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Sponsored by: Compton

First Reading: December 13, 2010

Second Reading: January 10, 2011

Substitute

COUNCIL BILL NO. 2011- 314

SPECIAL ORDINANCE NO. 25853

AN ORDINANCE

1 ADOPTING the Madison-Kimbrough Blight Report and Redevelopment Plan  
2 for an area generally located along the west side of South  
3 Kimbrough Avenue north of East Madison Street at the  
4 intersection of these two streets. (The Land Clearance for  
5 Redevelopment Authority of the City of Springfield, Missouri, the  
6 Springfield Planning and Zoning Commission and City staff  
7 recommend approval.)  
8  
9  
10

11 WHEREAS, the City of Springfield, Missouri (the "City"), pursuant to Chapter  
12 99.300, RSMo, et seq., (the "Act") has duly created the Land Clearance for  
13 Redevelopment Authority of the City of Springfield, Missouri (the "Authority") and  
14 vested in said Authority the powers authorized by State Law; and  
15

16 WHEREAS, the Authority is authorized by the Act to prepare development plans  
17 for the elimination of slums and urban blight and to improve social and economic  
18 conditions; and  
19

20 WHEREAS, a Blight Report and Redevelopment Plan dated November 22,  
21 2010, attached hereto and incorporated herein as "Exhibit A," has been prepared and  
22 submitted to the Authority and the Planning and Zoning Commission for their  
23 consideration; and  
24

25 WHEREAS, the Board of Commissioners of the Authority and the Springfield  
26 Planning and Zoning Commission have received recommendation by City staff to  
27 consider declaring an area along the intersection of Madison and Kimbrough as  
28 blighted and to approve a redevelopment plan for such area; and  
29

30 WHEREAS, after duly considering the Blight Report and Redevelopment Plan,  
31 the Board of Commissioners of the Authority approved the blight study and

32 redevelopment plan at its meeting of November 23, 2010; and

33  
34 WHEREAS, the Act authorizes the Board of Commissioners of the Authority to  
35 simultaneously make findings of blight and prepare a plan to be undertaken for the  
36 redevelopment of an area to be submitted for consideration to City Council in making  
37 its finding that an area is blighted and requesting approval of a redevelopment plan;  
38 and

39  
40 WHEREAS, the Planning and Zoning Commission found the Blight Report and  
41 the Redevelopment Plan to be feasible and in conformity with the Comprehensive Plan  
42 on December 2, 2010; and

43  
44 WHEREAS, City Council held a public hearing on December 13, 2010, for which  
45 notice was properly given in accordance with Section 99.430.1(8), RSMo, and all  
46 interested parties, including affected political subdivisions, were given the opportunity  
47 to be heard on such request; and

48  
49 WHEREAS, City Council, after all interested parties were given an opportunity to  
50 be heard, has elected to approve the plan submitted herewith (the "Redevelopment  
51 Plan").

52  
53 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
54 SPRINGFIELD, MISSOURI, as follows, that:

55  
56 Section 1 – It is hereby found, determined and declared that the proposed  
57 redevelopment area, generally located along the west side of South Kimbrough  
58 Avenue north of East Madison Street at the intersection of said streets, consisting of  
59 twenty-seven (27) parcels of land, thirty (30) buildings, and 7.1 acres, described in the  
60 Blight Report, contains and has a predominance of defective or inadequate street  
61 layout, insanitary or unsafe conditions, deterioration of site improvements, improper or  
62 obsolete platting, the existence of unsafe conditions which endanger life or public  
63 health including the danger of fire, and generally insanitary, blighted, deteriorated real  
64 estate as described in the Act for the reasons set forth in the Blight Report, attached as  
65 "Exhibit A," and incorporated herein by reference, and that the area is therefore  
66 blighted. It further found that this is an area that is appropriate for the undertaking of a  
67 redevelopment project in conformance with the Redevelopment Plan contained within  
68 "Exhibit A."

69  
70 Section 2 – Council is cognizant of the requirement of the Act pertaining to a  
71 workable program for community improvement by utilizing public and private resources  
72 to eliminate and prevent slums and the spread of blight within the City.

73  
74 Section 3 – The Redevelopment Plan contained within "Exhibit A," is hereby  
75 found to be a feasible and reasonable plan for redevelopment of the area and is in  
76 conformity with the general plan for development of the City and that said  
77 Redevelopment Plan is an appropriate plan for the acquisition, clearance,  
78 reconstruction, rehabilitation and renewal of the entire area and for future land uses.  
79 Said Redevelopment Plan is found to meet the requirements of Section 99.430(4),

80 RSMo, and is hereby adopted.

81

82 Section 4 – The Authority and the City Manager are hereby authorized to take  
83 such actions as are necessary to carry out the Redevelopment Plan with the exception  
84 that any agreements with developers shall be approved through Council action.

85

86 Section 5 – This ordinance shall be in full force and effect from and after  
87 passage.

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89 Passed at meeting: January 10, 2011

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Filed as Ordinance: January 10, 2011

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Approved as to form: Mary K. Yendes, Assistant City Attorney

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Approved for Council action: Greg B. Smith, City Manager

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Aff. Agcy. Notified Yes  
Emergency Required No  
P. Hrngs. Required No  
Fiscal Not Required No  
Board Rec. Required Yes  
To be Filed: 11-23-2010

EXPLANATION TO COUNCIL BILL NO. 2010 - 314

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To approve a redevelopment plan for the redevelopment of an area generally located along the west side of South Kimbrough Avenue north and south of East Madison Street and declaring the area to be a blighted area and its redevelopment necessary for the preservation of the public peace, prosperity, health, safety, morals, and welfare. (Planning and Zoning Commission, the Land Clearance for Redevelopment Authority, and Staff recommend approval).

BACKGROUND INFORMATION:

In order for the Land Clearance for Redevelopment Authority (LCRA) to participate in incentives or financing for a redevelopment project, the project must be located in a "blighted" area and be part of a redevelopment plan. If a property is blighted and within a redevelopment area, the LCRA may grant property tax abatement on improvements consistent with the redevelopment plan in an amount equal to 100% of the improvements for a period of 10 years.

REMARKS:

BSH Springfield 1,LLC and Bryan Properties submitted a blight report and a redevelopment plan (Exhibit A) for 7.1 acres of property generally located northwest and southwest of the intersection of East Madison Street and South Kimbrough Avenue. The redevelopment area contains approximately 90 dwelling units in thirty (30) buildings and twenty-seven (27) parcels of land, equating to approximately 11 residential units per acre. Most of the structures were built as single-family dwellings but have been converted over the years to two-family or multi-family dwellings. The area is zoned High-Density Multi-Family. The current zoning supports densities of up to forty (40) dwelling units per acre equating to 284 residential units.

Blight Report

Section 99.320 (3) defines "blighted area" as

"an area which, by reason of the predominance of defective or inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals or welfare in its present condition and use."

The applicants have submitted evidence including photographs and crime reports supporting the designation of blight. This evidence identifies instances of deterioration of site improvements, insanitary and unsafe conditions, and conditions that endanger life or property by fire or other causes. Although not all properties exhibit these conditions, the conditions are present throughout the redevelopment area. The presence of these conditions constitutes an economic and social liability and a menace to the public health, safety, morals, and welfare. The Land Clearance for Redevelopment Authority reviewed the Blight Study at their November 23 meeting and recommended that this area be declared blighted.

Redevelopment Plan

The purpose of the Redevelopment Plan is to remove blight and to redevelop the area into a mixed use development. The residential use will be geared toward student housing. A portion of the area is proposed for rezoning to permit the possible addition of restaurants, a grocery, ethnic markets, and other retail uses. The area may be redeveloped in phases. The majority of the property is owned by the applicants, with several other parcels in the process of being acquired. This area is located within the broad area included in the Center City Plan Element. The Center City Plan notes that the center city area suffers from physical deterioration and economic obsolescence. This redevelopment plan addresses those issues. On December 2, the Planning and Zoning Commission recommended approval of the Kimbrough & Madison Redevelopment Plan.

RECOMMENDATION:

Planning and Zoning Commission, the Land Clearance for Redevelopment Authority, and Staff recommend approval.

Submitted by:

Ralph Fognus J.D.  
Planning and Development

Approved by:

[Signature]  
City Manager

RESOLUTION NO. 2010-3132

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY OF THE CITY OF SPRINGFIELD, MISSOURI, RECOMMENDING THAT AN AREA OF THE CITY BE DECLARED BY THE CITY TO BE A BLIGHTED AREA.

WHEREAS, the City of Springfield, Missouri, pursuant to Sections 99.300, RSMo, et seq., has duly created a Land Clearance for Redevelopment Authority and vested in said Authority the powers authorized by State law; and

WHEREAS, the Board of Commissioners of said Authority have received a request in connection with a blight report and a proposed redevelopment plan under Chapter 99, RSMo, to consider recommending an area generally located at the northwest and southwest at the corners of E. Madison Street and S. Kimbrough Avenue containing twenty-seven (27) parcels of land, thirty (30) buildings and approximately 7.1 acres of real property, more particularly described in the Blight Report described herein, be found by the City Council to be a blighted area, as defined in Section 353.010, RSMo; and

WHEREAS, the Board of Commissioners of the Authority recommend and forward to the Planning and Zoning Commission and the City Council for its own action a recommendation to blight an area in connection with the said proposed amendment to the redevelopment plan; and

WHEREAS, a Blight Report dated November 5, 2010, and attached hereto as Exhibit A has been presented to the Board of Commissioners of the Authority at its meeting of November 23, 2010, for consideration; and

WHEREAS, a Redevelopment Plan of the same date, contained within Exhibit A, was also presented to the Board of Commissioners of the Authority at its meeting of November 23, 2010; and

WHEREAS, after duly considering both the Blight report and the Redevelopment Plan, the Board of Commissioners and other information provided to the Board at said meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY OF THE CITY OF SPRINGFIELD, MISSOURI AS FOLLOWS:

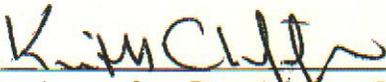
1. That the area described in Exhibit A and generally located at the northwest and southwest at the corners of E. Madison Street and S. Kimbrough Avenue containing twenty-seven (27) parcels of land, thirty (30) buildings and approximately 7.1 acres of real is found to be a blighted area for the reason that it is an area containing a combination of predominantly defective and inadequate street layout, insanitary and unsafe conditions, deteriorating onsite

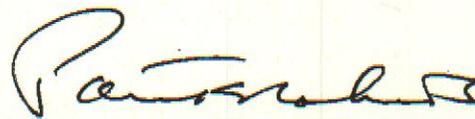
improvements, health and safety hazards, danger of fire or other property hazards to such a degree that the provision of housing accommodations cannot take place and the area constitutes an economic and social liability or menace to the public health, safety and morals.

