

MINUTES OF THE PLANNING AND ZONING COMMISSION

DATE: August 8, 2013

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: Matt Edwards (Chair), King Coltrin (Vice-Chair), Jay McClelland, Tom Baird, Jason Ray, Shelby Lawhon and Gabrielle White; Staff in attendance: Bob Hosmer, Principal Planner; Ralph Rognstad, Director, Mary Lilly Smith, Director; Nancy Yendes, City Attorney; Dawne Gardner and Ron Colson, Public Works; Matt Schaefer, Planning; Sandy Goddard, Administrative Assistant. Absent: Jim Hansen,

ROLL CALL:

APPROVAL OF MINUTES:

COMMUNICATIONS:

Mr. Hosmer stated staff would like to request item number eleven (11), West College Street Corridor Text Amendment be moved and heard before the actual zoning of the property, zoning case, Z-14-2013, item number nine (9).

Mr. Edwards asked if they would hear these cases at the same time and if they would vote on item number eleven (11) before voting on item number nine (9).

Mr. Hosmer said yes.

Mr. Edwards, citing a point of order, clarified that the School issue has been removed from the agenda.

Mr. Hosmer stated that is correct.

HEARINGS:

CONSENT ITEMS:

1. Relinquish Easement 793 Tim Roth
(717 S. Kimbrough Avenue)
2. Relinquish Easement 794 Jaral W. Jones ETAL
(1839 East Independence Street)
3. Dispose 495 City of Springfield
(4400 block W Farm Road 130)

4. Acquire 496
(4134-4136 W Farm Road 34)

City of Springfield

Mr. Coltrin recused himself.

Mr. Young motioned to **approve** the consent agenda items. Mr. McClelland **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, McClelland, Ray, Lawhon, White, Young and Baird. Nays: None. Abstain: Coltrin. Absent: Hansen.

HEARINGS:

5. Vacation 759
(3500-4100 S. Farm Road 115)

City Utilities of Springfield

Mr. Hosmer stated this is a request to vacate the 3500-4100 blocks of South Farm Road 115 (Haseltine Road). The applicant is City Utilities. There are conditions to the request. AT&T and Ozark Electric services shall be relocated or preserved in the present locations with a license. The intersection of State Highway M and Farm Road 107 shall be improved to meet MoDOT standards and sight distance requirements, and a certificate of decision is recorded along with the above mentioned improvements and/or licenses. If these conditions are not met within three (3) years of City Council's approval, then that vacation approval is null and void and the portion of Farm Road 115 described shall remain public right-of-way. This would normally be something Planning and Zoning Commission would approve, but with conditions, staff is required to take it forward to City Council. Staff is recommending approval.

Mr. Edwards opened the public hearing.

Mr. Kevin Lowe, Engineer with City Utilities commented they went to MoDOT, who had an overlay plan for Route M, and have entered into a cost share agreement with them, where the Intersection of Hwy 107 and Route M will be improved. Mr. Lowe stated City Utilities has been told the project will be completed by June 15, 2014. They plan to bid the job in January 2014 and complete the intersection by June 15, 2014.

Mr. Edwards stated the first time Commission heard the case, they sent it back because of the concern about the traffic light there. Mr. Edwards asked, to be clear, are they going to get the traffic light before the Vacation.

Mr. Lowe commented there will be no traffic light. They are only lowering the hill and improving the sight distance. It will be an overlay and taking the sight distance down. There is not enough traffic on this to warrant a traffic signal, so they are basically improving the sight distance in this area. This would not warrant a traffic signal for many years until there is more development in this area. City Utilities needs to expand its rail loop to hold more rail cars at the power plant. To keep the road open would require two (2) bridges which is cost prohibitive. They have elected to put the money into the intersection to improve it.

Mr. Edwards closed the public hearing.

