

One-rdg. \_\_\_\_\_  
P. Hrngs.   X    
Pgs.   45    
Filed:   04-21-15  

Sponsored by:           Stephens          

First Reading:   April 27, 2015  

Second Reading:   May 11, 2015  

COUNCIL BILL NO.   2015 - 109  

SPECIAL ORDINANCE NO.   26564  

AN ORDINANCE

1 ADOPTING the Historic Patterson House Redevelopment Plan and Blight Report  
2 for 1225 North Benton Avenue, and declaring the Area to be a blighted  
3 area and its redevelopment necessary for the preservation of the  
4 public peace, prosperity, health, safety, morals, and welfare. (The Land  
5 Clearance for Redevelopment Authority, the Planning and Zoning  
6 Commission, and Staff recommend approval.)  
7 \_\_\_\_\_  
8

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

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

18 WHEREAS, a Blight Report and Redevelopment Plan dated March 17, 2015,  
19 attached hereto and incorporated herein as "Exhibit A," has been prepared and  
20 submitted to the Authority and the Planning and Zoning Commission for their  
21 consideration; and  
22

23 WHEREAS, City staff recommended to the Authority and the Planning and  
24 Zoning Commission to declare 1225 North Benton Avenue as blighted and to approve a  
25 redevelopment plan for such area; and  
26

27 WHEREAS, after duly considering the Blight Report and Redevelopment Plan,  
28 the Authority approved recommendation of the blight study and redevelopment plan at  
29 its meeting of April 7, 2015, with a vote of 5 in favor and 0 against; and  
30

31 WHEREAS, the Redevelopment Plan was presented to the Planning and Zoning  
32 Commission on April 9, 2015, which voted 8 in favor and 0 against; and  
33

34 WHEREAS, City Council held a public hearing on April 27, 2015, for which notice  
35 was properly given in accordance with Section 99.430.1(8), RSMo, and all interested  
36 parties, including affected political subdivisions, were given the opportunity to be heard  
37 on such request; and

38  
39 WHEREAS, City Council, after all interested parties were given an opportunity to  
40 be heard, has elected to approve the plan submitted herewith (the "Redevelopment  
41 Plan").

42  
43 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
44 SPRINGFIELD, MISSOURI, as follows, that:

45  
46 Section 1 – It is hereby found, determined, and declared that the proposed  
47 redevelopment area, located at 1225 North Benton Avenue and more particularly  
48 described in the Blight Report attached as "Exhibit A" which is incorporated herein by  
49 reference, contains and has a predominance of insanitary or unsafe conditions,  
50 deterioration of site improvements, the existence of unsafe conditions which endanger  
51 life or public health including the danger of fire, and generally insanitary, blighted,  
52 deteriorated real estate as described in the Act for the reasons set forth in said Blight  
53 Report, and that the area is therefore blighted. It is further found that this is an area that  
54 is appropriate for the undertaking of a redevelopment project in conformance with the  
55 Redevelopment Plan contained within "Exhibit A."

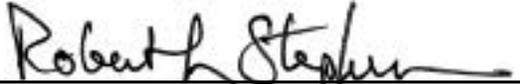
56  
57 Section 2 – City Council is cognizant of the requirement of the Act pertaining to a  
58 workable program for community improvement by utilizing public and private resources  
59 to eliminate and prevent slums and the spread of blight within the City.

60  
61 Section 3 – The Redevelopment Plan contained within "Exhibit A" is hereby  
62 found to be a feasible and reasonable plan for redevelopment of the area and is in  
63 conformity with the general plan for development of the City and that said  
64 Redevelopment Plan is an appropriate plan for the acquisition, clearance,  
65 reconstruction, rehabilitation and renewal of the entire area, and for future land uses.  
66 Said Redevelopment Plan is found to meet the requirements of Section 99.430(4),  
67 RSMo, and is hereby adopted.

68  
69 Section 4 – The Authority and the City Manager are hereby authorized to take  
70 such actions as are necessary to carry out the Redevelopment Plan with the exception  
71 that any agreements with developers shall be approved through Council action.

72  
73 Section 5 – This ordinance shall be in full force and effect from and after  
74 passage.

75  
76 Passed at meeting: May 11, 2015

77  
78   
79 Mayor

80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91

Attest: *Ante J. Cotter*, Acting City Clerk

Filed as Ordinance: May 11, 2015

Approved as to form: *Sarah Kerner*, Assistant City Attorney

Approved for Council action: *Guy Burt*, City Manager

**EXPLANATION TO COUNCIL BILL NO. 2015- 109**

FILED: 4/21/2015

ORIGINATING DEPARTMENT: Planning and Development

**PURPOSE:** To approve a redevelopment plan for the Historic Patterson House Redevelopment Area located at 1225 North Benton Avenue and declare 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:** Sections 99.300-99.715, RSMo, the Land Clearance for Redevelopment Authority Law, provides incentives to encourage investment and the removal of blight within Council-approved redevelopment areas. Pursuant to the Law, the Land Clearance for Redevelopment Authority (LCRA) may authorize partial real property tax abatement for projects that conform to an approved redevelopment plan and are located within an area that City Council has declared as blighted. Partial real property tax abatement is based on 100% of the increase in the assessed value of land and improvements for 10 years.

Historic Patterson House, LLC has submitted a blight report and redevelopment plan for the proposed Historic Patterson House Redevelopment Area (Exhibit A), which consists of a single 0.49 acre parcel located at 1225 North Benton Avenue. The Redevelopment Area is occupied by the historic Patterson House, which was constructed in 1904 as a single-family residential dwelling and subsequently converted into apartments in 1939. The house is recognized as a contributing structure within the Mid-Town National Historic District and is listed in the Springfield Historic Register as a local historic site. The House has experienced significant deterioration over the past couple of decades and now sits vacant and in need of rehabilitation.