2. That the area described in Exhibit B to Exhibit A and found herein to be blighted contains, as a whole, suffers from deteriorated conditions such as broken and boarded up windows, deficiencies in building structures that may not be corrected through normal maintenance and require either renovation or replacement, deferred maintenance of structural elements, chipped and crumbling masonry and concrete, structural defects of many buildings sufficiently serious that they impair the safe use and occupancy of the buildings, and other conditions that are unsightly and an attraction for transients and trespassers resulting in health and fire hazards. Additionally, numerous properties within the Redevelopment Area contain overgrowth of vegetation, noxious weeds, and plants growing into the sides of buildings, debris and refuse which have not been remedied, evidencing a general lack of maintenance.
3. That Executive Director is hereby authorized to submit to the Planning and Zoning Commission of the City of Springfield, Missouri for its recommendation to City Council the Blight Report and Redevelopment Plan attached hereto as Exhibit A.
4. That the Executive Director is hereby further authorized to submit to the Planning and Zoning Commission the recommendation and action of this Board of Commissioners, and the recommendation of the Planning and Zoning Commission so that the Council may take such action as it deems appropriate in these matters.

Adopted this 23<sup>rd</sup> day of November 2010.

Attest:

  
Secretary VICE CHAIRMAN  
KEITH CHAFFIN

  
Chairman  
PATRICK ROBERTS

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**BLIGHT REPORT  
AND REDEVELOPMENT PLAN  
FOR THE MADISON & KIMBROUGH  
REDEVELOPMENT AREA  
SPRINGFIELD, MISSOURI**

**November 22, 2010**

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## Blight Report

### Madison & Kimbrough Redevelopment Area

#### **I. General:**

The Land Clearance for Redevelopment Authority Law (the “*LCRA Law*”) is set forth in Sections 99.300 through 99.660 of the Missouri Revised Statutes and was enacted in 1951 to help local municipalities eradicate “blighted areas” in the community and to encourage rehabilitation and redevelopment of those areas by private enterprise. Through the LCRA Law, municipalities and private citizens are able to work together to achieve the goal of fostering economic opportunities and improving property values in cities throughout Missouri.

The LCRA Law defines “blighted area” as an area which, by reason of the predominance of (1) defective or inadequate street layout, (2) insanitary or unsafe conditions, (3) deterioration of site improvements, (4) improper subdivision or obsolete platting, or (5) the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, (1) hinders the provision of housing accommodations, (2) constitutes an economic or social liability, or (3) constitutes a menace to the public health, safety, morals, or welfare in its present condition and use. *See* Mo. Rev. Stat. § 99.320(3). Missouri courts have determined that a finding of blight is proper where, when considering an area in its present condition and use, a predominance of factors listed in the first half of Section 99.320(3) above results in one of the circumstances named in the second half of this Section. *See Land Clearance for Redevelopment Auth. of City of St. Louis v. Inserra*, 284 S.W.3d 641, 647-48 (Mo. Ct. App. 2009).

#### **II. Introduction:**

This Blight Report for the Madison & Kimbrough Redevelopment Area (the “*Blight Study*”) is being submitted by BSH Springfield 1, LLC and Bryan Properties for the purpose of demonstrating that the Redevelopment Area (as defined below) should be declared blighted pursuant to the LCRA Law. This Blight Study will demonstrate (i) that the Redevelopment Area is a “blighted area” under the LCRA Law due to the predominance of deterioration of site improvements, insanitary and unsafe conditions, and the existence of conditions which endanger life and property by fire and other causes, and (ii) because of the aforementioned conditions, the Redevelopment Area constitutes an economic and social liability and a menace to the public health, safety, morals, and welfare in its present condition and use.

#### **III. Redevelopment Area Description:**

The Redevelopment Area is approximately 7.1 acres of real property, containing thirty (30) buildings and consisting of twenty-seven (27) parcels of land, which are generally located northwest and southwest of the intersection of E. Madison Street and S. Kimbrough Avenue (the “*Redevelopment Area*”) in the City of Springfield, Missouri. A map of the Redevelopment Area is attached hereto and incorporated herein as Exhibit “A” and the Redevelopment Area is legally described on Exhibit “B” attached hereto and incorporated herein.

#### IV. Evidence In Support of Blight:

Currently, there are thirty (30) buildings (the "**Buildings**") located in the Redevelopment Area. The Redevelopment Area is zoned High-Density Multi-Family Residential District (R-HD), which is intended to accommodate multi-family developments at densities up to approximately forty (40) units per acre equating to two hundred eighty-four (284) residential units. The Redevelopment Area is located in within the Center City Study Area (as defined by the City of Springfield's Center City Plan Element), where the overall tone of the area has been described as one that could use revitalization and new investment. (See page 2-10 of the Center City Plan Element).

Outlined below are the key factors evidencing the Redevelopment Area is a "blighted area" under section 99.320(3) of the Missouri Revised Statutes. Photographs displaying the conditions discussed below are attached hereto and incorporated herein as Exhibit "C." Pictures showing the deterioration of site improvements are attached to Exhibit C as Figure 1, and pictures showing unsanitary and unsafe conditions are attached to Exhibit C as Figure 2. A map reflecting the location where each picture was taken is attached to Exhibit C as Figure 3.

##### A. *Deterioration of Site Improvements.*

In general, deterioration refers to any physical deficiencies or disrepair in buildings or site improvements requiring treatment or repair. Deterioration may be evident in basically sound buildings containing minor defects, such as a lack of painting, loose or missing roof tiles, floor or ceiling panes, or holes and cracks over limited areas. Deterioration which is not easily curable, however, and which cannot be accomplished in the course of normal maintenance, includes buildings with defects in the primary and secondary building components. Primary building components include the foundation, exterior walls, floors, roofs, wiring, plumbing, etc. Secondary building components include the doors, windows, frames, fire escapes, gutters, downspouts, fascia materials, etc. Deterioration of sidewalks is evidenced by settled areas, cracks, gravel sections, overgrowth, or depressed curb areas.

The Redevelopment Area as a whole suffers from deterioration. A large number of structures within the Redevelopment Area reveal deteriorated conditions to both primary and secondary building components. The deficiencies cannot be corrected through normal maintenance and require either renovation or replacement. Structural defects of many Buildings are so serious and extensive that they impair the safe use and occupancy of the Buildings. The remaining structures suffer from deferred maintenance of windows, doors, and exterior walls. Specifically, fascia materials are skewed, degraded, peeling, and warped. (Figures 1A, 1B, 1F, 1I, 1J, 1K, 1L, and 1Q). Masonry and concrete is chipped and crumbling, and many of the Buildings have cracked foundations. (Figures 1B, 1C, 1D, 1H, 1L, and 1Q). Much of the exterior wood is rotting and splintered, and there is evidence of water damage and possible mold. (Figures 1A, 1B, 1I, 1J, and 1Q). Window panes are missing and many windows are boarded closed. (Figures 1F, 1J, and 1P). The paint on the interior and exterior of the structures is peeling and chipped. (Figures 1A through 1P). On some of the Buildings, the gutters are loose or bent, shingles are beginning to deteriorate, and awnings are beginning to collapse. (Figures 1E, 1F, 1G, 1H, 1K, and 1L). Additionally, the roof on one of the larger Buildings was damaged in a storm and is currently patched with a tarp. (Figure 1G).

Other types of site improvements in the Redevelopment Area also exhibit deteriorated conditions. Pavement and concrete surfaces including parking areas, sidewalks, and curbs are cracked, crumbling, uneven, or otherwise dilapidated. (Figures 1G, 1J, and 1R). The Redevelopment Area also suffers from the presence of debris and refuse, which deleterious conditions have not been remedied, evidencing a general lack of maintenance. (Figures 1K and 1L).

Deterioration also includes lack of maintenance and upkeep to the landscaped areas. The Redevelopment Area lacks any provisions for the maintenance and upkeep of landscaping amenities. It exhibits an overgrowth of vegetation, and noxious weeds have infested many areas. (Figures 1S, 1T, 1U, 1V, and 1W). Plants are growing into the siding on some of the Buildings, and trees are growing into power lines. (Figures 1B, 1O, 1P, and 1S).

B. *Insanitary/Unsafe Conditions.* In addition to the general physical deterioration discussed above, the Redevelopment Area also contains insanitary and unsafe conditions.

1. Insanitary Conditions.

Water damage caused by leaks and flooding is present throughout the interior of the Buildings contributing to the presence of mold and rotting wood. (Figures 2C and 2D). Mold is also growing around kitchen sinks, bathroom sinks, and bathtubs. (Figures 2C, 2E, and 2F) Cabinets and shelves are filthy, and substantial portions of the Buildings have carpet which has significantly deteriorated and is imbedded with dirt and other grime. (Figures 2E, 2F, and 2I). The Buildings also host a variety of insects and spiders. (Figures 2E and 2F). Many of the Buildings are littered with a conglomeration of trash, debris, and junk, which further contributes to the insanitary conditions plaguing the Redevelopment Area. (Figures 2I, 2J, 2K, 2L, and 2M).

2. Unsafe Conditions.

There are a variety of factors which contribute to the unsafe conditions that are present in the Redevelopment Area. Many of the outdated mechanical systems in the Buildings are unsafe, especially with respect to electrical and fire prevention systems. Furthermore, the wiring in several of the Buildings, much of which is loose and exposed, is also outdated and in need of repair. (Figures 2E, 2F, and 2H). Hazardous conditions include sagging floors and caved in roofs. (Figures 2B and 2G). Additionally, the condition of the sidewalks in this pedestrian environment is also unsafe and warrants immediate attention as treacherous conditions may be caused by the combination of standing water or precipitation and the soon to be winter weather. (Figure 2B).

The Redevelopment Area also suffers from an abundance of criminal activity. The Springfield Police Department's online Crime Reports map indicates that approximately four hundred forty-five (445) crime reports were filed in the last five (5) months for crimes occurring in and around the Redevelopment Area. See Exhibit "D" attached hereto and incorporated herein. The crime reports include vandalism/property damage, sexual offenses, breaking and entering (burglary), robbery, stealing, and automobile theft.