Mr. Edwards stated that he is disappointed in how this has come back because Commission was clear, in his mind, that there were sever concerns about the traffic on that road and the neighborhood had concerns

about what the access was going to be like. Mr. Edwards commented that he was looking a better resolution and staging before Commission decided to grant the vacation on this; he will be voting no because that is what the neighborhood was asking for.

Mr. Baird asked if staff had received any comments from the neighborhood or citizens.

Mr. Hosmer commented that Mr. Yake sent a letter and had discussions with staff, but that is the only one that he is aware of that had discussions.

Mr. Lawhon motioned to **approve** Vacation 759. Ms. White **seconded** the motion. The motion **carried** as follows: Ayes: Ray, Baird, Young and White. Nays: Edwards, McClelland and Lawhon. Abstain: Coltrin. Absent: Hansen.

(The vote was verified verbally due to a malfunction with the voting board in chambers)

6. Vacation 760

City of Springfield

(South 5300 block Highway 160, outer road)

Mr. Hosmer commented the purpose of this request is to vacate a portion of the south 5300 block of the Highway 160 (Campbell) which is outer road. The applicant is the City of Springfield and the proposal meets the approval criteria for vacating right-of-way. There will be a new road that will connect from Plainview Road to Bryant Street in the future. There will still be an outer road but will link through Bryant to the outer road. Staff recommends approval.

Mr. Edwards opened the public hearing.

Ms. Dawne Gardner commented that MoDOT has previously vacated a portion that is north of the section the City is vacating, and City is vacating this small portion back to the property owner. The outer road will be closed off at Plainview when the new relocated road is constructed behind what will eventually be the Kum-N-Go property.

Mr. Edwards closed the public hearing.

Mr. Ray motioned to **approve** Vacation 760. Mr. McClelland **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, Lawhon, Ray, Baird, Young and White. Nays: None. Abstain: None. Absent: Hansen.

7. Vacation 761

City of Springfield

(4400 block West Farm Road 130)

Mr. Coltrin recused himself.

Mr. Hosmer commented this request is to vacate a portion of the 4400 block of West Farm Road 130 (Maple Street). The applicant is the City of Springfield. This is part of the West Wye connecting track extension. The Vacation meets the approval criteria and staff is recommending approval.

Mr. Edwards opened the public hearing. As there were no speakers, the public hearing was closed.

Mr. Baird motioned to **approve** Vacation 761. Mr. Lawhon **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, McClelland, Lawhon, Ray, Baird, Young and White. Nays: None. Abstain: Coltrin. Absent: Hansen.

Due to the malfunction of the voting board lights, the votes for Vacation 759, Vacation 760, and Vacation 761 were verified manually for correct votes.

Zoning:

8. Z-13-2013

Blansit Investment Group, LLC

(1126 N Broadway Avenue)

Mr. Hosmer stated the applicant is proposing to rezone approximately 2.17 acres of property generally located at 1126 North Broadway Avenue from an R-SF, Single-Family Residential District to an LB, Limited Business District. The Growth Management and Land Use Plan of the City's Comprehensive Plan designate this area as appropriate for low-density residential uses. The plan states that "The historic fabric of the community provides a sense of place and a physical environment that is nearly irreplaceable if destroyed. Historic or architecturally significant buildings are areas should be preserved because they express the city's heritage and add beauty and charm to their surroundings. Adaptive reuse of historic properties should be considered when the original use is no longer appropriate". The subject property has an existing school building with a parking lot and open space which the applicant is proposing to remodel the classrooms into offices and the gym into a non-profit community center. The vacant land or playground area will be used for community gardens and or public park space. The Limited Business District does not allow any individual retail store, personal service establishment or other permitted use to have more than 5,000 square feet of gross floor area. The Limited Business District also requires that all permitted uses and activities except off-street parking and loading facilities, drive-thru facilities and day care activities shall be conducted entirely within a completely enclosed building. The approval of LB, Limited Business District zoning on the subject property will allow the property to be reused for offices and community gardens as well as all other permitted uses within the LB district. This request for LB zoning will provide for the redevelopment 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. Staff is recommending approval.

