

MINUTES OF THE PLANNING AND ZONING COMMISSION

DATE: October 3, 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: King Coltrin (Vice-Chair), Jay McClelland, Jim Hansen, Phil Young and Gabrielle White; Staff in attendance: Bob Hosmer, Principal Planner; Ralph Rognstad, Director, Nancy Yendes, City Attorney; Dawne Gardner and Ron Colson, Public Works; Sandy Goddard, Administrative Assistant. Absent: Matt Edwards and Tom Baird IV.

ROLL CALL:

APPROVAL OF MINUTES: The minutes of September 5, 2013 were approved unanimously.

COMMUNICATIONS:

Mr. Hosmer reminded Commission of the APA Conference in Branson on October 18th and 19th and informed Commission that the Planning and Zoning meeting regularly scheduled for October 17th has been cancelled.

CONSENT ITEMS:

1. Preliminary Plat Kifer Corner Rick Wilson
(300 block West Pershing, s/s)
2. Initiate Front Yard Parking Exception for Disabled Text Amendment City of Springfield
(City-Wide)
3. Initiate WC-1 District Changes Text Amendments City of Springfield
(City-Wide)

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

V. PUBLIC HEARINGS:

4. Z-18-2013 w/Conditional Overlay District No. 64 Brent Stevens
(400-500 block East Sunset Street)

Mr. Hosmer stated the purpose of this request is to rezone approximately 4.4 acres of property generally located on the south side of the 400-500 blocks of East Sunset Street from an R-SF, Single-Family Residential District to an R-LD, Low-Density Multi-Family Residential District; and establishing Conditional

Overlay District No. 64. The applicant is proposing to rezone the property from an R-SF, Single Family Residential District to an R-LD, Low-Density Multi-Family Residential District with a Conditional Overlay District #64. The applicant is requesting a conditional overlay district that will restrict the maximum density to eleven (11) dwelling units per acre. This restriction will reduce the projected traffic impact of the site and will not require a traffic study. This is the density of an R-TH, Residential Townhouse District developed on a single lot as opposed to individual townhouse lots. The conditional overlay district will require sidewalks along Kimbrough Avenue and a six (6) foot privacy fence in the bufferyard along the south property line in response to neighborhood concerns. The maximum height of any multi-family dwelling will be restricted to a forty-five (45) degree bulk plane as measured from the boundaries of any R-SF districts. The standard requirements for bufferyards, noise, lighting, odor and signage will be covered by the Zoning Ordinance. Mr. Hosmer discussed the bulk plane requirements. Staff recommends approval.

Mr. Coltrin opened the public hearing.

Mr. Brent Stevens with H. Design Group, 5051 S. National Avenue #7A, Springfield, commented he is representing the developer on this rezoning. Mr. Stevens stated the R-TH was the original intent which requires a public street and determined they did not want to bisect that property with a public street system and it's very particular about lot width so it helped free them up and they have no intention of being more dense than R-TH zoning which is why they added the conditional overlay. Mr. Stevens discussed the types of districts in area stating they feel this is a good transitional step-down zoning between the commercial and the residential areas and went on to describe the location of the development and the amenities.

Mr. Hansen asked the location of the entrances for the proposed development.

Mr. Stevens commented they have not figured that out yet, realizing they are restricted by the distances from the intersections, so in initial conversations with traffic, they will be along Jefferson and Kimbrough toward the backside, or south side of the site.

Mr. Gary Deaver, 201 W. Morningside, Springfield stated he is concerned about the neighborhood, the density, the uses and the multiple other things that are allowed by the zoning ordinance. This is a very light overlay. The neighbors have no idea of what would be allowed by this change. The explanation is seven (7) pages long with thirty-two (32) references to other subsections of the zoning ordinance. If the applicant wanted to be clear about what they were planning, they would do a Planned Development, showing where the road will be; the bulk plane issue is easy to obtain because there will likely be a road built on the back of the property. We don't know because there is no site plan to look at. A reference was made about the higher levels of use on the other end; that is highly restricted uses in that area. There was a proposal before Commission and Council ten (10) years ago to develop this, but it did not happen so now we are back for an up zone. Mr. Deaver asked Commission to reject this request because a Planned Development is the fair way to approach this property. The applicant, over the last fifteen (15) years has had fifty-seven (57) complaints about the land that he owns on Sunset; it never gets mowed or taken care of without a call. On the opposite side of the Campbell, a similar large tract of property, in the same period of time, zero complaints; different land owner.