C. *Conditions that Endanger Life or Property by Fire or other Causes.*

Endangerment by fire and other causes is typically due to the presence of structures below minimum code standards. Such code standards include building, property maintenance, fire, environmental or other governmental codes applicable to a particular property. The principal purpose of such codes is to require buildings to be constructed and maintained so that they will have the capacity to support the type of occupancy and necessary fire and similar hazard protection or to establish the minimum standards essential for safe and sanitary use, occupation, and/or habitation.

As noted above, the deterioration of the Redevelopment Area has resulted in several structural conditions that are unsafe and which endanger personal safety or property due to fire or other causes. The fire prevention systems in many of the Buildings are outdated and do not provide modern fire protection in accordance with current standards. Similarly, the outdated mechanical systems pose an increased fire risk.

Additionally, during preliminary testing, two-thirds of the Buildings that were inspected tested positive for asbestos. The testing detected asbestos in ceiling texture material, floor tiles, and linoleum floor sheeting in various units within the Redevelopment Area. With heavy foot traffic and time, floor tiles wear and break down, in which case asbestos fibers or particles are released into the air. Many of the Buildings were constructed with asbestos shingles, which expel asbestos fibers as they begin to crack and disintegrate. Asbestos inspections also indicate that air cell insulation in some basements and between walls tested positive for asbestos. This is particularly hazardous because air cell insulation becomes brittle as it ages, meaning it can be crushed and reduced to a powder by using mere hand pressure. Air cell insulation that is brittle has the potential to spread millions of microscopic asbestos fibers into the air. Once breathed into the lungs, these fibers may injure the inner surfaces of the lungs, which ultimately results in the condition known as asbestosis.

V. **Impact of the Redevelopment Area's Blighted Conditions**

Due to the predominance of blighting factors discussed above, the Redevelopment Area in its present condition and use constitutes (1) an economic and social liability and (2) a menace to the public health, safety, morals, and welfare.

A. *Economic/Social Liability.*

The existence of deteriorated property constitutes both an economic liability to the City of Springfield and presents a hazard to the well-being of its citizens. Due to the predominance of blighting factors discussed above, the Redevelopment Area in its current condition is a significant liability to the social welfare and economic independence of the City. The Redevelopment Area suffers from obvious deferred maintenance and a lack of investment. This disparity has fostered a state of economic obsolescence as many of the properties are no longer marketable due to their condition. Deterioration and subsequent obsolescence of the Redevelopment Area has contributed to the lack of physical maintenance and vacancy.

Furthermore, since most of the Buildings in the Redevelopment Area only contain a few units, the Redevelopment Area is incapable of supporting its highest and best use. Based on its size and zoning, the Redevelopment Area is intended to accommodate up to two hundred eighty-four (284) housing units. However, there are approximately only ninety (90) housing units within the Redevelopment Area. This underutilization prevents the Redevelopment Area from generating taxes to its utmost potential.

In summary, the Redevelopment Area in its current condition hampers the economic vitality and independence of the City by failing to generate tax revenue and discouraging reinvestment in or maintenance of this property and the surrounding area. The Redevelopment Area's physical conditions and level of underutilization diminishes its potential to generate property tax revenues for the City up to its full potential. Without the comprehensive renovation and redevelopment of the Redevelopment Area, its physical condition will continue to deteriorate and its economic efficiency will continue to decrease.

*B. Menace to Public Health, Safety, Morals, and Welfare*

The Redevelopment Area exhibits many factors which constitute a menace to the public health, safety, morals, or welfare in its present condition and use. Specifically, the deteriorated site conditions, existence of recent criminal activity, and related underutilization of the Redevelopment Area diminish the public morale and welfare with respect to the perception of this portion of the City. Furthermore, the presence of hazardous conditions, such as asbestos and the lack of updated fire prevention systems pose a serious menace to public health and safety.

**VI. Conclusion**

Due to the predominance of insanitary and unsafe conditions, deterioration of site improvements, and the existence of conditions which endanger life and property by fire and other causes, the Redevelopment Area constitutes an economic and social liability and a menace to the public health, safety, morals, and welfare in its present condition and use. The Redevelopment Area qualifies as a "blighted area" as defined in section 99.320(3) of the Missouri Revised Statutes. Accordingly, the City of Springfield should declare the Redevelopment Area to be blighted.

## Redevelopment Plan

### I. **Description of the Project**

#### A. *Boundaries of the Redevelopment Area*

The boundaries of the redevelopment area are reflected on the map attached hereto and incorporated herein as Exhibit "A" (the "*Redevelopment Area*"). The Redevelopment Area, which is located in City Center, is approximately 7.1 acres and consists of twenty-seven (27) parcels of property located to the northwest and the southwest of the intersection of E. Madison Street and S. Kimbrough Avenue in the City of Springfield, Missouri. The Redevelopment Area is legally described on Exhibit "B," which is attached hereto and incorporated herein.

#### B. *Need for Redevelopment*

The first house built in the Redevelopment Area was constructed in 1880. The remainder of the Buildings (as defined below) were constructed in the 1920s, 1930s, 1950s, and 1970s. Few improvements or updates have been made to the Buildings since their original construction, and due to age and deferred maintenance, the Buildings have suffered from much physical deterioration. The Buildings contain outdated electrical systems, plumbing, wiring, and fire prevention systems, and asbestos is present in many of these buildings as well. These conditions pose a series menace to public health and safety.

Furthermore, since most of the thirty (30) Buildings in the Redevelopment Area only contain a few units, the Redevelopment Area is incapable of supporting its highest and best use. The Redevelopment Area is zoned for High-Density Multi-Family Residential District, which means the property is intended to accommodate up to forty (40) units per acre. There are approximately ninety (90) housing units within the Redevelopment Area, which results in only eleven (11) units per acre. This underutilization prevents the Redevelopment Area from generating taxes to its utmost potential.

Although other portions of City Center have started to revitalize with an increase in loft apartments, restaurants, and entertainment facilities, the continued decline of the Redevelopment Area only serves to detract from this revitalization. Redevelopment of the area is needed to create a safe and desirable living environment, increase the taxable revenues to the City of Springfield, and place a greater portion of the City Center Study Area in congruence with the visions set forth in the Center City Plan Element.

#### C. *Redevelopment Plan Objectives and Strategies*

The purpose of the Redevelopment Plan is to rehabilitate and revitalize an integral portion of the Center City Study Area in conformance with the Center City Plan Element of the Springfield-Greene County Comprehensive Plan. The primary objectives of the Redevelopment Plan are blight removal and redevelopment of the area into a mixed use development which will be used for both residential and commercial purposes.

## **II. Land Use**

### *A. Existing Land Use*

There are thirty (30) residential use Buildings (the “***Buildings***”) in the Redevelopment Area.

### *B. Proposed Land Use*

The proposed land use for the Redevelopment Area is as a mixed use development consisting of residential use geared toward student housing and commercial retail use. Part of the Redevelopment Area will be rezoned to allow the possible addition of restaurants, a grocery store, ethnic markets, and other retail businesses. The remainder of the Redevelopment Area will be utilized for residential purposes, targeting students. Plans showing the proposed layout of the Redevelopment Area are attached as Exhibit “E” and incorporated herein.

### *C. Existing and Proposed Zoning*

The existing zoning for the entire Redevelopment Area is High-Density Multi-Family Residential District (R-HD). Part of the Redevelopment Area will require a zoning change as the Redevelopment Plan contemplates a mixed use development which will include both residential and commercial property.

### *D. Regulations and Controls*

Redevelopment of the Redevelopment Area shall be subject to all applicable City Codes and Ordinances.

## **III. Execution of the Project**

### *A. Execution*

BSH Springfield 1, LLC and Bryan Properties (collectively, the “***Developers***”) or their successors in interest shall be responsible for executing the redevelopment of the Redevelopment Area in accordance with the Redevelopment Plan.

### *B. Land Acquisition*

The majority of the land in the Redevelopment Area is already owned by the Developers, but there are several parcels that they are in the process of acquiring. These tracts of land are identified on the Proposed Land Acquisition map attached hereto and incorporated herein as Exhibit “F.” The Developers have entered into contracts to purchase all of the property identified on Exhibit F and anticipate that the sales will occur in the near future.

### *C. Disposition of Property*

No property is proposed to be disposed of within the Redevelopment Area.

D. *Taxation*

The Developers or their successors in interest may apply to the Land Clearance for Redevelopment Authority for tax relief pursuant to Sections 99.700 to 99.715 of the Missouri Revised Statutes, 2000.

E. *Covenants*

The Redevelopment Plan shall run with the land and require the Developers and successors in interest to redevelop the property in the Redevelopment Area in accordance with the specified uses in the Redevelopment Plan.

**IV. Other Provisions**

A. *Compliance with General Plans*

The Redevelopment Plan for the Redevelopment Area conforms to the Center City Plan Element of the Springfield - Greene County Comprehensive Plan.

B. *Compliance with State and Local Law*

The Redevelopment Plan conforms with the requirements of State and Local law.