Mr. Edwards opened the public hearing.

Mr. Chris Ball, with Jack Ball Architecture, commented he is representing the owner. Mr. Ball stated this is a fantastic reuse of an old structure. They are pursuing historic preservation listing. The non-historic portion has already been demolished and they are anxious to move forward. Mr. Ball said he is available for questions.

Mr. Edwards closed the public hearing.

Mr. Baird motioned to **approve** Z-13-2013. Mr. Coltrin **seconded** the motion. The motion **carried** as follows: Ayes: White, Young, Baird, Edwards, Coltrin, McClelland, Ray and Lawhon. Nays: None. Abstain: None. Absent: Hansen.

Zoning Text Amendments:

11. West College Street Corridor Text Amendment
(City-wide)

City of Springfield

9. Z-14-2013
(700-1200 blocks & 1500 West College Street)

City of Springfield

Mr. Coltrin recused himself.

Mr. Hosmer commented this is a request to amend the Springfield Zoning Ordinance to add a new section, Section 4-2900, for the purpose of establishing a new zoning district, the WC, West College Street District. In April 2011 City Council requested staff to review the zoning of College Street in the West Central Neighborhood. During the summer and fall of 2011, the background and analysis report was completed. The Public Engagement process began in 2012 and consisted of nine public meetings, a web page, an online discussion forum, one-on-one discussions, and extensive media coverage. The College Street Corridor Plan, approved by City Council in August 2012, was based on recommendations made by citizens during the public engagement process. One of the Action Steps to achieving the vision for the corridor is to prepare a zoning ordinance that is creative to meet desired flexibility in future development opportunities within identified land use constraints. Approval of this bill will create the WC, West College Street District. This district is intended to be a mixed-use, urban district that accommodates a variety of residential and commercial uses. The three (3) sub-areas established within this district are intended to encourage an eclectic mix of businesses, artist studios, architecture and residents consistent with the adopted College Street Corridor Plan. The proposed WC district is a unique zoning district for the College Street corridor that will help to create a special identity for West College Street and lay the groundwork for the redevelopment of this unique corridor. There are three Sub-areas that will be established with approval of this bill. The Mixed-Use Sub-area permits a mix of office, commercial and residential uses. The maximum length of any building along College Street within this area is limited and certain design features are required to ensure that the design of the building incorporates the scale and other features consistent with the intent of the District and the College Street Corridor Plan. The Live/Work Sub-area is designed to provide for a transition between the higher intensity mixed-use area on the north side of the street and residential uses on Walnut Street. This sub-area will provide for employment opportunities in conjunction with a dwelling. The Residential Sub-area is designed to provide for a variety of residential uses including single-family, and townhouses. This sub-area permits multi-family and non-residential uses on the first floor frontage along College Street with the approval of a conditional use permit to provide for more flexibility and creativity within this area of the corridor. The proposed district is consistent with the recommendations of the approved College Street Corridor Plan to establish a creative zoning district that will help to create a special identity for West College Street. Approval of this district, along with the accompanying zoning case, will lay the foundation for the redevelopment of the corridor.

Mr. McClelland asked if the stores on the bottom floor or business could only have one non-resident there at a time, or two sales persons not of the family.

Mr. Hosmer stated the live work district would allow up to five employees.

Mr. Baird referred to the eating and drinking establishments asking if this needs to be contained inside the business or is an outdoor patio allowed.

Ms. Yendes referred to the staff report, line seventy-one (71), which states all activities and permitted uses "except" for the three (3) that are listed must be within the building, so you could have a patio area.

Mr. Young asked how the designations for the districts come about.

Mr. Hosmer stated he believes this is because of the public meeting they had and the workshops and working with the neighborhood while looking at the existing uses and how it would be developed in the future.

