr. Huscher's property line, the top of the berm may be six (6) feet higher than at the property line.

Mr. Hansen asked about the flow line, the flood line where ever the water is coming from.

Mr. Wilson stated that where they are discharging is eight (8) to ten (10) feet from the flow line of the channel that runs through his property.

Mr. Hansen asked what the head is on the basin, how far it would fall from the floor of the detention basin to his property or even at the end of the property.

Mr. Wilson stated there is about a two (2) percent grade from the where the intake puts it into the pipe to where the channel is and it is approximately forty (40) feet, less than a foot of difference from where the water would begin to where the water would end. The big challenge on this existing channel is that there is almost seventy-five (75) acres of developed land upstream that comes down that needs to be conveyed through the property. They are willing to work with Mr. Huscher to find a solution, they have dialog now and hopes that they can work together. The church representatives have expressed a desire to help resolve the issue and they do understand his concern and believe a cooperative solution can be attained.

Mr. Hansen commented that the seventy-five acres of developed land flows across the applicant's property.

Mr. Wilson stated that it starts collecting at Battlefield and comes down through all the subdivisions. There are a couple of detention ponds above them, but they are designed to an older standard, not as effective, so there is a lot of water to convey through our property. Where it comes on to our property is a 4 x 6 box culvert and it does run full, so there is a lot of water that comes down through the area. What they have tried to do to mitigate this with the detention pond is that we analyzed and calculated that there was roughly seventy-six (76) cubic feet per second that would come off the property undeveloped. We will discharge at about thirty-eight (38) cubic feet per second, so we have a big pipe and there will be some larger flows in big heavy events, but we have tried to throttle it down to where we are actually giving him less water per second than he would get if we weren't there.

Mr. Hansen asked where the water is flowing now.

Mr. Wilson stated through the channel.

Mr. Hansen asked if there was a reason they couldn't discharge the detention into the original channel.

Mr. Wilson stated that they are attempting to, now that they have dialog with Mr. Huscher and they can get on his property, they plan to do some modifications and help the situation.

Mr. Young asked why it was redirected from the original flow path if it was going more toward the south then it looks like you directed it more toward the east, is that correct.

Mr. Wilson stated they directed it at the existing channel which is to the east of them at this point. With the way we evaluated the contours and the flows in the existing conditions we felt this was the best opportunity to have the water leave their site at the same location or near the same location as it leaves it now.

Mr. Edwards closed the public hearing.

Mr. Hansen asked Mr. MacPherson what assurance Mr. Huscher can have that the stormwater issue in relation to his property will be resolved to his satisfaction.

Mr. MacPherson deferred the question to Mr. Kemper, but stated that the issues of stormwater detention have to be addressed prior to building permits being issued and at the final platting stage. This is a plan, and the plan will be amended; water cannot be discharged to any more than the historical rate.

Mr. Kemper stated he is at somewhat of a disadvantage because he is not the review engineer that reviewed the project, but said they did sit down and discuss the project to some length a couple of days ago. As Mr. MacPherson stated, anything that gets constructed and approved here in the City of Springfield has to meet the current detention ordinance so they are not allowed to release any flow rates larger than is what is being released on the current site and secondly, they have to provide water quality benefits and so it is his understanding from Mr. Wilson that they have reduced peak flow rates over what you see on the site as it stands. So based on their review and the engineering plans the applicant has submitted they appear to meet the minimum requirements for a public improvement.

Mr. Hansen commented that the amount of the flow has reduced, but they have redirected it, so Mr. Huscher is concerned that no matter how much or how little their discharging it is discharging onto him now where it did not before.

Mr. Kemper stated that it is his understanding that it has always discharged onto Mr. Huscher's property; it sounds like that they have tried to discharge it in the lowest spot closest to where it was originally discharging to. What the City requires them to do is bring all the discharges at the same or smaller rate into the nearest easement or certified waterway so they have taken the water off of their property and brought it into the adjacent channel that runs from north to south as the certified waterway. That is where the other seventy-five acres drains through and to some extent this drains into the side of that. Mr. Kemper stated he believes there is possibly some leeway to discharge at different locations and maybe spread out the flow, but stated he is not familiar with the technicalities of the design.