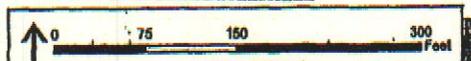
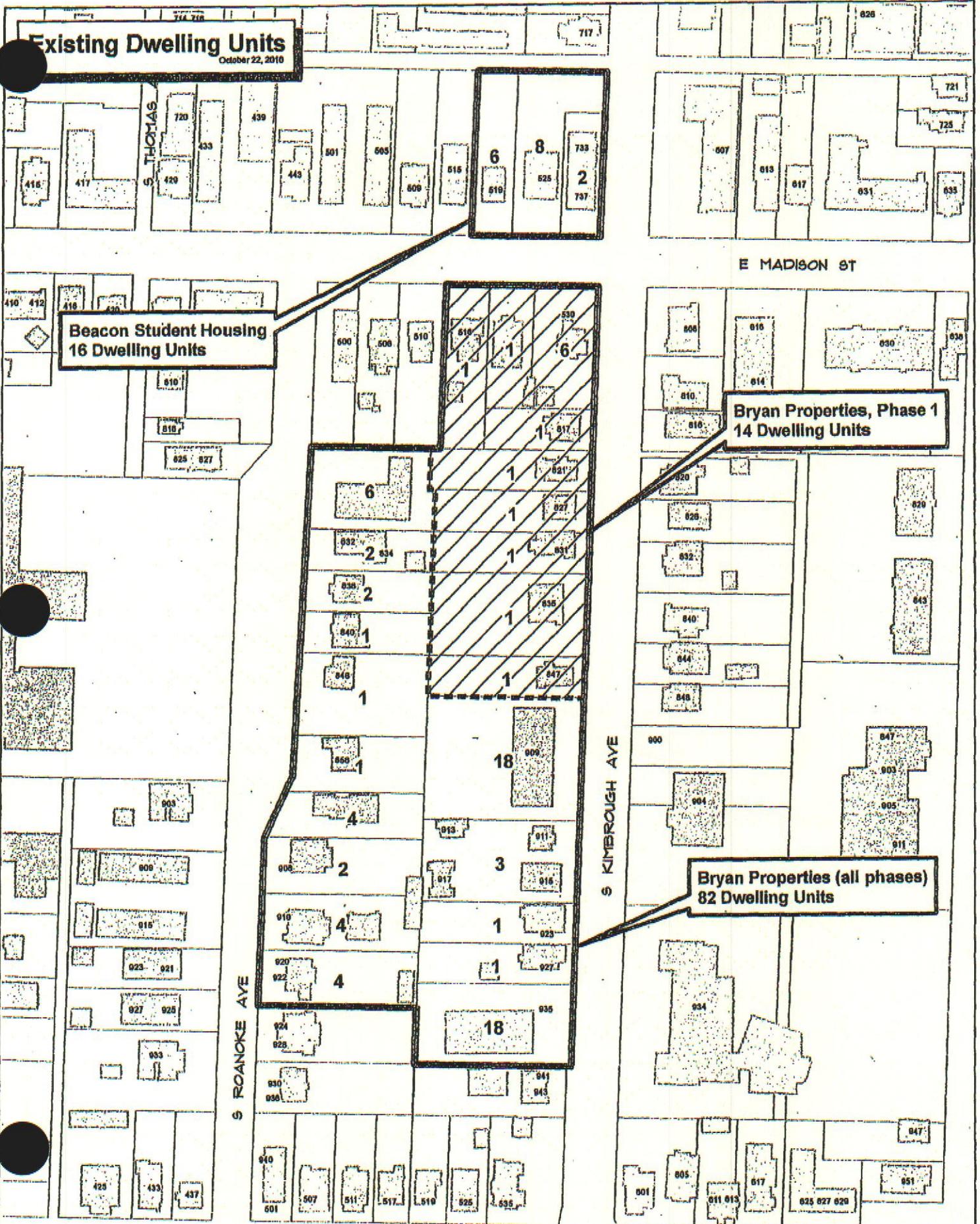
**V. Procedure for Changes or Modification of Plan**

The Redevelopment Plan may be amended or modified by the Land Clearance for Redevelopment Authority with the consent of the Planning and Zoning Commission and the Developers, and if such amendment or modification is after the sale or lease of property in the Redevelopment Area, with the consent of any redeveloper or successors in interest whose property is affected by such amendment or modification. When the proposed amendment or modification substantially changes the Redevelopment Plan, City Council must also approve the amendment or modification.

**EXHIBIT A**

**MAP OF REDEVELOPMENT AREA**

# Redevelopment Area- Exhibit A



**EXHIBIT B**

**LEGAL DESCRIPTION OF REDEVELOPMENT AREA**

**EXHIBIT " B "**  
**Redevelopment Area Legal Description**

A tract of land being part of Whitlock's Addition, Campbell Place, Sarah R. Owen Addition and Southern Addition, all subdivisions as recorded in the Greene County Recorder's Office, and a part of Section 24, Township 29 North, Range 22 West of the Fifth Principal Meridian, all lying within the city of Springfield, Greene County, Missouri, and all being more particularly described as follows:

Beginning at an Aluminum Monument at the Northeast Corner of Lot 6 of Whitlock's Addition, a Subdivision to the City of Springfield, Greene County, Missouri, said point also being on the West right-of-way line of Kimbrough Avenue; thence, along and with said West right-of-way line, the following six (6) courses and distances:

North 01°41'11" East, a distance of 49.95 feet; thence North 01°36'36" East, a distance of 100.21 feet to an existing 5/8" rebar at the Northeast Corner of Lot 3 of said Whitlock's Addition; thence North 02°15'52" East, a distance of 49.94 feet; thence North 01°47'27" East, a distance of 99.85 feet; thence North 01°45'16" East, a distance of 49.98 feet to an existing 5/8" rebar; thence, North 02°06'25" East, a distance of 147.80 feet

to the Northeast corner of Lot 113 of Southern Addition, said point being the intersection of the West right-of-way line of Kimbrough Avenue with the South right-of-way line of Madison Street; thence, North 01°41'36" East, a distance of 60.00 feet to the Southeast corner of Lot 112 of said Southern Addition, said point also being the intersection of the West right-of-way of Kimbrough Avenue with the North right-of-way of Madison Street; thence, North 01°41'36" East, along and with the West right-of-way line of Kimbrough Avenue, a distance of 201.55 feet to the Northeast corner of Lot 112 of Southern Addition, said point lying on the South line of an existing alley; thence, along and with said South line, the following two (2) courses and distances:

North 88°54'54" West, a distance of 112.30 feet to an existing 1/2" rebar; thence, North 88°38'28" West, a distance of 49.81 feet to an existing 5/8" rebar at the Northwest corner of Lot 111 of said Southern Addition;

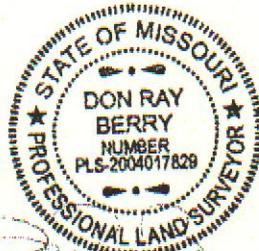
thence, South 01°43'34" West, along and with the West line of said Lot 111, a distance of 200.00 feet to the Southwest corner of said Lot 111, said point also lying on the North right-of-way line of Madison Street; thence, continue South 01°43'34" West, a distance of 60.01 feet to the South right-of-way line of said Madison Street; thence, North 88°19'56" West, along and with said South right-of-way line, a distance of 28.74 feet to an existing 1/2" iron pin; thence South 01°40'19" West, leaving said South right-of-way line, a distance of 198.98 feet to an existing 1/2" rebar; thence North 88°56'15" West, a distance of 13.87 feet to an existing 5/8" rebar at the Northeast Corner of Campbell Place, a Subdivision to the City of Springfield, Greene County, Missouri; thence North 88°26'47" West along the North line of said Subdivision, a distance of 144.90 feet to an existing 3/8" rebar at the Northwest Corner of said subdivision, said rebar also being on the East right-of-way line of Roanoke Avenue; thence along and with said East right-of-way line, the following four (4) courses and distances:

South 03°47'26" West, a distance of 399.72 feet; thence South 21°35'46" West, a distance of 82.50 feet to an existing 1/2" rebar; thence South 02°18'18" West, a distance of 137.94 feet; thence South 02°07'20" West, a distance of 68.64 feet to an existing 1/2" rebar;

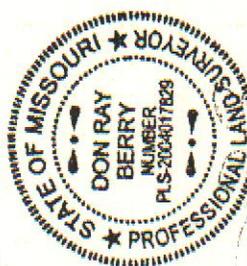
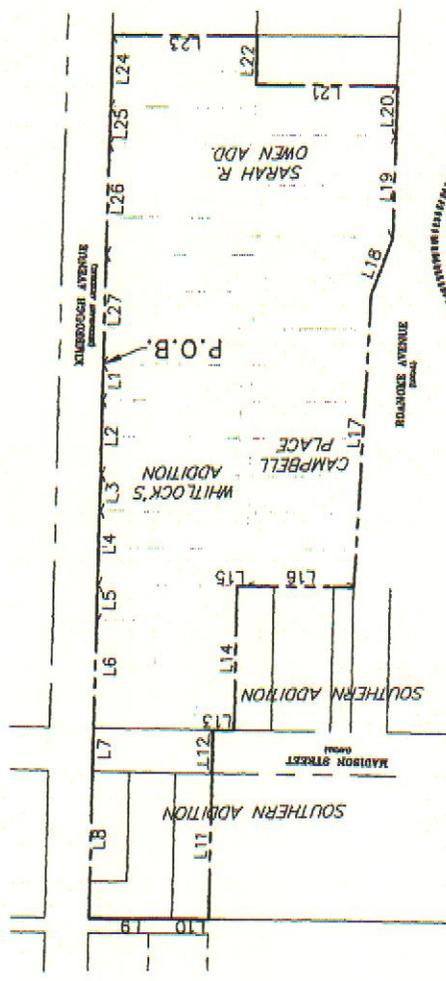
thence South 89°00'21" East, leaving said East right-of-way line, a distance of 193.42 feet; thence South 01°46'45" West, a distance of 68.64 feet to the Southwest corner of Lot 28 of Sarah R. Owen Addition; thence, South 88°45'43" East, along and with the South line of said Lot 28, a distance of 196.67 feet to an aluminum monument on the West right-of-way line of Kimbrough Avenue; thence, along and with said West right-of-way line, the following four (4) courses and distances:

North 02°18'49" East, a distance of 100.04 feet to an existing 5/8" rebar; thence, North 01°55'58" East, a distance of 50.14 feet to an existing 5/8" rebar; thence North 02°04'21" East, a distance of 149.79 feet; thence, North 01°52'28" East, a distance of 150.07 feet

to the POINT OF BEGINNING. **LESS AND EXCEPT** any portion thereof lying within the public rights-of-way. Said parcel containing, in total, 7.91 acres more or less and being subject to easements, restrictions and rights-of-way, if any.



LINE	BEARING	DISTANCE
L1	N01°41'11"E	49.95
L2	N01°36'36"E	100.21
L3	N02°15'52"E	49.94
L4	N01°47'27"E	99.85
L5	N01°45'16"E	49.98
L6	N02°06'25"E	147.80
L7	N01°41'36"E	60.00
L8	N01°41'36"E	201.55
L9	N88°54'54"W	112.30
L10	N88°38'28"W	49.81
L11	S01°43'34"W	200.00
L12	S01°43'34"W	60.01
L13	N88°19'56"W	28.74
L14	S01°40'19"W	198.98
L15	N88°56'15"W	13.87
L16	N88°26'47"W	144.90
L17	S03°47'26"W	399.72
L18	S21°35'46"W	82.50
L19	S02°18'18"W	137.94
L20	S02°07'20"W	68.64
L21	S89°00'21"E	193.42
L22	S01°46'45"W	68.64
L23	S88°45'43"E	196.67
L24	N02°18'49"E	100.04
L25	N01°55'58"E	50.14
L26	N02°04'21"E	149.79
L27	N01°52'28"E	150.07



SCALE: 1" = 200'

LEE Engineering & Associates, L.L.C.  
 2101 W. Chesterfield Blvd, Suite C202  
 Springfield, Missouri 65807  
 417-886-9100 (phone)  
 417-886-9336 (fax)  
 dlee@leeengineering.biz



"Engineering with Integrity"  
 Missouri State Certificate of Authority  
 Engineering #000002004  
 Land Surveying #000002004

THIS EXHIBIT IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED TO REPRESENT A BOUNDARY SURVEY.