Mr. Rognstad stated that one of the things that came out of the neighborhood meetings is that they wanted to continue to allow commercial use while the south side of the neighborhood wanted to have a transition to the residential and not have it as intense so the concept of the live/work unit came up. There is that one mix-use on New and College on the south side and that is because of the type of structure that is there. If it is a commercial structure it wouldn't make sense to do a live/work unless you were to tear it down. The feeling was on the north side the more intense use would be permitted so they came up with this mix-use district, but we really want to encourage the residential part of the mix-use. We feel like we need to have more residential in the area to support the commercial. The long range plan is to expand the West Meadows to the south to abut the neighborhood area and the residents could then take advantage of that open space area there.

Mr. Young asked if this is a new zoning, not an overlay.

Mr. Rognstad said yes.

Mr. Hosmer clarified that this is only for the West College Street area. It cannot be used in any other area.

Mr. Edwards opened the public hearing.

Mr. Hosmer continued with Z-14-2013 stating this is a request to rezone approximately 20.57 acres of property generally located on the north side 700-1000 blocks, south side 800-1200 blocks and 1301 West College Street and 208 South New Avenue from a CS, Commercial Service and HM, Heavy Manufacturing District to a WC, West College Street District and property generally located at 215 South Grant and 736, 740 and 1500 West College Street from a CC, Center City, CS, Commercial Service, R-MD, Medium Density Multi-family Residential and HM, Heavy Manufacturing District to an IC, Industrial Commercial District. The area on the north side of West College Street between Grant Avenue on the east and New Avenue on the west in addition to a tract of land at the southeast corner of New and College and at the northwest corner of Fort and College is proposed to be rezoned to a WC-1, West College Street District, Mixed-use Sub-area. The majority of property is currently zoned CS, Commercial Service with the remaining being zoned HM, Heavy Manufacturing. This area is adjacent to the West Meadows and is comprised of a mix of businesses and housing. The proposed zoning will accommodate existing uses while providing the opportunity for redevelopment of the properties with mixed-use development of residential, office and commercial uses. The mixed uses will provide an opportunity for creativity and encourage the development of a vibrant urban experience along this "gateway" to the downtown.

The area on the south side of West College Street generally between Douglas and New Avenues is proposed to be rezoned to a WC-2, West College Street District, Live/Work Sub-area. The property in this area is currently zoned CS, Commercial Service. This area is adjacent to residential development south on

Walnut Avenue warranting a “step-down” approach to the zoning along the corridor. The south side of College Street has a different impact on the surrounding neighborhood than the north side. This area will be comprised of primarily a residential use with the ability of the resident to sell goods and services on the property within defined bounds. Approval of live/work in this area is in conformance with the recommendations of the College Street Corridor Plan.

One of the Policies contained in the College Street Corridor Plan is to reserve the land between Fort and New Avenues along the south side of College Street for housing. The Policy states that development options should remain varied in order to allow for creative housing development. This area is currently zoned CS, Commercial Service District and is proposed to be rezoned to a WC-3, West College Street District, Residential Sub-area. This area will provide the opportunity for flexibility and creativity in housing development and will also provide for limited non-residential development on the College Street frontage. Approval of this application would rezone property at the southwest quadrant of Grant Avenue and College Street (Mother’s Brewery and adjacent property) and at the southeast corner of Kansas Expressway and College Street (former Hawkins Mill) to an IC, Industrial Commercial District. These properties are currently zoned a mix of CC, Center City District, R-MD, Medium Density Multi-Family Residential District, CS, Commercial Service District and HM, Heavy Manufacturing District. The brewery is a conditional use within the CC zoning district and is not permitted within the R-MD and CS districts. A Conditional Use Permit was approved for Mother’s Brewery; however any expansion of the brewery would require approval of another Conditional Use Permit. The proposed IC zoning would permit the brewery and accommodate future expansion of the use without the need for additional processes. The IC district permits industrial operations and activities in combination with commercial uses. The IC district is appropriate in both of these proposed areas to accommodate the brewery and to provide for flexibility in the future use and/or redevelopment of the former Hawkins Mill property as a gateway to the corridor. Approval of this request is consistent with the recommendations of the College Street Corridor Plan and is the first step toward implementation of the Plan. Staff is recommending approval.