Mr. Hansen asked about the development to the west.

Mr. Deaver stated it was single-family residential and was up zoned to fairly high use; quadrupled the value of the land and for that the neighbors asked that they push the buildings away from the neighborhood by

nearly one-hundred (100) feet. There is a huge bufferyard required that is very dense. They dug the detention basin before the land ever changed hands and there is a mound of dirt, which is where all the complaints have come from for all these years and it is an eyesore. There are dozens of restrictions on this PD regarding the hours of operation for the businesses and the distances so the business is toward the street with parking on the back so the scale of the building is in harmony with the single family residences. Again, because they will likely have to build an access road on the back of the property, this could be a three (3) story building. The neighbors don't have an idea of what could be built here. Mr. Deaver stated he believes it should be developed, but in the appropriate way.

Mr. Coltrin closed the public hearing.

Mr. Hansen asked staff about the protest petition that was submitted for this case.

Ms. Yendes stated that there is not a protest provision that Planning and Zoning Commission addresses; it will go forward with Commission recommendations and if thirty (30) percent of the property owners within one hundred eighty-five (185) feet sign a petition in accordance with how their names are recorded on their deeds, then that triggers a need for six (6) votes of Council to pass this. That is what a protest petition does. Ms. Yendes said they brought it in advance, before second reading of Council.

Mr. Hosmer stated they do not have thirty (30) percent for a protest.

Mr. Hansen stated it would be good to have some idea of what is going to be developed at the location and does not have much of an idea of what can go in there either and is not confident about approving the request.

Mr. McClelland read from a document on Zoning Districts of Springfield Missouri; after reviewing the requirements for R-LD, he finds that nothing going in that location, or the possibility of a development to be offensive to the neighbors and he attends to vote in the affirmative.

Mr. Lawhon motioned to **approve** Z-18-2013 with Conditional Overlay District No. 64. Mr. McClelland **seconded** the motion. The motion **carried** as follows: Ayes: Coltrin, McClelland, Ray, Lawhon, White, and Young. Nays: Hansen. Abstain: None. Absent: Edwards and Baird.

5. Z-19-2013
(3839 S. Lone Pine Street)

Geoffrey Butler

Mr. Hosmer stated the purpose of this request is to rezone approximately 1.71 acres of property generally located at 3938 South Lone Pine Street from a GM, General Manufacturing District to a GR, General Retail District. The applicant is proposing to rezone the property from a GM, General Manufacturing District to a GR, General Retail District. The Growth Management and Land Use Plan element of the Comprehensive Plan identifies this as an appropriate area for medium intensity retail, office or housing. General Retail (GR) district is one of the zoning districts recommended in these areas. The subject property is located at the intersection of Lone Pine Street, a secondary arterial roadway, and Allen Drive, a local commercial roadway. The subject site with the proposed GR, General Retail District will have to adhere to the requirements and restrictions contained within the district including those for buffering and building height in meeting the recommendations and intent of the City's Comprehensive Plan. Approval of this request will provide for a decrease in intensity in this area where investment has already been made in public services

and infrastructure. The proposed development will be required to meet the bufferyard requirements adjacent to less-intense zoning districts. The Zoning Ordinance requires a Bufferyard "F" between the GR district and adjacent R-SF, Single Family Residential zoning to the south. The GR district contains development standards and requirements to mitigate the potential impacts of development when located adjacent to less intense zoning districts. In addition to the required bufferyards, all structures developed on this property must remain below a thirty (30) degree bulk plane measured from the boundary of the R-SF district to the south. If approved, the new zoning is not effective until: A final subdivision plat is approved and recorded creating a lot over the proposed zoning boundary. If these conditions are not completed within two (2) years from date of City Council approval, then that approval is null and void and the zoning will remain GM, General Manufacturing District. Staff recommends approval.

Mr. Coltrin opened the public hearing.