DATE: 11/12/2009 PROJECT NO.: 028  
 BLIGHT AREA EXHIBIT KIMBROUGH & MADISON

PAGE 3 OF 3

# **EXHIBIT C**

## **PHOTOGRAPHS OF BLIGHTED AREA**

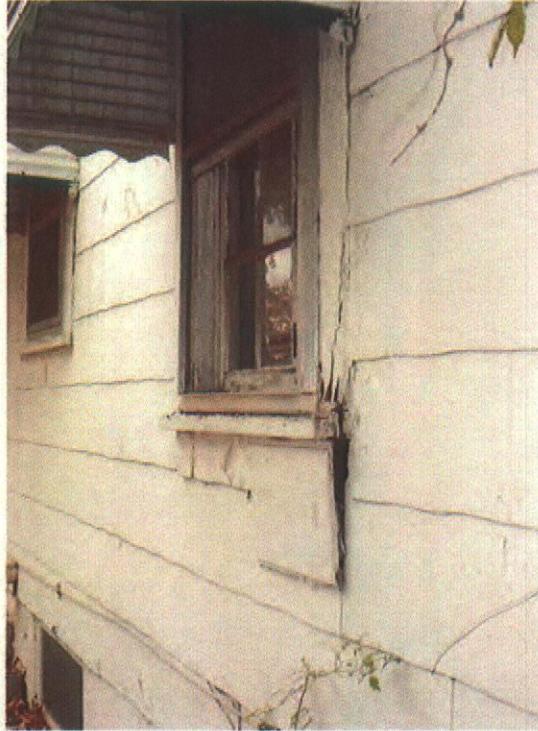
Figure 1 - Deterioration of Site Improvements

Figure 2 - Unsanitary or Unsafe Conditions

Figure 3 - Picture Location Map

**EXHIBIT C - Figure 1**

**Deterioration of Site Improvements**



836 S. Roanoke Ave.  
South Side  
(See No. 4 on Figure 3 Map for  
location)

Peeling and loose fascia materials, rotting and splintering wood. – 1A



836 S. Roanoke Ave.  
South Side  
(See No. 4 on Figure 3 Map for  
location)

Misplaced wiring, peeling and warped fascia material,  
vegetation growing into siding, rotting wood, cracked foundation. – 1B

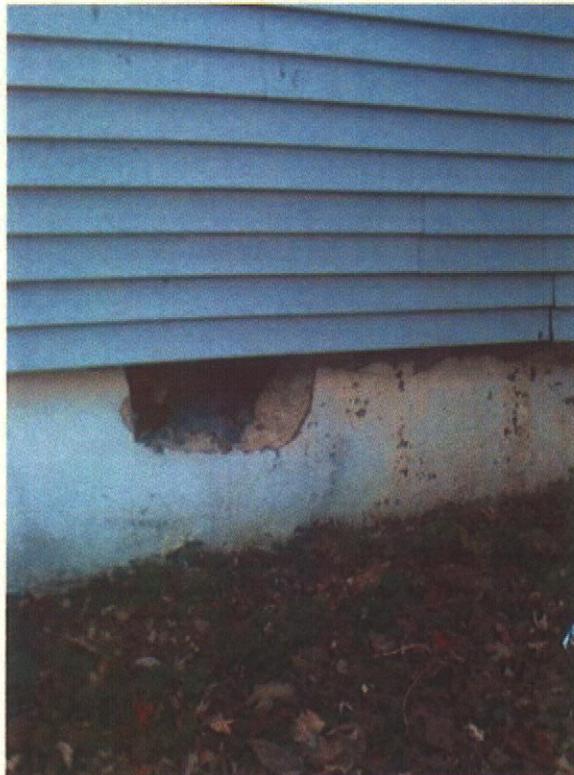
**Figure 1 Continued**

**Cracked Foundation**



827 S. Kimbrough Ave.  
(See No. 13 on Figure 3  
Map for location)

1C



840 S. Roanoke Ave.  
(See No. 5 on Figure 3 Map  
for location)

1D

**Figure 1 Continued**



910 S. Roanoke Ave.  
North Side  
(See No. 8 on Figure 3  
Map for location)

Missing supports on awnings, warped shingles. – 1E



836 S. Roanoke Ave.  
Southwest Side  
(See No. 4 on Figure 3  
Map for location)

Broken and boarded up window panes, collapsed awning, peeling fascia materials. – 1F

**Figure 1 Continued**



820 S. Roanoke Ave.  
North Side  
(See No. 1 on Figure 3  
Map for location)

**Damaged roof repaired with tarp. – 1G**



846 S. Roanoke Ave.  
West Side  
(See No. 6 on Figure 3  
Map for location)

**Deteriorating shingles, cracked concrete,  
mortar crumbling and missing between chimney bricks. – 1H**

**Figure 1 Continued**

Damaged gutters, warped and peeling fascia materials, rotting wood.



827 S. Kimbrough Ave.  
East Side  
(See No. 13 on Figure 3 Map for location)

11



836 S. Roanoke Ave.  
West Side  
(See No. 4 on Figure 3 Map for location)

1J

**Figure 1 Continued**

Deteriorating and missing shingles, cracked concrete, peeling paint, garbage.



831 S. Kimbrough Ave.  
East Side  
(See No. 12 on Figure 3 Map for location)

1K



911 S. Kimbrough Ave.  
West Side  
(See No. 10 on Figure 3 Map for location)

1L

**Figure 1 Continued**

Peeling paint and drywall damage.

(Representative of the interior of buildings in Redevelopment Area)



525 E. Madison St.  
Upstairs Apartment  
(See No. 15 on Figure 3  
Map for location)

1M



525 E. Madison St.  
Upstairs Apartment  
(See No. 15 on Figure 3  
Map for location)

1N

**Figure 1 Continued**



520 E. Madison St.  
North Side  
(See No. 14 on Figure  
3 Map for location)

Tree growing into power lines. – 10

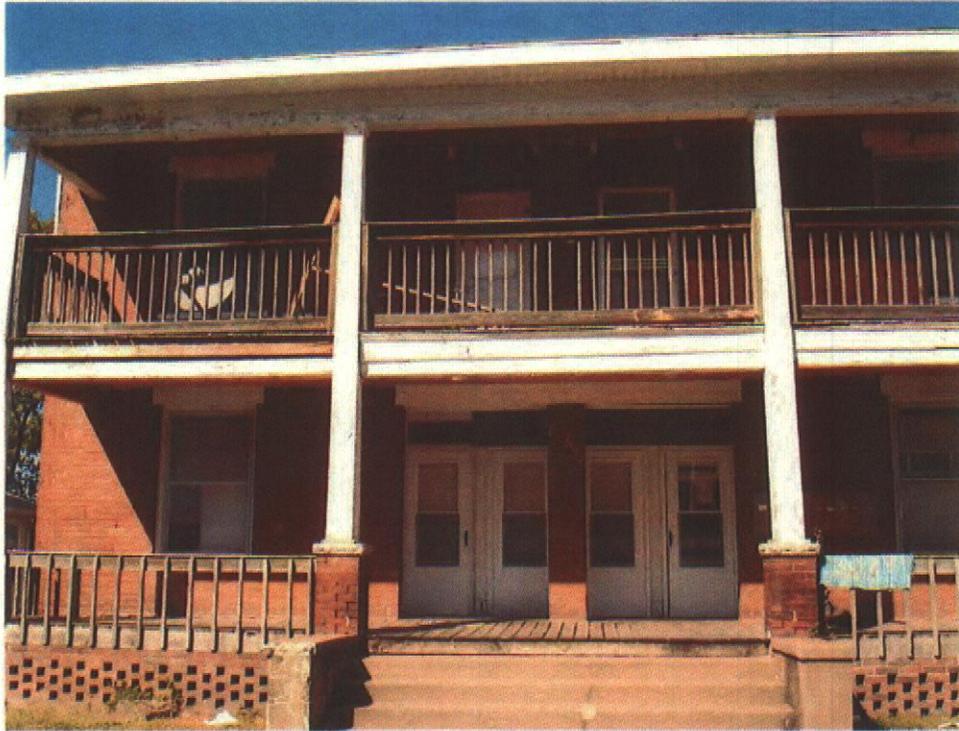


835 S. Kimbrough  
Ave.  
Northwest Side  
(See No. 11 on Figure  
3 Map for location)

Missing and broken window panes, boarded up windows, tree growing into power line. – 1P

**Figure 1 Continued**

Chipped and cracked concrete, splintering wood, missing fascia boards, peeling paint.