Mr. McClelland commented that the one thing he does not see is the reference to the historic Route 66, asking if it should be put in there, that this is the gateway.

Mr. Hosmer commented that is part of the plan that was adopted and talk about that as part of the tool for development or redevelopment of the area.

Mr. Edwards opened the public hearing.

Ms. Amy Waldrop, 1024 West College, representing the WC3, West College Sub-area District; she has worked with the City, Vern Morgan and a group of people for over one year trying to determine this vision and to figure out what they are going to do this blighted area. Ms. Waldrop commented she looks forward in the future to opening a class and school with her sister and an art gallery as she lives upstairs; she hopes Commission will be favorable in the request.

Mr. Edwards closed the public hearing.

Mr. Lawhon motioned to **approve** *Zoning Text Amendment, West College Street Corridor Text Amendment*. Mr. Baird **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, McClelland, Lawhon, Ray, Baird, Young and White. Nays: None. Abstain: Coltrin. Absent: Hansen.

Mr. Ray motioned to **approve** Z-14-2013. Ms. White **seconded** the motion. The motion carried as follow: The motion **carried** as follows: Ayes: Edwards, McClelland, Lawhon, Ray, Baird, Young and White. Nays: None. Abstain: Coltrin. Absent: Hansen.

Use Permits:

10. Conditional Use Permit 404 & 405

711 South Kimbrough, LLC

(533 East Monroe Street & 711 South Kimbrough Avenue)

Mr. Hosmer stated the applicant is requesting approval of two conditional use permits to reduce the front yard setback along Kimbrough Avenue from twenty-five (25) feet to a ten (10) foot setback. The reduced setback along Kimbrough allows the building to be moved closer to the street and away from the multi-family homes to the west. In placing the building closer to the street brings activity to the street and an edge along the sidewalk that promotes pedestrian activities and safety. The reduced setback does not create any sight or safety issues for travelers on the adjacent roadways. Development of this site will comply with all of the requirements of the Zoning Ordinance for the R-HD, High-Density Multi-Family Residential District other than those changes being requested with this application. All requirements for parking, open space, bufferyards, and height (including bulk plane restrictions) will be met with the development of this 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 3-3310 of the Zoning Ordinance. Staff recommends approval.

Mr. Edwards opened the public hearing.

Mr. Derek Lee, Lee Engineering, 2101 West Chesterfield Blvd, commented he is representing the owner, pointing out on the display that the apartment complex going on the two lots is the same owner and the set back would be consistent with Beacon Student Housing. The setback is consistent with the next apartment building down, Bear Village, Phase One; and another one currently under construction and already permitted, which is Bear Village Phase Two. This would provide a consistent corridor with the same setback to Kimbrough as the next three (3) apartment complexes in the area. We feel this is a good location to continue that, where the parking is in the back. As you drive down Kimbrough you see the buildings on the street and the parking in the rear.

Mr. Edwards closed the public hearing.

Mr. Baird motioned to **approve** Conditional Use Permits 404 and 405. Mr. Coltrin **seconded** the motion. The motion **carried** as follows: Ayes: White, Young, Baird, Edwards, Coltrin, McClelland, Ray and Lawhon. Nays: None. Abstain: None. Absent: Hansen.

OTHER PUBLIC HEARINGS:

Zoning Test Amendments:

12. Medical Office in IC District Text Amendment

(City-Wide)

City of Springfield

Mr. Hosmer said this is a request to amend *Section 4-4400, Industrial Commercial District*, in the *Springfield Zoning Ordinance* to permit the medical office use group. Planning and Zoning Commission initiated amendments to allow medical office uses in the Industrial Commercial District at their meeting on July 11, 2013. Currently, all commercial zoning districts including the office district allow the Medical Office Use Group. The IC, Industrial Commercial District, is intended to allow industrial operations and activities in combination with commercial uses. Staff believes that the IC District with its concentration on high-intensity uses should have the same ability to develop or redevelop with medical offices as any other commercial zoning district. Staff is proposing to add the Medical Office Use Group to the IC District because the characteristics of the medical office use are compatible with other permitted uses in the district. The Development Issues Input Group (DIIG), Urban Districts Alliance (UDA), and Environmental Advisory Board (EAB) were notified of these amendments and have made no objections to date.