Mr. Geoff Butler, 3109 N. Main commented he is representing the applicant. Mr. Butler stated that the structures on the property will be removed and this property has a buyer who wants to put in a restaurant and possibly another small retail spot if there is room available. It is a down zoning from General Manufacturing which would be good for the area to bring it to what it has become which is a quaint little commercial type of district and believe this will be a plus for the community.

Mr. Coltrin asked about the ingress/egress on Lone Pine.

Mr. Butler commented that Public Works and Traffic Services have already been on top of that; between the edge of Lone Pine we will clear that and it will become green space and possibly two (2) entrances to the site off of Lone Pine and probable none from Allan Street. We are willing to make all the public improvements to make that stretch nice.

Mr. Steve Johnson, 3951 S. Mentor #54, Springfield commented he wanted to point out, after talking to staff, that this is right in the middle of what has previously been approved as new Republic Road.

Mr. Hosmer related there were three (3) alternatives that were proposed to the Planning and Zoning Commission and they never came to fruition. There is a collector proposed to go through the quarry site linking up through the property, but that is as far as it has gotten. Mr. Hosmer said there is nothing official on record that has been adopted.

Mr. Johnson stated that Commission has approved that route in the past that would be going right through this retail area.

Mr. Hosmer commented Commission is a recommending body and it has to go to City Council for approval.

Mr. Coltrin closed the public hearing.

Mr. Lawhon commented he likes what has been proposed along Lone Pine and a restaurant would be a great fit for that piece of land and he intends to support the request.

Mr. Lawhon motioned to **approve** Z-19-2013. Ms. White **seconded** the motion. The motion **carried** as follows: Ayes: Coltrin, McClelland, Ray, Lawhon, White, Young and Hansen. Nays: None. Abstain: None. Absent: Edwards and Baird.

6. Z-20-2013 w/Conditional Overlay District No. 63
(1713 S. Saint Charles Ave. and 3233 E. Sunshine St.)

Morris Springfield, LLC

Mr. Hosmer commented the purpose of this request is to rezone approximately 0.94 acres of property generally located at 1713 South Saint Charles Avenue and 3233 East Sunshine Street from an O-1, Office District and GR, General Retail District to a GR, General Retail District; and establishing Conditional Overlay District No. 63. This will allow for the property at 1713 South Saint Charles to be rezoned for retail development and combined with the existing GR zoned property at 3233 East Sunshine. The accompanying Conditional Overlay District will require a six (6) foot tall fence along the north property line adjacent to the residential development. In addition, the Conditional Overlay District requires a sidewalk to be constructed along Saint Charles Avenue and Sunshine Street and restricts access on Saint Charles to one driveway which shall be aligned with the existing driveway on the east side of Saint Charles. Approval will expand the existing GR, General Retail zoning an additional one-hundred-sixty (160) feet to the north consistent with the existing GR zoning to the east and west. Approval of this request is not expected to have any negative impact on the surrounding properties. A bufferyard will be provided on the north property line adjacent to the residential development. Staff recommends approval of the request.

Mr. Coltrin opened the public hearing.

Mr. Jared Rasmussen, 550 S. Louis, Springfield said he is representing the applicant. This is not a big change in the zoning from what is there to the east and west. The property to the north is office, but the property to the south is zoned GR, so we are looking to combine these two pieces to be consistent with what is along Sunshine.

Mr. Coltrin closed the public hearing.

Mr. Lawhon motioned to **approve** Z-19-2013. Ms. White **seconded** the motion. The motion **carried** as follows: Ayes: Coltrin, McClelland, Ray, Lawhon, White, Young and Hansen. Nays: None. Abstain: None. Absent: Edwards and Baird.

7. Planned Development 343
(3800 West Sunshine Street)

Derek Lee

Mr. Hosmer commented the purpose of this request is to rezone approximately 96.31 acres of property generally located at 3800 West Sunshine Street from an HC, Highway Commercial District and Conditional Overlay Districts # 1 and #13 to Planned Development District No. 343. This area is located at the intersection of a two Expressways (West Bypass and Sunshine Street). The Comprehensive Plan recommends the location of Regional-Scale Commercial Centers (over 500,000 square feet) on major arterials near a freeway or expressway. The proposed Planned Development is consistent with the intent of the existing HC, Highway Commercial zoning and the recommendations of the Comprehensive Plan. The Planned Development is proposing the same uses that are currently permitted with the existing zoning district. The Planned Development will prohibit Auction Sales and flea markets, Boat and marine sales and service, Bus stations, Camper sales and camper trailer sales and service, lease and rental, Campgrounds and recreational vehicle parks, Public or private vehicle and boat storage garages, yards or lots and Construction equipment yards. The same uses excluded within the Planned Development are the same uses prohibited within the existing Conditional Overlay Districts. The existing Conditional Overlay District limits the maximum floor area ratio to 0.25 except under certain conditions. Approval of this Planned