Mr. Young motioned to **approve** the Preliminary Plat, Cottages at All Saints. Mr. Coltrin **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, McClelland, Hansen, Roling, Coltrin and Young. Nays: None. Abstain: Baird. Absent: Lawhon and Ray.

## **ZONING TEXT AMENDMENTS:**

### **3. Temporary Vendor Amendments** (City-Wide)

**City of Springfield**

Mr. MacPherson commented that several years ago the then chair-man of the Commission asked and assigned a committee to look into potential areas where, in lieu of the economic situation, we might be able to expand the Zoning Ordinance to create business opportunities. Some of the things that were discussed in those planning sessions outside the Commission meetings included internet sales, expansion of home occupations, and of course what might be done with temporary vendors and temporary uses. This particular ordinance under consideration is the result of those meetings and discussions with Planning and Business Development Services and with members of the Commission several years ago. City Council approved a resolution on August 22, 2011, to initiate amendments to the Zoning Ordinance regarding the locations and standards for temporary vendors. Staff proposed amendments to the Temporary Vendor subsection of the Zoning Ordinance (Attachment A) to Planning and Zoning Commission on May 3, 2012. While there were some members of the public that opposed parts of the proposed language, the Planning and Zoning Commission voted unanimously (8-0) to recommend approval of the amendments to City Council. City Council held a public hearing on the proposed Temporary Vendor Amendments on May 21<sup>st</sup>, in which, one member of the public spoke in favor of the amendments and the public hearing was closed. Prior to the final action, Councilman Bieker requested the ordinance be removed from the agenda and has added and removed language from the original amendments. Councilman Bieker is requesting Planning and Zoning Commission and City Council to review the substitute language (Attachment B). The substitute Temporary Vendor amendments allows vendors in additional commercial and industrial districts; however, excludes an area bounded by Mill Street on the north, Elm Street on the south, Market Street on the west and Kimbrough Street on the east. This area is majority of the downtown area (see Attachment C). Another difference proposed in the substitute amendments gives clarification to the requirement for restroom facilities within five hundred (500) feet of a vendor site. The language has been clarified to reflect that the required restroom facilities are for vendor employees only and not for the general public's use. Lastly, the substitute amendments add a requirement for the vendor to provide a trash container and empty it daily. Otherwise, all text from the amendments proposed originally have been retained.

Mr. MacPherson stated that tonight we are not asking you to revisit section A; it is merely there as a refresher, but rather to rule on the amendments that have been highlighted and, whether you want to change any or all those and add those to the proposed bill.

Mr. Hansen stated just for clarification, what Commission is voting on here is the amendment to the amendment.

Mr. MacPherson stated yes. It was sent back to Commission because the City Attorney felt the exclusion amendment was a substantial change in what was proposed and when there is a substantial change, it has to be remanded back to the Planning and Zoning Commission.

Mr. Edwards asked Mr. MacPherson to review the three items just to be clear on what the amendments are and added that Commission can choose to accept all of them, part of them or none of them, asking if that is correct.

Mr. MacPherson stated he will highlight them so Commission will understand what they are considering.

#1. A trash receptacle must be on the vendor site.

#2. There is a clarification in the ordinance that says that the restroom facility that must be provided is for the vendor, not the customer, for sanitary reasons.