Mr. Edwards opened the public hearing. As there were no speakers, the public hearing was closed.

Mr. Lawhon motioned to **approve** Medical Office in IC District Text Amendment. Mr. McClelland **seconded** the motion. The motion **carried** as follows: Ayes: White, Young, Baird, Edwards, Coltrin, McClelland, Ray and Lawhon. Nays: None. Abstain: None. Absent: Hansen.

Street Name Change:

13. Street Name Change No. 75
(4200 – 4800 blocks West Farm Road 130)

City of Springfield

Mr. Coltrin recused himself.

Mr. Hosmer stated the purpose of this request PURPOSE: To change the name of the 4200-4800 blocks West Farm Road 130 (Maple Street), between Broadview Place and Meteor Avenue, to Junction Street. The City recently annexed West Farm Road 130 as part of the West Wye connecting track project. Staff is proposing to change the name of Farm Road 130 to Junction Street because existing Junction Street connects to the east end of this portion of roadway and creates a natural continuation of this street name in this area. The change to Junction Street will also minimize confusion for emergency responders in the future because renaming to Maple Street, which is currently being used by some property owners, will create an overlap with existing Maple Street to the south (attached location map). The proposed street name change will result in multiple property owners changing their addresses (mostly from Farm Road 130 to Junction Street), which typically occurs when streets are annexed because the City does not use the Farm Road names.

Mr. Edwards opened the public hearing. As there were no speakers, the public hearing was closed.

Mr. Young motioned to **approve** Street Name Change No. 75. Mr. Baird **seconded** the motion. The motion carried as follow: The motion **carried** as follows: Ayes: Edwards, McClelland, Lawhon, Ray, Baird, Young and White. Nays: None. Abstain: Coltrin. Absent: Hansen.

Subdivisions:

14. Roberts Industrial Park Renewal

Eric Roberts

(1000 & 1100 block North Westgate, east side)

Mr. Hosmer commented this is a proposal to renew a Preliminary Plat creating a 9 lot industrial subdivision at 1012 and 1160 North Westgate Avenue. It is 60.18 acres in an industrial Manufacturing area. Staff is recommending approval.

Mr. Edwards opened the public hearing.

Mr. Joe Roberts commented he is one of the owners and have worked with staff to meet the requirements which have been done and asked for approval of the renewal.

Mr. Edwards closed the public hearing.

Mr. Coltrin motioned to **approve** Roberts Industrial Park Renewal. Mr. Young **seconded** the motion. The motion **carried** as follow: The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, Lawhon, Ray, Baird, Young and White. Nays: None. Abstain: None. Absent: Hansen.

OTHER BUSINESS:

15. Initiate IC & UN Districts, Off-Street Parking Requirements and Telecommunication Tower Amendments

(City-Wide)

City of Springfield

Mr. Hosmer commented Staff is requesting Commission initiate amendments to the following specified and other related sections of the Zoning Ordinance to allow review and consideration. There are specific issues that need to be addressed, but other amendments to these and related sections generally on the same subject may result after a more complete review.

- A. **Section 4-4400. IC- Industrial Commercial District.** Staff wants to review changing the bulk, area, height and other development requirements to make them consistent with the Highway Commercial (HC) District.
- B. **Section 4-2200. UN-University Combining District.** Staff wants to review further reducing off-street parking requirements when additional off-street bicycle parking spaces are provided.
- C. **Section 5-1500. Off-Street Parking Requirements.** Staff wants to review reducing the off-street parking requirement for micro efficiency/studio apartments; streamlining and improving the Cooperative Parking Agreement process; and allowing more off-street parking to be located off-site through a Cooperative Parking Agreement under certain circumstances.
- D. **Section 5-2600. Telecommunication Tower.** Staff wants to review allowing wireless attachments on existing or proposed street lighting structures or other City Utilities utility poles located in the City right-of-way or City Utilities easements.