Development would increase the permitted floor area ratio to 0.40 which is what is permitted in the HC, Highway Commercial District. The Planned Development proposes two development identification signs. The signs will be located in common area, one at proposed McCurry Avenue and Sunshine and another one at Seminole and West Bypass. The signs will have a maximum size of six-hundred (600) square feet of effective area and will be a maximum of forty (40) tall. As part of the Planned Development the applicant proposes to modify the open space requirements within the development. The existing zoning requires a minimum of twenty (20) percent open space on each individual lot. This proposal requires a minimum of ten (10) percent on each individual lot with the twenty (20) percent required cumulatively for the entire development. This open space requirement is consistent with what has been required in other developments including the Planned Development (PD 336) for the old Hickory Hills School site. The proposed Planned Development contains design requirements for buildings within the development. The exterior façade of buildings facing the street or designated open space will be finished with brick, simulated or natural stone, cement masonry units, insulated glass, concrete panels finished with a permanent surface, textured stucco or exterior insulation and finish systems (EIFS). The proposed Planned Development prohibits the use of vinyl siding and metal wall panels the sides of buildings highly visible to the public. The existing zoning does not have any design requirements. Approval of the Planned Development will include the same bufferyard requirements that exist under the current zoning. In addition, the Planned Development includes a provision for preserving the existing tree line along the southern property boundary to the extent possible and requires a berm or fence or combination thereof which is a minimum of six (6) feet tall along the south property line. The limitations of access and improvements to the surrounding street system identified by a Traffic Impact Study and required under the existing Conditional Overlay Districts are included in this proposal. At their May 6, 2013 meeting City Council approved the Springfield Plaza Tax Increment Financing Plan, established a redevelopment area, designated the redevelopment area as a blighted area and directed staff to implement the redevelopment plan for this area. Approval of this Planned Development will help to facilitate the development of this area in conformance with the approved redevelopment plan. Staff recommends approval.

Mr. Hansen asked for clarification on what the changes were from the previous PD to the proposed besides the less open space and the Floor Area Ratio being increased sixteen times.

Mr. Hosmer commented it is not less open space, it will not have the twenty (20) percent open space per lot, but it will be twenty (20) percent on the entire development overall. They are also changing the maximum floor area from 0.25 to 0.40. That is the current requirement under the HC District. It is going back to the original HC requirement. There are more bufferyards and exterior facades and design guidelines that they did not have before and a Traffic Impact Study with additional requirements there.

Mr. Young expressed interest in the architectural materials asking for clarification on the metal wall panels.

Mr. Hosmer stated that the applicant is the one who provided the description of materials and if they are comfortable with it then staff is comfortable with it.

Mr. Coltrin opened the public hearing.

Mr. Derek Lee, 2101 W. Chesterfield Blvd, Springfield, commented he is representing the owner. The Floor Area Ratio that is increasing from 0.25 to 0.40 is not the actual language in the original conditional overlay. It allows them to exceed 0.25 with a traffic study without going to Council or Commission. The reason they put the 0.25 FAR in this request is because at that time the Traffic Department at the City of Springfield

required a traffic study to design the roads and the FAR was 1 for Highway Commercial, and even though you can't build a hundred acres worth of land with a floor area ratio of 1, that was the number they wanted to put in the traffic study so we adjusted that in such a way that we put in the 0.25 language. The developments that have higher FAR typically have smaller traffic counts; hotels, multiple story office buildings, furniture stores. It will not affect the development. The uses and the roads in this development are not changing. The neighborhood will not see any change in the things they are requesting in the PD. They wanted the commercial signs access in the interior of a one hundred (100) acre development and everybody wants signage on Sunshine and West Bypass so that is the primary reason to do this. There are very large regional detention basins; one of them is three to four acres, the other two to three acres and that is a lot of green space they would like to spread out on some of the bigger lots. Mr. Lee discussed the buffer and the architectural controls.