525 E. Madison St.  
South Side  
(See No. 15 on Figure  
3 Map for location)

1Q

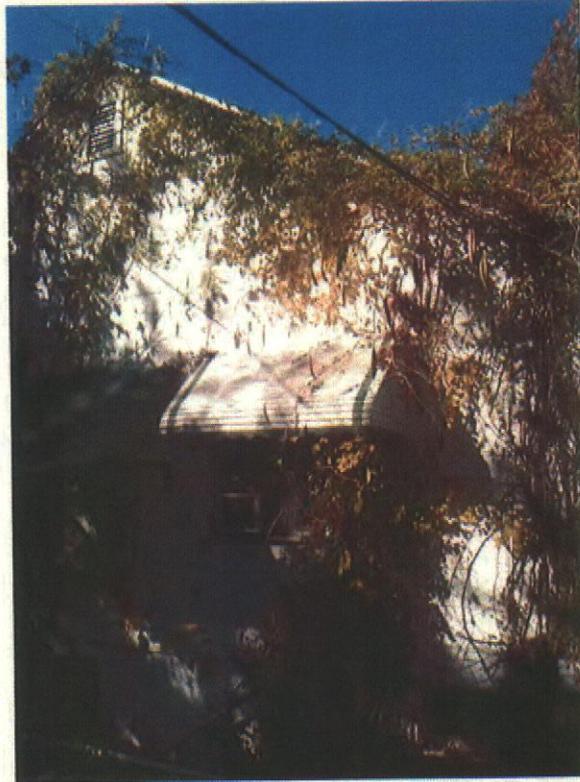


525 E. Madison St.  
South Side  
(See No. 15 on Figure 3  
Map for location)

Cracked sidewalks. -1R

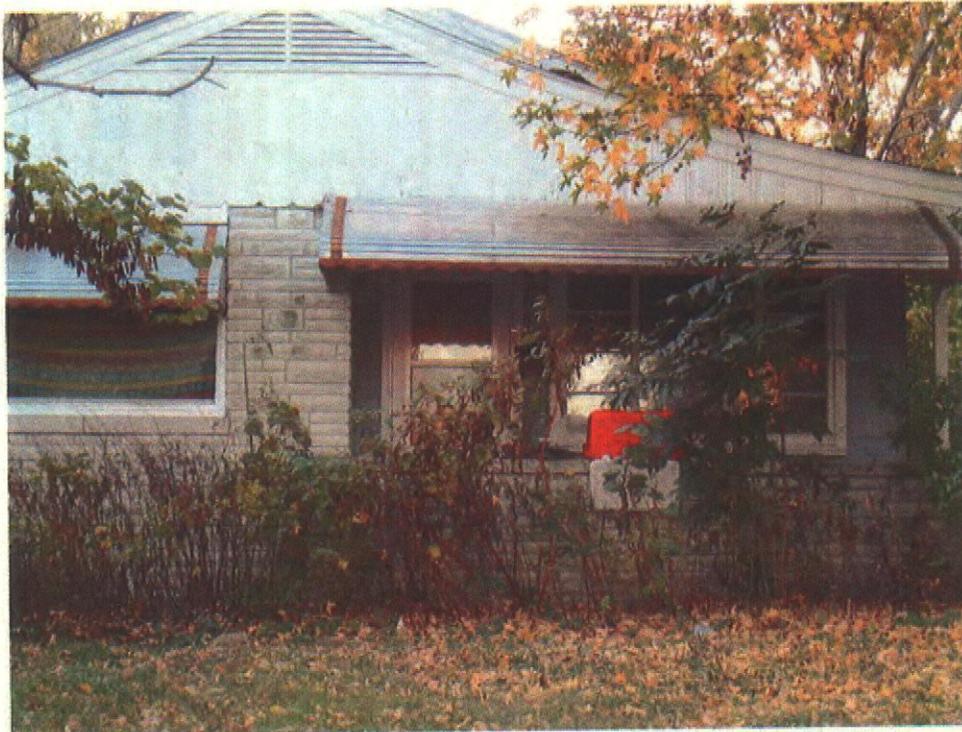
**Figure 1 Continued**

Overgrowth of vegetation and weeds and trees in power line.



834 S. Roanoke Ave.  
South Side  
(See No. 3 on Figure 3 Map  
for location)

1S



832 S. Roanoke  
Ave.  
West Side  
(See No. 2 on Figure  
3 Map for location)

Overgrowth of vegetation and weeds – 1T

**Figure 1 Continued**  
Overgrowth of vegetation and weeds.



Lot adjacent to 846  
S. Roanoke Ave. and  
behind 909 S.  
Kimbrough Ave.  
(See No. 7 on Figure 3  
Map for location)

1U



820 S. Roanoke Ave.  
South Side  
(See No. 1 on Figure 3  
Map for location)

1V

**Figure 1 Continued**  
**Overgrowth of vegetation and weeds.**



832-834 S. Roanoke  
Ave.  
Garage  
(See No. 3 on Figure 3  
Map for location)

1W

**EXHIBIT C - Figure 2**  
**Unsanitary or Unsafe Conditions**



519 E. Madison St.  
Garage  
(See No. 16 on Figure  
3 Map for location)

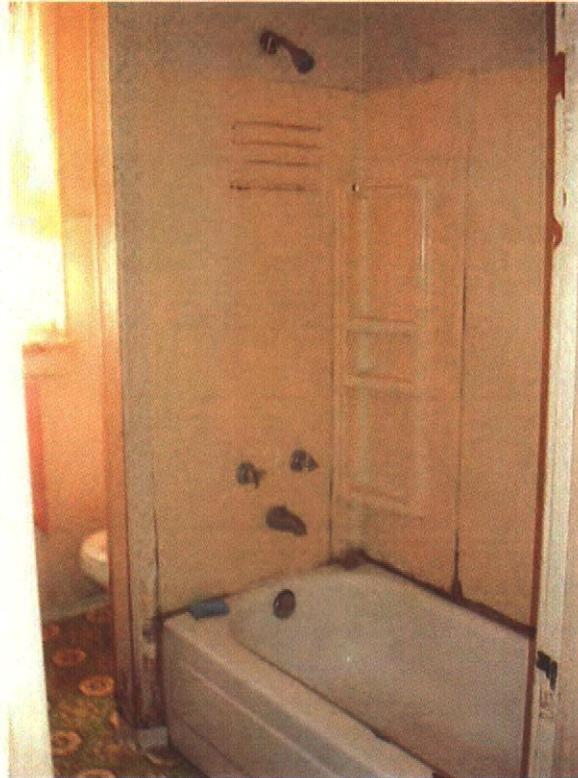
**Collapsed Roof. - 2A**



920 S. Roanoke Ave.  
East Side  
(See No. 9 on Figure 3  
Map for location)

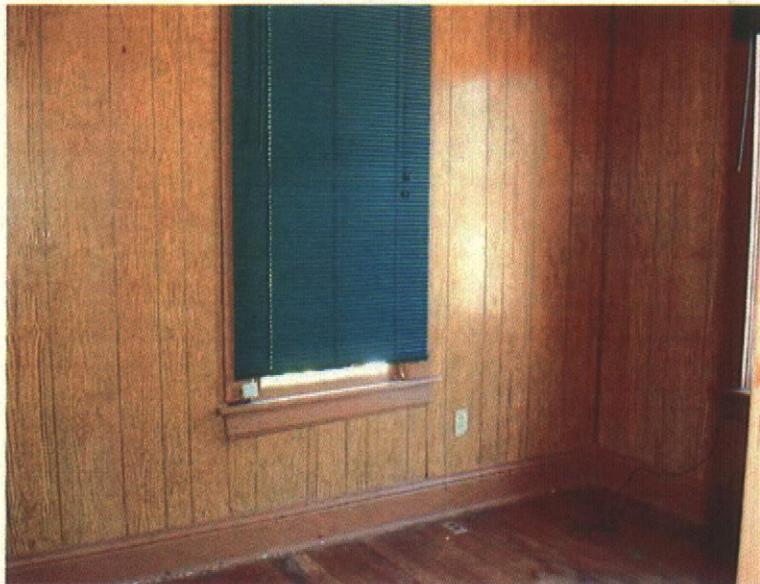
**Unsafe sidewalk conditions. - 2B**

**Figure 2 Continued**



525 E. Madison St.  
Inside of Apartment  
(See No. 15 on Figure 3 Map for location)

**Mold and rotting wood. – 2C**



525 E. Madison St.  
Inside of Apartment  
(See No. 15 on Figure 3 Map for location)

**Water damage to floors. – 2D**

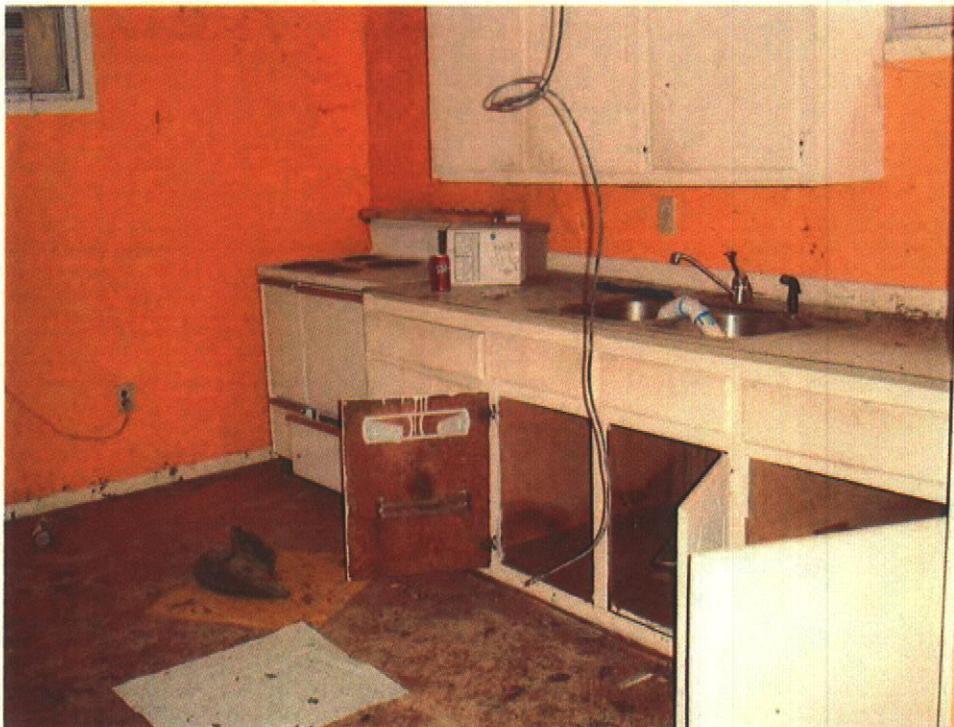
**Figure 2 Continued**

Mold, filth, loose wires, and insects.