Mr. Edwards opened the public hearing. As there were no speakers, the public hearing was closed.

Mr. McClelland motioned to Initiate IC and UN Districts, Off-Street Parking Requirements and Telecommunication Tower Amendments. Ms. White **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, Lawhon, Ray, Baird, Young and White. Nays: None. Abstain: None. Absent: Hansen.

16. College Street Corridor Redevelopment Plan
(700-1500 blocks N Westgate, east side)

City of Springfield

Mr. Coltrin recused himself.

Mr. Matt Schaefer stated this is a request to approve the Redevelopment Plan for the College Street Corridor, stating Commission got an introduction to this with the rezoning case for the College Street Corridor area. In April 2011, the Springfield City Council directed City staff to review the zoning along West College Street in the West Central Neighborhood. With extensive citizen input, the City of Springfield created and adopted the *College Street Corridor Plan*, as a guiding document for development within the College Street Corridor area. The primary purpose of the Plan is to articulate a vision for the College Street Corridor Area and define certain actions that the public sector can take to inspire investor confidence and promote private redevelopment. The Plan envisions the Area being integrated with West Meadows and serving as the western gateway to downtown Springfield. It also envisions redevelopment that includes mixed-uses of appropriate scale that maintain a strong identity to the Area's past being located along historic Route 66. In order to bring this vision to fruition, the *Corridor Plan* suggests, among other actions, that the City provide financial incentives to encourage private investment and redevelopment. More specifically, it recommends that a redevelopment plan be prepared pursuant to the LCRA Law. Chapter 99 tax abatement is an economic development incentive used to encourage redevelopment within blighted areas through partial real property tax abatement. Real property tax abatement is based on 100% of the assessed value of qualified new construction or rehabilitation for 10 years. This plan is here before the Planning and Zoning Commission to review and make a determination if as to whether it conforms to the City's General Plan for development as a whole. The College Street Corridor Redevelopment Area encompasses approximately 52.75 acres located immediately west of Downtown Springfield. The Area is generally bounded by Missouri and Northern Arkansas Railroad (MN&A Railroad) to the north, West Walnut Street to the south, Grant Avenue to the east, and Kansas Expressway to the west. City staff conducted a blight study in the Area and found that over 50 percent of the principal structures within the Area were either dilapidated or in need of major rehabilitation. Residential structures were disproportionately in worse condition than other types of buildings, possibly due to higher vacancy and renter-occupancy rates and age. The Study also identified several properties with no principal structure, most of which were found to be littered with junk and debris or overrun with vegetation. Furthermore, the Study found the Redevelopment Area is burdened by inadequate or deteriorated public facilities and infrastructure that are incapable of supporting both existing development and future redevelopment. The Blight Study concluded with the finding that the Redevelopment Area meets the definition of a "blighted area" under Section 99.320(3), RSMo and is in need of redevelopment. The proposed Redevelopment Plan for the College Street Corridor Redevelopment Area is in conformance with the *College Street Corridor Plan*, and staff recommends approval.

Mr. Young asked how the tax abatement worked.

Mr. Schaefer stated it is 100% abatement on the new improvements and the increase in value on both land and the improvements for ten (10) years.

Mr. McClelland asked what would be done between Broadway and New and people who are in those buildings who say no thank you to this proposal.

Mr. Schaefer stated the blight designation is just that, a declaration that the property is blighted. This redevelopment plan does not necessarily require the property owners to do anything beyond what would be required by the City zoning or any other regulations of the City. This is an incentive to promote redevelopment.

Mr. Edwards opened the public hearing. As there were no speakers, the public hearing was closed.