#3. A request to exclude that part of Center City that is highlighted on the site map. (Excludes an area bounded by Mill Street on the north, Elm Street on the south, Market Street on the west and Kimbrough Street on the east. This area is majority of the downtown area)

Mr. Jeff Bear, 700 E Walnut, Springfield, stated he has some concerns about this. He owns the Street Vending Company downtown, the Hotdog Carts and there are some differences between them and temporary vendors. We do not have a fair playing field against some of these people; there are no distance requirements between them and other vendors at this point because of the private property and sidewalks. They are allowed to come downtown now, but he is not allowed to come up town as a sidewalk street vendor. The appearance of the vehicles if they are in the inner city some of the ways they can look when Walnut Street is held to a higher standard under some of the requirements they are allowed to have. These vendors can show up and set up anything on any private property. Mr. Bear expressed concerns about law enforcement at the art walks people already set up out in other places and law enforcement is not informed on what to enforce or not to enforce or if it is even breaking the rules. Commissary needs; he is held to a different standard and other requirements he has to meet being down town that these people do not. He has to have an off-site kitchen that they pay a lease for and pay to sustain business where these people take their vehicles home and clean their dishes there. Mr. Bear asked that these issues be reviewed and make it an even playing field between vendors that are going to be downtown, especially existing vendors.

Ms. Roling asked Mr. Bear if he is selling on public property or private property.

Mr. Bear said public right-of-way.

Ms. Roling asked if that is the reason he has different regulations, because he is public and they are private.

Mr. Bear stated that he is on public right-of-way but he still has to clean dishes and do things off-site as well.

Mr. Rykowski stated the temporary vendors will be regulated by the Health Department and they will deal with the issues of where the vendor will prepare and wash and what they can prepare if they do not have a proper kitchen in their truck; obviously a sidewalk vendor cannot have a three bay sink walking around the sidewalk, they are required to go to some place that does. If one of the trucks does not meet the Health Department requirements they will be required to make other arrangements, so that is not an issue that is going to affect the zoning ordinance, that is going to be for the Health Department to regulate and determine if you have a properly equipped mobile vendor. It will be a case by case basis for the particular use where it is located.

Mr. MacPherson stated that the temporary vendor amendment that Commission is being asked to consider deals with private property ownership and a vendor could only be there at the invitation of the private

property owner while meeting the standards that Mr. Rykowski spoke of and that is a significant difference than someone who has access up and down the public right-of-way.

Mr. Bear commented that another concern would be taxes. CID, UDA taxes that he is required to pay to downtown.

Mr. MacPherson stated that the downtown CID Board voted to recommend the approval of temporary vendor's downtown.

Mr. Tom Bieker, 1515 E Monroe, Springfield stated he wanted to express his thoughts about the amendment, commenting that he is a firm believer in the free market will do what it will and let that play out. There has been an investment of time and money into the downtown which you see from the parking garages to the new downtown Square revitalization to the actual independent businesses that are there. There are strict regulations regarding historical standards while maintaining a high aesthetic standard for these businesses. At the point that we allow mobile vending in this specific area here that we have called special in our city and devoted time and money to, that we allow that decent of aesthetic concern in the area to fall. These brick and mortar that have an extremely high cost of entrance into their business and maintenance, many of them have barely weathered the recession in the years past. We make them meet certain regulations, but we could have a trailer come in or any mobile vending cart to come in at that point and set up shop that the cost of service goes down dramatically and more importantly for him, what has been carved out as that special area in our downtown that certain aesthetic standard has the potential to be lowered. Mr. Bieker commented that overall, this concept is a great idea, but would like to move forward with caution in downtown, just because we have devoted so much time and energy to it.

Mr. Hansen asked Mr. Bieker about the number of designated vendor areas are there in the area that is proposed.

Mr. Bieker stated he believes there are six (6) parking lots open to it and four of those are owned by the same person. They would be designated vendor sites without this amendment. Mr. Bieker discussed the locations of the vendor areas.

Mr. Edwards closed the public hearing.

Mr. Hansen stated that he agrees that there should be a trash receptacle on site and the reasoning of the restroom facility is for clarification for the vendors and believes they are reasonable. The whole idea is to free up an area for these entrepreneurs and is in agreement of sending those two on to Council, but not for restricting that within this area.

Mr. Coltrin commented we are speaking of people who have an investment down there verses people that are rolling in to take advantage of the development that has worked there. It seems that what we are being asked to do is to alter or modify what has been put forward in the past. We need to determine how we are going to protect the people that already have investments down there when this has already moved beyond us and these are three amendments that require the temporary vendors to have more amenities before they come down there. How can we approach this to protect the investors of the restaurants and other businesses?