836 S. Roanoke Ave.  
Basement Apartment  
(See No. 4 on Figure 3  
Map for location)

2E



836 S. Roanoke Ave.  
Basement Apartment  
(See No. 4 on Figure 3  
Map for location)

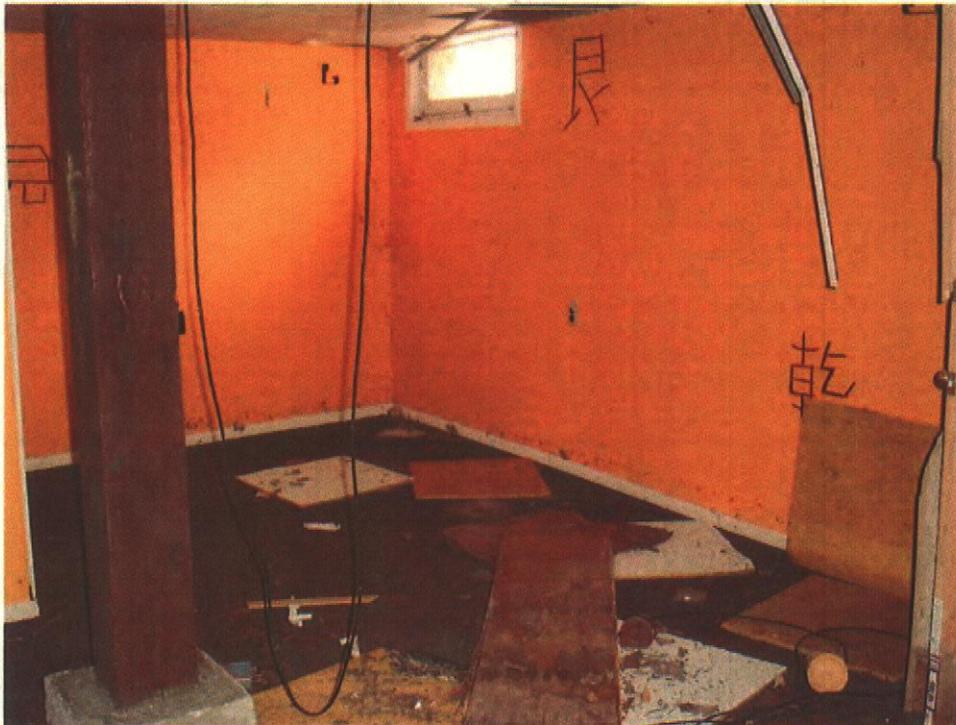
2F

**Figure 2 Continued**



525 E. Madison St.  
Upstairs Apartment  
(See No. 15 on Figure  
3 Map for location)

**Sagging floors, dirt and debris. – 2G**



836 S. Roanoke Ave.  
Basement Apartment  
(See No. 4 on Figure 3  
Map for location)

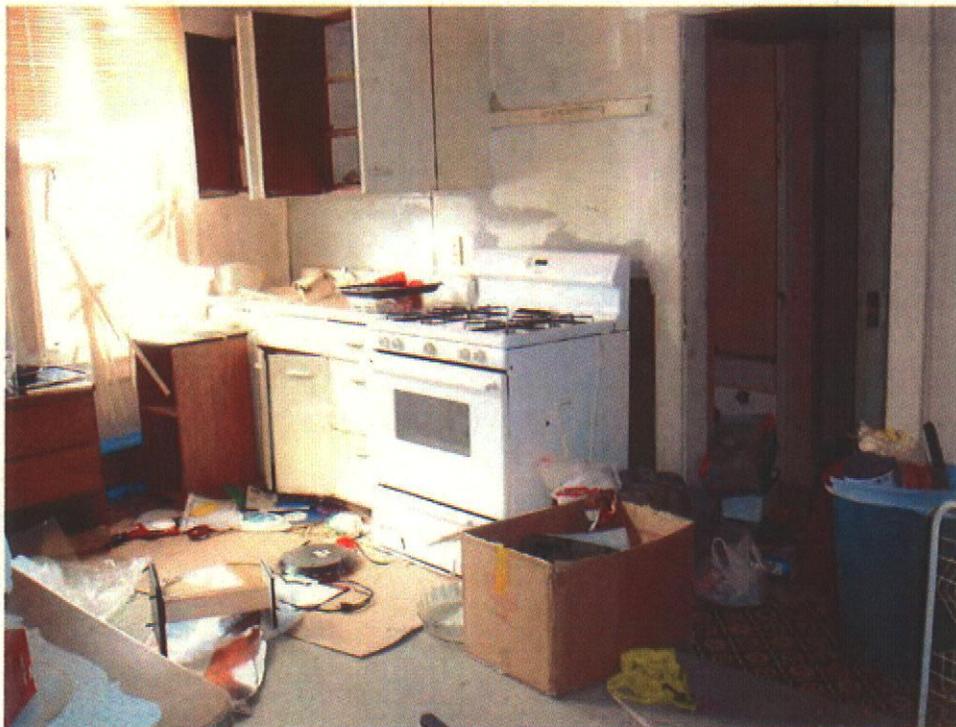
**Loose wiring and debris. – 2H**

**Figure 2 Continued**  
Trash, junk, and other filth.



525 E. Madison St.  
Upstairs Apartment  
(See No. 15 on Figure 3  
Map for location)

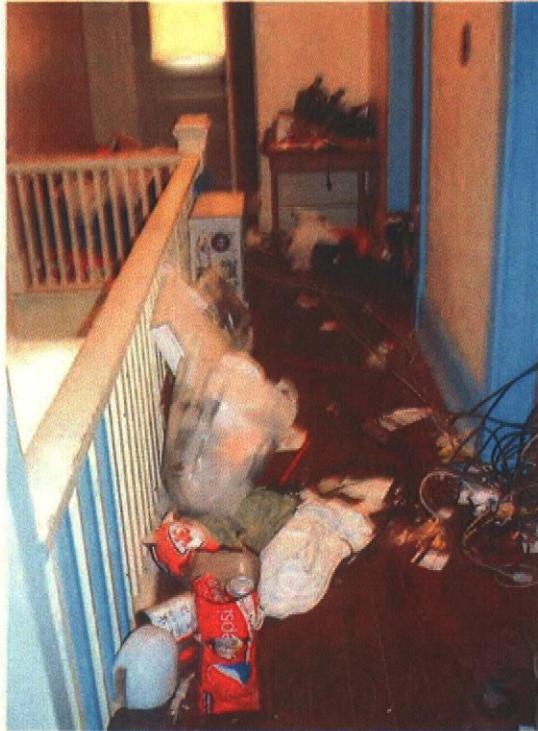
2I



525 E. Madison St.  
First Floor Apartment  
(See No. 15 on Figure 3  
Map for location)

2J

**Figure 2 Continued**  
Trash, junk, and other filth.



525 E. Madison St.  
Upstairs Hallway  
(See No. 15 on Figure 3 Map  
for location)

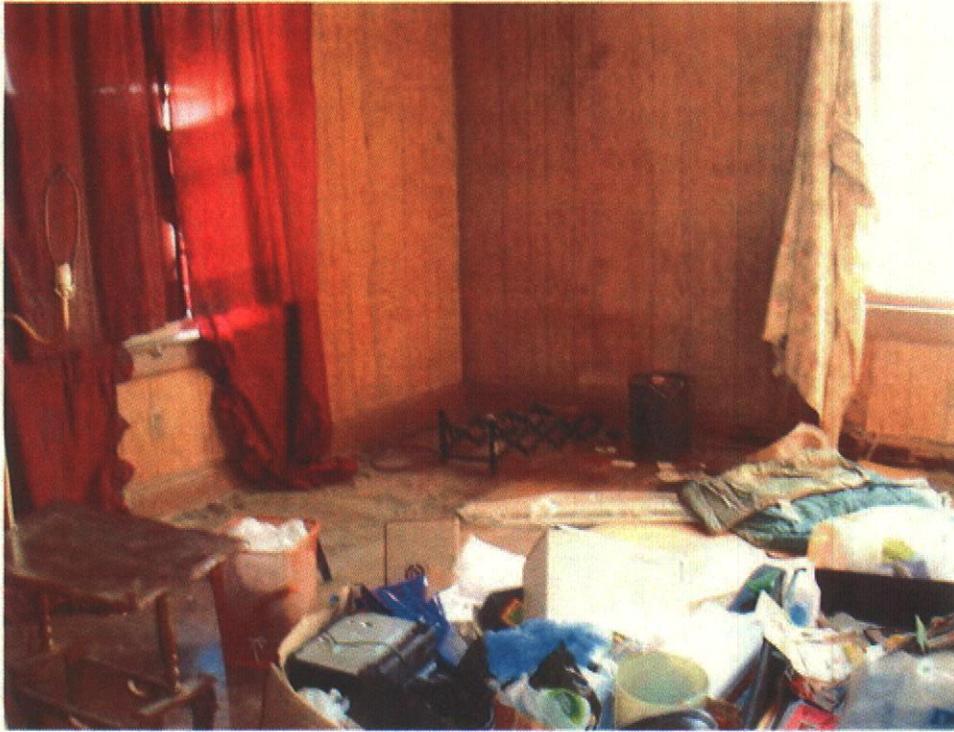
2K



827 S. Kimbrough Ave.  
First Floor Apartment  
(See No. 13 on Figure 3  
Map for location)

2L

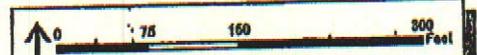
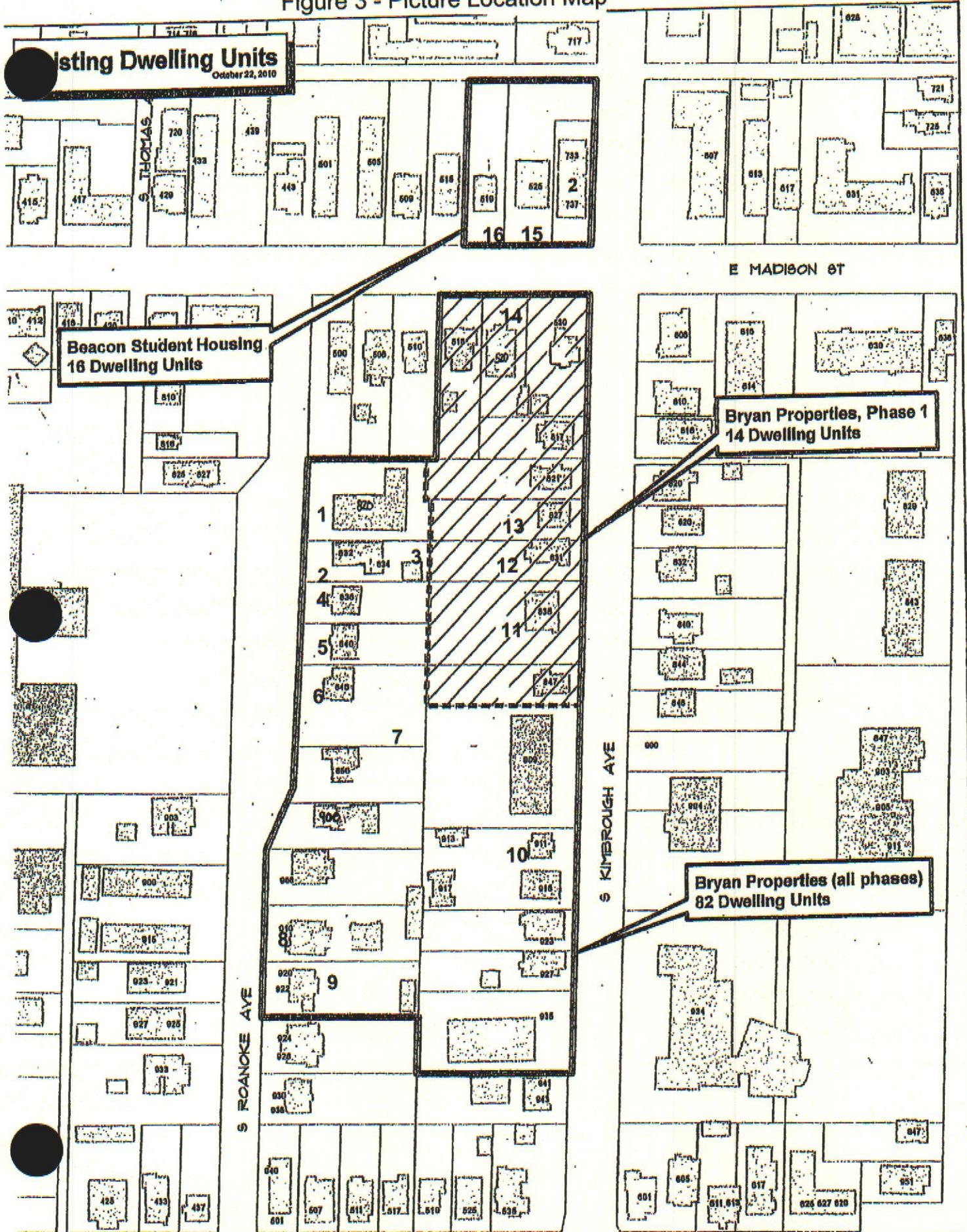
**Figure 2 Continued**