Mr. Hansen asked about the open space requirements.

Mr. Lee said the City Ordinance requires perimeter landscaping and a landscape area would be between lots and buildings typically have grass around the center so that twenty (20) percent on the smaller lots is rarely an issue. The reason they wanted this is because when you have a large lot, a twenty (20) acre lot, that's where it becomes an issue. In this situation, we have the large regional detention basins to cover those big lots.

Mr. McClelland stated he is glad to see something happening at that location asking if the individual who had requested to have a left turn fixed into the church was going to have that request met.

Mr. Lee pointed out the location of the entry way for the proposed development, stating they will be doing a full signalized intersection, so this development will not affect the church property. Mr. Lee stated he has communicated with the individual about this issue.

Mr. McClelland motioned to **approve** Planned Development District No. 343. Mr. Ray **seconded** the motion. The motion **carried** as follows: Ayes: Coltrin, McClelland, Ray, Lawhon, White, Young and Hansen. Nays: None. Abstain: None. Absent: Edwards and Baird.

8. Planned Development 311 Amended
(3057 N. Fremont Avenue)

Les Schulz

Mr. Hosmer said this request is to rezone approximately one acre of property generally located at 3057 North Fremont Avenue from a Planned Development 311 to Planned Development District No. 311 Amended. The applicant is proposing to rezone the subject property to a Planned Development 311 Amended to allow up to four duplexes to be constructed. The current Planned Development 311 only permits the construction of townhouses. The Comprehensive Plan designates this area as appropriate for medium or high density housing. Townhouses and all various forms of apartment buildings are included in this category, which has been located where there is good traffic access, between Low-Density Housing and non-residential land uses, and at high-amenity locations such as the greenways or parkways. The density is expected to be greater than six (6) housing units per net acre. The proposed PD district land uses and densities are consistent with the adjacent zoning districts along Fremont Avenue. The intensity of development is reduced with the proposed amendment. The development requirements in the proposed PD district are adequate for mitigating potential impacts of the proposed development on the adjoining properties. Staff recommends approval.

Mr. Coltrin opened the public hearing.

Mr. Les Schulz, 1346 E Catalpa St, Springfield commented he is representing the owner. This property initially became a Planned Development between December 2006 and January 2007. The original proposal was for town homes, but will be downsizing the property with duplex units; each unit is a one bedroom unit reducing the density in the area. Mr. Schulz stated he was available for questions.

Mr. McClelland asked about the ingress/egress as it does not appear on the drawing provided.

Mr. Schulz stated there is a drive off of Fremont, goes across the south side of the property and there are plans to develop these in phases. There will be four buildings. The initial drive will come in just past the first duplex.

Mr. J.J. Hetherington, 4959 Cherry Circle, Springfield, commented he also represents Mr. Chadwick and is assisting with the development of the property and is available for questions.

Mr. Coltrin closed the public hearing.

Mr. Ray motioned to **approve** Planned Development 311 Amended. Mr. Young **seconded** the motion. The motion **carried** as follows: Ayes: Coltrin, McClelland, Ray, Lawhon, White, Young and Hansen. Nays: None. Abstain: None. Absent: Edwards and Baird.