Mr. Edwards stated this proposal was heard several months ago and Commission voted unanimously to send the proposal forward as is and at that time, the same arguments were heard. Mr. Edwards agreed with Mr. Bieker when he said he was a firm believer in free markets, however he respectfully disagrees with the interpretation of a free market because what he sees here is a very protectionist district when looking at the overlay. For example, if it was decided to say let's protect the investments of the restaurants that are already in downtown and not issue any future permits for restaurants within a six block area because we already have people who have invested, we would think that is crazy and we would not do that. Mr. Edwards stated he believes this is a very similar issue. We are talking about a handful of parking lots that may or may not choose to be open to private business and it would seem counterproductive to limit the things a private business would be able to choose to do with their land as long as those things comply with the law. Given how Commission unanimously voted the last time we should reject the third proposal here and let the free market decide and if someone comes in with a better product then those people downtown will simply have to step up their game. The first two proposals are good amendments and something he read in the report from the DIGG Committee which said "let's start trying to address problems and not create road blocks to business development". I believe if we go with the first two points and reject the third, we will be close to doing that.

Mr. Baird stated his only issue is the change that has to do with the restroom facility. One of the comments from DIGG was the additional requirement which puts a burden on the vendor or the vendor's owner. If you go to work at one of the temporary sites, while it would be nice to have a bathroom, it is understood that occasionally you don't and would like everyone to consider the extra burden.

Mr. Hansen commented that the restroom facility requirement is part of the designated vendor site, so it would be up to the owner of the vacant lot to provide the bathroom. Whatever arrangements are made between the vendor and the owner would take that into account.

Mr. Rykowski stated that the some of the owners own just the lot. If you want to get a vendor approved site in a situation like that, you are going to have to get an agreement from the lot owner to set up your temporary vendor facility and then find someone who will allow them access to the bathroom. This came up in one of the earlier discussions regarding where the employees are going to go and that is a public health issue; where are these employees going to go to the bathroom if they are working a six hour shift. From a public health standpoint these people need access to a bathroom, so there might be a lot where the surrounding businesses will not allow the vendor employees access to their bathroom, thereby taking one of those lots out as a potential vendor site. No sites have been approved yet and it would be one of those points that if you had a lot and a business adjoining that you owned, you could work out a deal. That may have been in the original text amendment and it was tweaked because there was some confusion about whether that was going to be limited to the employee's. It may be note worthy at this time that the first text amendments Commission approved sit tabled at Council. If you were to approve this one in its entirety, as an example, there would be two bills for the Council to discuss and make a decision on. You can send this one forward with whatever recommendations as to the exclusion. The prior bill that sits before Council had no exclusion zone but it was felt that the change was substantive enough to warrant a change. You can send this on forward with complete approval, or no approval or modified approval and then the Council will ultimately decided whether they want the prior version or this version or take the two and amend one that was consistent with whatever Commission recommendations are.

Mr. McClelland quoted from page five of the staff report, "it is impossible for a temporary vendor to make provisions for an accessible toilet within five hundred (500) feet of the site". Referring to the taco wagon

that he passed earlier in the day, Sunshine and Fremont, no HC Toilet is possible unless they get a fancy HC portapotty. That is a burden. Temporary vendors are running on a shoestring, this will kill them. Drop it. That is what he is in favor of.

Mr. McClelland motioned to **approve** two of the proposals of the Temporary Vendors Amendment, but exclude the 500 foot toilet facility item. Mr. Baird **seconded** the motion.

Mr. Edwards commented that there is a motion on the floor to recommend the proposal to Council excluding the toilet amendment and recommending the exclusion zone for downtown and the trash receptacle.

The motion **carried** as follows: Ayes: Baird, Roling, McClelland, and Roling. Nays: Young, Hansen, and Edwards. Abstain: None. Absent: Lawhon and Ray.