525 E. Madison St  
First Floor  
Apartment  
(See No. 15 on  
Figure 3 Map for  
location)

2M

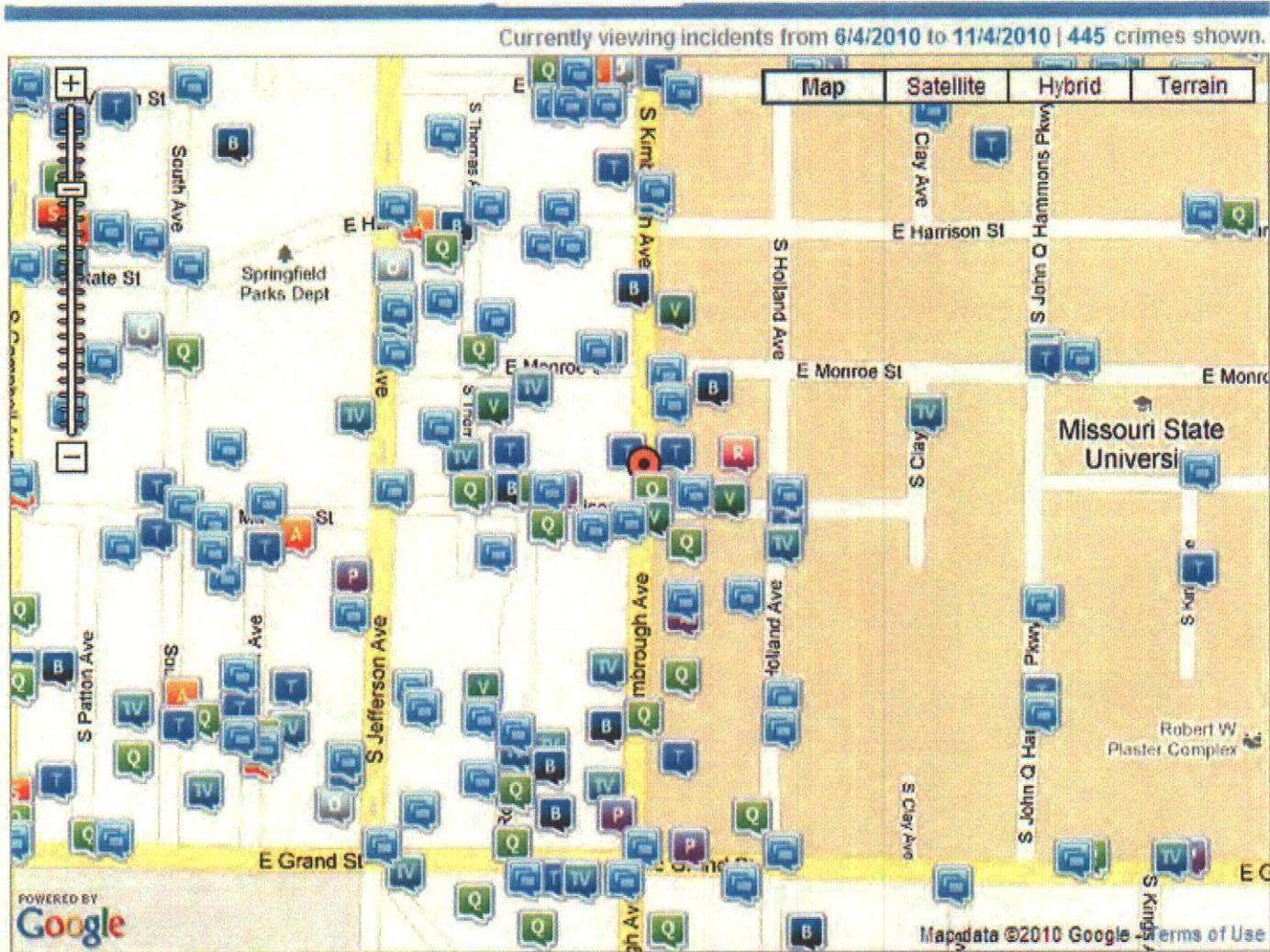
Figure 3 - Picture Location Map



**EXHIBIT D**

**CRIME REPORTS MAP**

## EXHIBIT D Springfield Police Department Crime Reports Map



The map above shows police reports filed from June 4, 2010 through November 4, 2010. These reports reflect criminal activity including, but not limited to, property crimes (such as vandalism and property damage), assault, burglary, robbery and theft. The legend below identifies the symbol reflecting each type of crime shown on the map above.

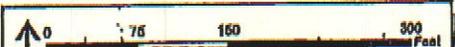
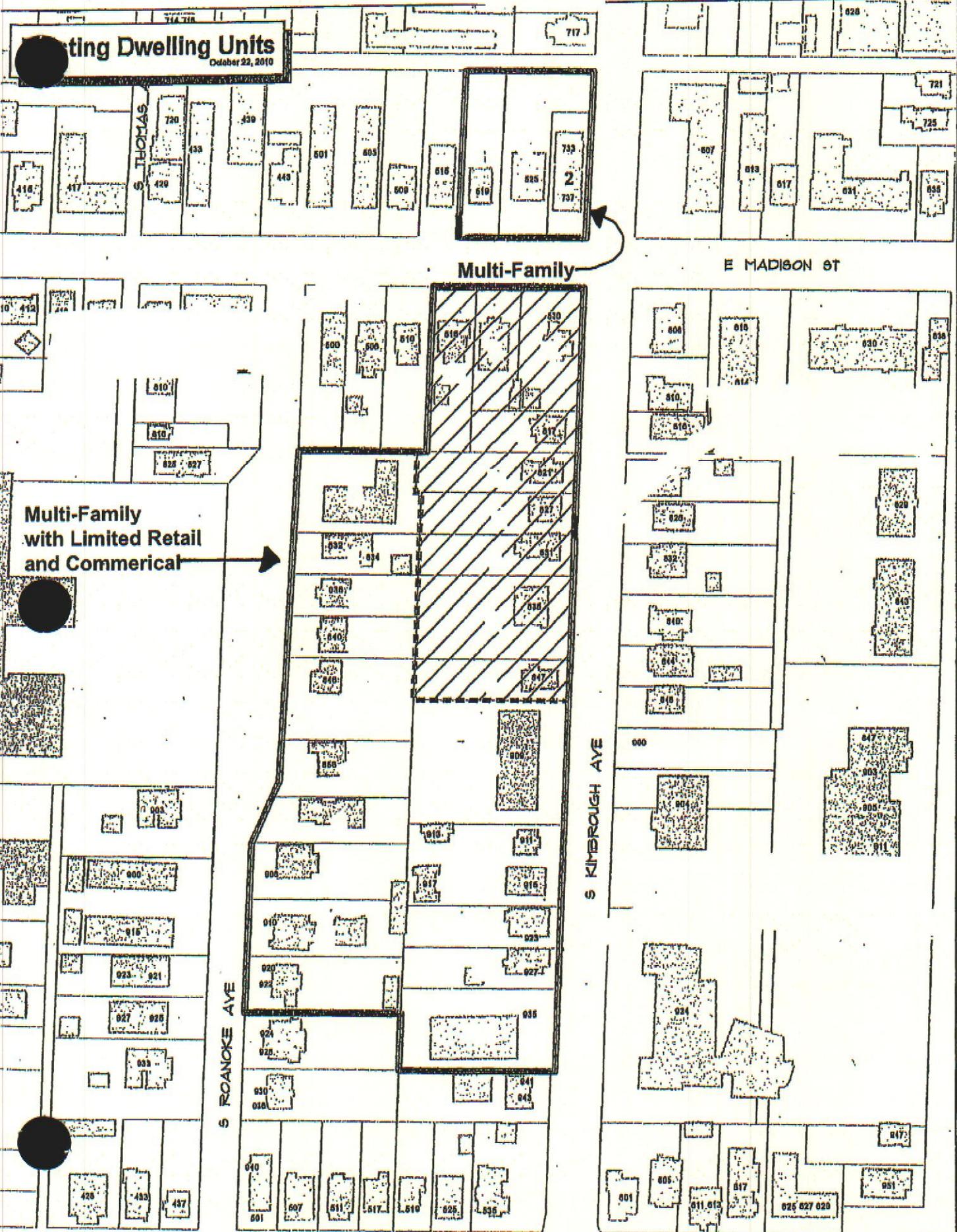
- |                    |                   |
|--------------------|-------------------|
| Assault            | Robbery (Violent) |
| Burglary           | Sex Offense       |
| Homicide           | Theft             |
| Other              | Traffic           |
| Proactive Policing | Vehicle Burglary  |
| Quality of Life    | Vehicle Recovery  |
| Reg. Sex Offender  | Vehicle Theft     |
|                    | Property Crime    |

Location of property

**EXHIBIT E**

**PROPOSED LAND USE**

# Exhibit E - Proposed Land Use



# **EXHIBIT F**

## **PROPOSED LAND ACQUISITION MAP**