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

17. Heer's Tower Redevelopment Plan
(138 West Park Central Square)

Heer's Luxury Living, LLC

Ms. Mary Lilly Smith, Economic Development Director for the City of Springfield. This is a redevelopment plan being presented pursuant to Chapter 353, Missouri Revised Statutes. Chapter 353 encourages redevelopment by providing partial real property tax abatement similar to what you hear from Mr. Schaefer on Chapter 99 abatement. It is 100% of the increase in value on the new improvements for ten (10) years and typically 50% for the next fifteen (15) years; so you have a twenty-five (25) year period of abatement verses the ten (10) year like you have on Chapter 99. The applicant must demonstrate the area is blighted and that the proposed redevelopment project will provide a measureable public benefit and that it won't occur but for the incentive. The Planning and Zoning Commission's responsibility is to review the Redevelopment Plan for conformance with the Comprehensive Plan and make a recommendation regarding the same, to City Council. The Heer's Building is two-thirds of an acre and currently zoned Center City and was built in 1915, expanded in the fifty's and became vacant in 1995 and have been vacant ever since. It is an historic structure, listed on the National Register both individually and as part of a district. In 2004 there was a Chapter 353 Redevelopment Plan and the area was blighted pursuant to Chapter 353 at that time. That redevelopment plan called for the building to be developed as an office building. City Council recently terminated that plan at the last Council meeting because that is no longer the plan for that building. The blighting still remains and asked the developer to go back an existing conditions report prepared to update the blight study and the report said that it is still blighted and in fact worse than what it was. The strategy is to remove the blight and redevelop the area; essentially rehabilitate the building, converting it from a former department store into a residential and commercial mixed-use development; eighty-five (85) to ninety (90) market rate residential apartments on the upper floors. The first floor will contain some commercial lease space as well as a police satellite office. There will be secured off-street parking and storage in the basement and then the development will also take advantage of parking in the adjacent Heer's car park. All the renovations will adhere to the Secretary of the Interior's Standards for the Treatment of Historic Properties since they will be taking advantage of historic tax credits. Staff's findings are that the Redevelopment Plan for the Heer's Redevelopment Area is in conformance with

the *Springfield-Greene County Comprehensive Plan*. This area is classified as the Greater Downtown Area where we are recommending high-intensity uses such as this. The *Center City Plan Element* of the *Springfield-Greene County Comprehensive Plan* notes that the Center City area suffers from physical deterioration and economic obsolescence and this building is a poster child for both of those. One of the objectives of the plan is to reestablish a unique position for Greater Downtown within the larger marketplace; one that is of value to the community and its residents. One of the recommended actions for achieving that objective is to promote the emergence of a residential base in Greater Downtown. The Plan mentions that Greater Downtown housing can utilize vacant building space and help create round-the-clock activity, which should be a top priority. It also states that available incentives should be considered for such projects. Ms. Smith stated she is available for questions.

Mr. McClelland asked Ms. Smith if she has entered the building and reviewed it herself.

Ms. Smith said she has been in the building multiple times.

Mr. McClelland commented it has not passed the renovation stage.

Ms. Smith stated the developer had a structural engineer verify that the structure is not past renovation and Building Development Services staff has been in the building and verified that as well.

Mr. Chip Walsh with Heer's Luxury Living, LLC, the developer for the proposed development plan, commented they are in support of the proposal which they feel is a reasonable request and stated he is available for questions.

Mr. Edwards closed the public hearing.

Mr. Lawhon commented that his hope is that this plan will come to fruition and is in favor of the proposal.

Mr. Edwards stated he is hopeful this project is a success and is in favor as well.

Mr. Ray motioned to **approve** Heer's Tower Redevelopment Plan. Mr. Coltrin **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, Lawhon, Ray, Baird, Young and White. Nays: None. Abstain: None. Absent: Hansen.

There being no further business, the meeting was adjourned at approximately 7:45 p.m.

Bob Hosmer, AICP
Principal Planner