Mr. Rykowski commented that Commission does not have final authority on this because it will go on to Council. This will be sent forward as a recommendation. It will probably be called Substitute #1 and it will state Planning and Zoning Commission has approved the exclusion zone and the trash receptacle and the explanation sheet will likely indicate your disapproval for the toilet amendment. Council will then review the action and they then have the ability to choose from two bills or if they were to take one from column A and one from column B they could make a final bill out of it in that regard.

#### **OTHER BUSINESS:**

##### **4. UMHE Campus Housing Redevelopment Plan** (SE corner East Cherry & South Florence)

##### **UMHE Campus Housing Inc.**

Mary Lilly Smith, Economic Development Director introduced the redevelopment plan pursuant to Chapter 99 of the Revised Statutes of Missouri. This is called the Land Clearance for Redevelopment Authority Law and it provides incentives to encourage investment and removal of blight and blighting conditions within designated redevelopment areas. It requires that a redevelopment plan be adopted and then projects that are consistent with that plan may receive property tax abatement equal to 100% on the new improvements for a period of ten (10) years. Commission role is to review the plan to determine if it is consistent with the Springfield-Greene County Comprehensive Plan. This area is located at the southeast corner of Cherry and Florence Street just immediately north of Missouri State University. It is one parcel, approximately one-quarter acre, currently zoned Government Institutional and it is occupied by a vacant residential structure. It is included in an area that was blighted in 1966 and you may recall, we have had some other redevelopment plans before you where we have build on blight designations that occurred in the 1960's and 1970's. We discovered last year that once blighted, always blighted unless Council takes affirmative action to declare an area remediated of blight so back in the 1960's this area was blighted as part of an urban renewal project associated with then, Southwest Missouri State College. The redevelopment project for the College resulted in the acquisition and demolition of several structures in order to expand the College. The area remains blighted pursuant to LCRA Law. The plan before you is to remove the blight and redevelop the area. Removal of the blight will consist of demolishing the existing structure and then constructing a new house for Theta Chi Fraternity. Our findings are that the plan is in conformance with the Comprehensive Plan and the Growth Management and Land Use Element designates this area for community and public use including schools and colleges. It also targets Missouri State University as an activity center and talks about having higher density housing in the area. This fraternity house will

accommodate forty (40) students and it also supports the vision for the Greater Downtown District that's included in the Center City Plan element. Benefits to be derived from this are new investments adjacent to Missouri State and it will build on the Greek Row that already exists along Cherry and Elm Streets, just north of Missouri State. The location itself will encourage pedestrian activity. It is located on the Bear Line Shuttle and it is consistent with the City's policy that encourages off-campus housing to be constructed near the University.

Mr. Hansen asked if there was a photo available of the existing structure on the site.

Ms. Smith commented that she does not have one.

Mr. Edwards opened the public hearing.

Mr. Shawn Whitney, 901 St. Louis, Springfield stated he represents the applicant and believes the redevelopment plan that has been submitted complies with not only Missouri Law, but Springfield-Greene County Comprehensive Plan and Mary did a nice job of presenting their application and addressed almost all the points.

Mr. Coltrin asked if there was no thought to making this project look a little more appropriate for the area in where it is going in. If you drive through the area, this is a stark monument to itself.

Mr. Whitney commented that he does not feel comfortable discussing the architectural rendering.

Mr. Coltrin stated that he does not have a problem with the look of the building in a completely modern area, but we fight and strive to keep downtown an older, historic looking place and then we turn right around and blight out an old house.

Mr. Whitney commented that Mr. Coltrin makes a perfectly valid point and conformity within an area is always something to strive for, but some of the newer projects on Missouri State Campus would fit in well with this and maybe this is one way campus housing is moving.

Ms. Roling asked about the taxes for the blighted property.

Ms. Smith stated that just because it was blighted tax abatement did not occur by virtue of being blighted. The process is you blight an area, a redevelopment plan is adopted and then you do a project that is consistent with the redevelopment plan and the LCRA authorizes property tax abatement. This property has not received abatement in the past.