9. Text Amendment Temporary Uses/Special Events Amendments
(City-Wide)

City of Springfield

Mr. Hosmer commented the purpose of this request is to amend *Sections 5-1000, Accessory Structures and Uses*, and *5-1200, Temporary Uses*, in the *Springfield Zoning Ordinance* regarding special events. City Council approved a resolution (Res. 9899) on August 22, 2011, to initiate amendments to the Zoning Ordinance regarding the locations and standards for temporary promotional activities and events. City staff has tried to identify a way to streamline the permitting process for various special events held inside the city limits. The ultimate goal is to provide citizens with a clear understanding of what events require a permit while also creating a more organized system for accepting and reviewing applications, and issuing permits. The permitting process involves approximately eight city departments and four different chapters in the City Code. The departments involved with the changes are Building Development Services, Public Works, Planning and Development, Police, Fire, Finance, Health and Parks. Each of these departments provided input and supports the proposed amendments. City staff is proposing to clearly establish Codes that apply to special events by creating one section that contains all city Codes governing approval of special events. The new section will be added to Chapter 2 as Article VII, Special Events. The majority of the regulations in the new article already existed but were scattered throughout the City Code. Since the Planning and Zoning Commission's purview is limited, staff has only included those changes that affect the Zoning Ordinance. The changes include removing a majority of *Section 5-1200, Temporary Uses*, and adding those as accessory uses in *Section 5-1000, Accessory Structures and Uses*. The remaining details will be addressed in the City Code amendments which will be sent to City Council for review. The Development Issues Input Group (DIIG), Urban Districts Alliance (UDA), Environmental Advisory Board (EAB), Commercial Club and all registered neighborhood organizations were notified of these amendments and have made no objections to date. The proposed amendments will streamline the

permitting process for temporary events and make it easier for the public to understand and follow the requirements. Staff recommends approval.

Mr. McClelland asked 5-1203.A.1 asking about cooking accommodations and how this will affect carnival workers.

Mr. Hosmer stated they are moving a lot of this around to city code, and this is affecting the zoning code. It is covered.

Mr. Coltrin opened the public hearing. As there were no speakers to the issue, the public hearing was closed.

Mr. McClelland motioned to **approve** Text Amendment Temporary Uses/Special Events Amendments. Mr. Lawhon **seconded** the motion. The motion **carried** as follows: Ayes: Coltrin, McClelland, Ray, Lawhon, White, Young and Hansen. Nays: None. Abstain: None. Absent: Edwards and Baird.

10. Brewery District Lofts Redevelopment Plan
(507-535 West Walnut Street)

Brewery District Lofts Redev Corp.

Mr. Matt Schaefer, Senior City Planner stated that the Brewery District Lofts Redevelopment Corporation has filed an application requesting partial real property tax abatement pursuant to Chapter 353 of the Missouri Revised Statutes. Chapter 353 encourages redevelopment of blighted areas and does so by offering real property tax abatement for a period of twenty-five (25) years. The applicant must demonstrate that the redevelopment area is blighted and there would be a significant public benefit that would occur as a result of it and that it would not occur but for the abatements. The abatement is offered for twenty-five years and for the first ten (10) it is one hundred (100) percent abatement on the improvements and the increase in the value of the land. During that period in order to keep the taxing jurisdictions full, there will be payments in lieu of taxes that are equal to the taxes on the improvements prior to redevelopment. During the later fifteen (15) years, the abatement is based on fifty (50) percent of the assessed value of the land and improvements at that time. Commission's responsibility is to review the plan and determine if it conforms to the Comprehensive Plan for the City of Springfield. The redevelopment area is located along the north side of West Walnut Street between South Market Avenue and South Main Avenue and consists of four parcels, which comprise approximately 1.06 acres. It is currently zoned Center City and is occupied by five vacant buildings that were previously used for automotive repair and painting, storage, and restaurant use. A blight study has been provided by the developer that demonstrates the area is blighted and is in need of redevelopment. The Redevelopment Plan proposes to demolish the buildings located at 535 and 527 W. Walnut St. and construct a three-story residential and commercial mixed-use development. The new building will feature approximately 11,350 sq ft of retail, office, and banquet facility space on the first floor. The upper floors will feature 28 market-rate residential apartments, which will include a mix of studio, one-, two-, and three-bedroom units. Off-street parking for approximately 28 automobiles will be provided along the north side of the building. The buildings located at 521 W. McDaniel St. and 507 W. Walnut St. will not be demolished, but rather rehabilitated and restored to a shell state. Once completed, Springfield Brewing Company will use the 521 W. Walnut St. building for production expansion and event space. The 507 W. Walnut St. building will function as a distillery. The Redevelopment Plan for the Brewery District Lofts Redevelopment Area is in conformance with the *Springfield-Greene County Comprehensive Plan*. Mr. Schaefer stated he was available for questions.

Mr. Coltrin opened the public hearing.