Mr. Baird motioned to **approve** UMHE Campus Housing Redevelopment Plan. Ms. Roling **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Hansen, McClelland, Roling Coltrin, Young, and Baird. Nays: None. Abstain: None. Absent: Lawhon and Ray.

## 5. College Street Corridor Plan

City of Springfield

King Coltrin recused himself from the hearing.

Mr. MacPherson acknowledged the people who participated in the College Street Plan and in many

instances when working on zoning cases and redevelopment plans, there are many times when there is resistance from the area, but during the open house there was wide-spread support for this and the reason is it is citizen driven plan. They have worked through the process themselves and developed the uses in the plan and the intensity of the redevelopment area and it has a large amount of support. The biggest concern is that the City won't do something there, because it has been neglected for so many years. There is a tour with the Leadership Team on Friday to review the area because the City Manager wants to establish this as a priority and wants the leadership members to understand that we have to find ways to start making improvements and clean up our own house and he is committed to doing this. We are looking for a recommendation from Commission tonight to approve the plan as an adopted plan because it will have money attached to it and then it will be taken to Council at the end of the month. Mr. Vern Morgan knew how to engage the public with this project and he should be congratulated for what he did and the visible results and wanted Commission to be aware of that effort.

Mr. MacPherson commented that the primary purpose of the plan is to define actions to inspire investor confidence in the College Street Corridor area. The hopes are that if the public sector articulates a preferred future, and programs appropriate improvements, the private sector will set up with the confidence to invest and redevelop the corridor. This plan provides actions steps to provide defined improvements in an effort to encourage commitments from the private sector. Even though the public improvements are programmed for the future, in accordance with established City policy, the public improvements may occur in an accelerated time frame if private commitments are made. The sooner private redevelopment plans are brought forward, the sooner public commitments may occur which is a good public/private partnership.

The vision for the area for area is to serve as the western gateway to downtown, seamlessly integrated with West Meadows, and be a key component of center city revitalization. The vision includes a safe environment, with a special identity of an eclectic mix of businesses, artists, residents, and architecture while providing a pocket of quirky, traditional, modern, old timers, and young transplants to represent a true melting pot of Springfield. When this redevelopment occurs, this area will become a unique area in Springfield and it will have zoning and uses that are unique to that area and nowhere else in the city. The primary difference is the live/work, where people will be able to live in the house and be able to work in the home.

While this lofty vision can eventually be attained, much work and dedication is necessary to see it to fruition. The area has been neglected for decades by both private parties and the city. There is evidence of blight and poor public facility provision and maintenance. However, revitalization of the College Street Corridor is crucial for Springfield's Center City to flourish. It is within the West Central Neighborhood, the front porch to the future West Meadows, is the western gateway to downtown, and adjacent to the high traffic volume of Kansas Expressway. This segment of College Street is the thread that binds these areas together within Springfield's Center City. The blighting conditions and poor public facilities must be addressed for the College Street Corridor to attract private investment. Investors need to see steps taken to correct the existing conditions and provide the confidence that the area is on the rise. This is going to require dedicated, concentrated public resources in the beginning to correct the deficiencies. Code enforcement, economic development incentives, and capital improvements are identified in this document designed to begin the process of creating investor confidence and turning back the decades old tide of neglect. The good news is that Springfield has risen to the occasion in other instances and been able to create vital urban centers where blight and decay were dominant and this should be no exception.

Mr. MacPherson commented that this is the original mother road, the original location in Springfield Missouri of Route 66 as part of this redevelopment area and one of the highly citizen driven areas was to create a public park that will have features that envision the past in terms of things that existed along Route 66 in the City of Springfield. We get a lot of European people visiting and right now they are surprised because there is not a whole lot to see of Route 66. It will be a unique area for the city in the future. Staff is asking approval of this plan to City Council.

Mr. Bruce Adibyzdi, 1946 S Holland, Springfield, stated that it was a highly engaged group of people from the neighborhood that helped develop this plan. There are a few specific points that Commission needs to be aware of and commend the city for having the foresight to look forward to look into a neighborhood like this, specifically Vern with his help and Mike's help at the meetings. They were very good at what they did. This is adjacent and part of the West Central Neighborhood which some people may look at and say it is a bad neighborhood. But if you go through it and look at it and look at the people who live there and the people who came to the meetings, I think what you will find is that West Central is going to be the next cool neighborhood to live in. It may take a few years and some work on behalf of private developers and the City to make that happen, but said he sees that coming forward. Mr. Adibyzdi stated that he is an architect has worked downtown and drives the area all the time and many years ago he looked at some property and the person who owned it wanted a fortune for it, and he knew back then something was going to happen. I ended up buying the property early this year, and am now an investor and owner on that strip on that section of College Street, 1047 West College. It is a small lot, but knowing that potentially the planning process was going to happen, having a stake in it helped me to understand what could be. As was noted, it has been significantly in decay for many years, private and public side. To improve investor confidence is the right goal for the City to look at, and in order to do that infrastructure is necessary.

Mr. Rusty Worley, 807 West Walnut, commented that he would like to echo the comments previously made. The City has done a great job of facilitating the process and engaging the neighborhood and it has been exciting to see the number of people coming out. This is an area where there has been private investment on Walnut Street for several including his home. We have seen the efforts of the City and Federal Government on the West Meadows cleanup and the planning for that, but this corridor has been neglected and needs this kind of attention. Many people participated and Vern Morgan did a great job and the city staff really helped the neighborhood. He commended Mr. Adibyzdi and his firm for hosting during the sessions adding they were leading by example and we are excited about the live/work concept that is outlined for the south side of the street. We do need to stimulate investor confidence, that's been something that has been lacking and we feel like this plan sets out a course of infrastructure investments that the City can make. We will need to have incentives to prime the pump on the private investment and overall it would create a sense of higher expectations. We have already seen owners going on their own and improving some properties and getting them prepared and ready for their next life and just the excitement. We have seen this process work on Commercial Street and it is already starting to bear fruit on College. We are very much in support of this project and look forward to working with the City over the next several years to make these things come to life.

Ms. Amy Waldrop, 1024 West College, commented that she has lived at that location for twelve years and loves it, however the area is blighted and at times it has been hard and difficult, but the process that we went through with Vern and the City was incredible. It was a creative process that brought the neighborhood together and gave them a feeling that this could actually be possible. The history there with the Fulbright and the first settlement and Route 66, the brewery; everything that is there needs to be recognized and celebrated. Mr. Waldrop stated she is fortunate that she lives in a section where she can

live and work. She has an historic home, she is an artist and she is waiting to open the front doors and let it flow out. She is aware of a lot of people who are ready to do that, a lot of artists and people that want this to happen, so she is hoping they have the support of the Commission and Council to let that happen because for the first time she is seeing real interest from the City and if the City backs it, it is going to happen.

Mr. Edwards closed the public hearing.

Mr. Edwards stated that he thinks the project is great, and commented that he felt this sort of thing was coming when the brewery moved in that would be the bridge to jump Grant Street and get things going. Jordan Valley has been such a big success despite all the issues that surrounded it. No one can deny how that has transformed downtown and the way we look at center city. He thanked everyone for their participation in the process and for making the neighborhood so much nicer than it was. He is excited to see the transformation and has always seen College Street as being like a second Galloway and the area has so much potential, and commented he will cast his vote in support of the project.

Ms. Roling motioned to approve College Street Corridor Plan. Mr. Baird seconded the motion. The motion carried as follows: Ayes: Edwards, McClelland, Baird, Young, Roling, and Hansen. Nays: None. Abstain: King Coltrin. Absent: Lawhon and Ray.

**ANY OTHER MATTERS UNDER COMMISSION JURISDICTION:**

There being no further business, the meeting was adjourned at approximately 7:58 p.m.

Michael MacPherson

Michael MacPherson  
Principal Planner