Ms. Lindsey Bragg, Husch, Blackwell, 901 S. Louis Street, commented she is representing the developers and is available for questions.

Mr. Coltrin closed the public hearing.

Mr. Lawhon **motioned** that the Brewery District Lofts Redevelopment Plan is in conformance with the Springfield-Greene County Comprehensive Plan and be forwarded to City Council for consideration. Mr. Ray **seconded** the motion. The motion **carried** as follows: Ayes: Coltrin, McClelland, Ray, Lawhon, White, Young and Hansen. Nays: None. Abstain: None. Absent: Edwards and Baird.

11. 634 Bear Boulevard Redevelopment Plan
(626-634 East Bear Boulevard)

Miller Commerce, LLC

Mr. Matt Schaefer, Senior City Planner stated that Miller Commerce, LLC has submitted a redevelopment plan pursuant to Sections 99.300-99.715, RSMo, the Land Clearance for Redevelopment Authority Law, for a redevelopment project generally located at the southwest corner of East Bear Boulevard and South Holland Avenue. Chapter 99 tax abatement is an economic development incentive used to encourage redevelopment within blighted areas through partial real property tax abatement. Within Council-approved redevelopment areas, the Land Clearance for Redevelopment Authority may authorize partial real property tax abatement for projects that conform to an approved redevelopment plan. Real Property tax abatement is based on 100% of the assessed value of qualified new construction or rehabilitation for 10 years. The Redevelopment Area consists of two parcels of land (0.74 acres), which are currently occupied by two single-story multi-family residential structures that were constructed in the early to mid-1960s. The Plan proposes to demolish the existing structures within the Redevelopment Area and construct a new four story multi-family residential development that will house approximately 90 residents. The new development will contain a mixture of studio, one bedroom, two-bedroom, and four-bedroom units. It will also include an on-site property management/maintenance office, a social gathering area, and off-street parking per the requirements of the R-HD, High-Density Multi-Family Residential district. The Redevelopment Area is part of a larger area that City Council declared to be blighted in 1965 (Resolution No. 4513) and later reaffirmed in 1972 (Resolution No. 5495). The blight designation has not been rescinded, and it continues to remain in effect. The developer was therefore not required to submit a blight study. The proposed Redevelopment Plan for "The Q" Student Housing Redevelopment Area is in conformance with the *Springfield-Greene County Comprehensive Plan*. Staff recommends approval.

Mr. Hansen asked about parking for the proposed development.

Mr. Schaefer stated the applicant would be required to provide sufficient parking as required by the Zoning Ordinance. The plan is not addressing the parking issue as this point because it will be addressed at development review stage, when the developer does actually submits plans for the project.

Mr. Hosmer stated this is part of the University Combining District and staff is proposing changes to allow micro-efficiency apartments with one parking space.

Mr. Hansen asked if these would have micro-efficiency apartments.

Mr. Hosmer stated it is his understanding this is what would happen; student housing to provide bicycle parking for students who are not driving.

Mr. Hansen asked Mr. Schaefer if the whole MSU Campus remains a blighted area.

Mr. Schaefer stated that in 1965, an urban renewal project was under consideration and the City ended up blighting that entire area that encompasses the Campus and surrounding areas. Following that blight designation, an urban renewal plan was drafted and it was adopted, but the urban renewal plan itself, the boundaries did not encompass the entire Missouri State Campus. It actually encompassed more or less the western third of that area and the blight was reaffirmed at that point in 1972. There was a blight designation and then the area was reaffirmed thereafter when the plan was actually adopted. The area does remain blighted as there hasn't any action taken to declare the area not blighted. Mr. Schaefer stated City Council terminated the urban renewal plan however and left the blighted.

Mr. Hansen asked the reason for that.

Mr. Schaefer stated there was a lot of federal funding that went into those projects back in the 1960's and 1970's and there are areas along the periphery of Missouri State Campus that could benefit from redevelopment. By leaving the blight designation in, it would make redevelopment easier to accomplish.

Mr. Hansen asked if it would be more difficult to divide the blighted area and leave the actual blight and take MSU off.

Ms. Yendes stated it would be difficult to do new studies to show what part was blighted and what wasn't and it's simpler to leave the blight in place, remove the plan, and then if someone wants to take advantage of the blight designation they need to develop a plan for their property which is what this applicant has done. It would be reviewed on a case by case basis because we have not done a plan for what is actually left that has not been developed as part of the campus.

Mr. Hosmer noted that in 1965 there was a housing subdivision in that area.

Mr. McClelland asked if the bulk plane would not apply here because you are looking at a four story building next to a two story house.

Mr. Schaefer stated that the development, when it goes through the review process will have to comply with all other applicable codes and ordinances of the city. If the zoning does not permit it, then it is not permitted. The redevelopment plan does not necessarily stipulate any addition rights or modify any land use regulations, but provides an incentive.

Mr. Young asked for an explanation of the memorandum that was given to the Commission and the word substantially in the last sentence. From a design view, what does that mean, and who clarifies this.

Mr. Schaefer commented that the Redevelopment Plan for "The Q" Student Housing Redevelopment Area was considered by the LCRA on Tuesday, October 1, 2013. The Board of Commissions, by a unanimous vote, voted in favor of the plan, however they did notice one irregularity in the plan they wanted to address and that was with the last section of the plan, Section VI, which is the Procedure for Changes or Modification of Plan. The amendments to Section VI remove a provision that requires the LCRA to obtain

consent from the developer or its successors in interest, prior to making any amendment or modifications to the Plan.

Ms. Yendes stated the term “substantially” is used a lot on whether or not ARC can approve a change, something in a PD if it is substantially different, it has to go to Council and each issue would have to be reviewed. If it is something minor like a site plan, the LCRA can look at that and say that’s fine and it comes to Commission for review. If they are taking uses out, we would not consider that substantial change because it reduces what the applicant gets to do and get their tax abatement. Now if they want to add what they are going to do on the property, that’s a substantial difference and we have made people amend their plans to add uses, because they are not really in the plan anymore. You authorize tax abatement as a City for certain types of activities to take place on that property which aren’t be blighted or add to the area, so that would be a substantial change, adding something new on that property that’s not been approved before as part of their plan. We have the Directors of Public Works, Planning and Development, and Building Development Services and they look at what’s substantially different all the time and we go to the LCRA and get their opinion as well. It is a case by case basis.

Mr. Coltrin opened the public hearing.

Ms. Lindsey Bragg, Husch, Blackwell, 901 S. Louis Street, commented she is representing the developer and will clarify the intended use of the units and the parking; they do intend to use the micro-efficiency units’ strategy and said she has the breakdown of how many micro-units and will go up to four (4) bedroom units in this particular building. The number of parking spaces is in line with what the regulations require, but they are looking at fifty-four (54) parking spaces and they do intend to apply for a variance to reduce the number of parking spaces to one for the micro-units which are going to be less than four-hundred (400) square feet. They also intend to apply for a twenty (20) percent bicycle reduction on the parking space, which is relatively new, which provides that if you provide sufficient bicycle space, then you are allowed twenty (20) percent less of your required parking.

Mr. Hansen asked the number of units and the number of bedrooms.

Ms. Bragg said what the plan is right now is seventeen (17) of the micro-one bedroom units which will be less than four hundred (400) square feet, five (5) micro-two bedrooms units, ten shared units that they put two living areas in and then four (4), three (3) bedroom units and four (4) bedroom units and four (4) micro-four bedroom units. It is a mixed breakdown. Ms. Bragg explained the breakdown and the square footage. Ms. Bragg said they are designed to be more loft style units and designed for students and cost effective for student budgets and foreign students used to having much smaller living areas.

Mr. Coltrin closed the public hearing.

Mr. McClelland **motioned** that the 634 Bear Boulevard Redevelopment Plan including item six (6) Amendment, is in conformance with the Springfield-Greene County Comprehensive Plan and be forwarded to City Council for consideration. Ms. White **seconded** the motion. The motion **carried** as follows: Ayes: Coltrin, McClelland, Ray, Lawhon, White, Young and Hansen. Nays: None. Abstain: None. Absent: Edwards and Baird.

There being no further business, the meeting was adjourned at approximately 8:05 p.m.

A handwritten signature in dark ink, appearing to read 'Bob Hosmer', with a long horizontal flourish extending to the right.

Bob Hosmer, AICP
Principal Planner