Section 99.320 (3), RSMo 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 applicant has submitted evidence, including photographs, 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. The presence of these conditions hinders the provision of housing accommodations and 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 report at their April 7, 2015 meeting and recommended that this area be declared blighted by a vote of 3 to 0.

The Redevelopment Plan proposes to rehabilitate the Patterson House, in conjunction with an adjoining property located immediately south of the Redevelopment Area at 1215 North Benton Avenue, into a 14-unit bed and breakfast and restaurant in accordance with the requirements and standards applicable to Planned Development District No. 348. Although it will be redeveloped along with the Patterson House, the property at 1215 North Benton was not included in the proposed Redevelopment Area because it lacks a predominance of blighting conditions. The Planning and Zoning Commission reviewed the Redevelopment Plan their April 9, 2015 meeting and recommended approval by a vote of 8 to 0.

This proposal is consistent with the Chapter 99/Land Clearance for Redevelopment Authority policies set forth in the *Economic Development Incentives Policy Manual*. Those policies are provided below.

1. Proposed redevelopment plans must be reviewed by the Planning and Zoning Commission and found to be consistent with the City of Springfield Comprehensive Plan.
2. Proposals for redevelopment plans and property tax abatement pursuant to Chapter 99, RSMo will be strongly discouraged in approved Tax Increment Financing districts because tax abatement conflicts with the intent of the TIF statute to capture the incremental increase to fund TIF improvements.

Section 99.430(9), RSMo establishes the scope of review for a municipality to approve a Redevelopment Plan. The City Council may approve a plan if it finds that it is feasible and in conformity with the general plan for the development of the community as a whole.

This project supports the following *Field Guide 2030* goal: Chapter 3, Economic Development, Major Goal 7, Continue the development and revitalization of center city Springfield.

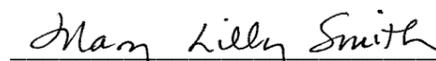
REMARKS: The applicant plans to utilize both federal and state historic tax credits to facilitate the rehabilitation and adaptive reuse of the Patterson House. In order to qualify for those credits, the project must comply with the Secretary of the Interior's Standards for Rehabilitation. Furthermore, because it is listed as a historic site in the Springfield Historic Register, the proposed rehabilitation of the Patterson House will also be subject to review by the Springfield Landmarks Board.

The Planning and Zoning Commission, the Land Clearance for Redevelopment Authority, and City staff recommend City Council approve the Redevelopment Plan.

Submitted by:

  
Matt D. Schaefer  
Senior Planner

Recommended by:

  
Mary Lilly Smith  
Director, Planning and Development

Approved by:

  
Greg Burris  
City Manager

# **Blight Report and Redevelopment Plan**

## **Historic Patterson House**

1225 N. Benton Avenue

Springfield, MO

March 17, 2015

### **BLIGHT STUDY**

<b>I. GENERAL DESCRIPTION</b>	<b>3</b>
BACKGROUND OF PROPERTY	4
<b>II. DEVELOPMENT OF THE REDEVELOPMENT AREA</b>	<b>4</b>
<b>III. EVIDENCE IN SUPPORT OF BLIGHT</b>	<b>5</b>
A. DETERIORATION OF SITE IMPROVEMENTS	5
B. UNSAFE AND INSANITARY CONDITIONS	5
C. CONDITIONS THAT ENDANGER LIFE OR PROPERTY	5
D. PHOTOGRAPHIC EVIDENCE	6 - 13
<b>IV. THE IMPACT OF THE REHABILITATION AREA'S BLIGHT</b>	<b>14</b>
<b>V. CONCLUSION</b>	<b>14</b>

### **REDEVELOPMENT PLAN**

<b>I. INTRODUCTION</b>	<b>15</b>
<b>II. BACKGROUND</b>	<b>15</b>
<b>III. DESCRIPTION OF THE PROJECT</b>	<b>15</b>
<b>IV. NEED FOR REDEVELOPMENT</b>	<b>16</b>

<b>V. REDEVELOPMENT PLAN OBJECTIVES AND STRATEGIES</b>	<b>21</b>
<b>VI. LAND USE PLAN</b>	<b>21</b>
<b>VII. EXECUTION OF THE PROJECT</b>	<b>22</b>
<b>VIII. OTHER PROVISIONS</b>	<b>23</b>
<b>IX. PROCEDURE AND CHANGES OR MODIFICATION OF PLAN</b>	<b>24</b>

## **ADDENDA**

### **EXHIBIT A**

Map of Redevelopment/Rehabilitation Area

### **EXHIBIT B**

Legal Description

### **EXHIBIT C**

Bike Route Map

### **EXHIBIT D**

Preliminary Site Plan

### **EXHIBIT E**

Planned Development District No. 348

# Blight Report

## Historic Patterson House

### I. General Description

The Land Clearance for Redevelopment Authority Law ("LCRA Law") is codified in Sections 99.300 to 99.660 of the Revised Statutes of Missouri. This law provides a mechanism for municipalities to address and eradicate "blighted areas" within the municipality and to encourage rehabilitation and redevelopment of blighted areas by private enterprise. Municipalities utilize the LCRA Law to incentivize private citizens to develop and improve properties that have, through neglect and deterioration, become an eyesore and nuisance.

The LCRA describes "blighted area" as follows (Section 99.320 of the Missouri Revised Statutes): "Blighted area", an area which, by reason of the (1) predominance of 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, (a) retards the provision of housing accommodations, or (b) constitutes an economic or social liability, or (c) constitutes a menace to the public health, safety, morals, or welfare in its present condition and use;

Missouri Courts have found that when an area meets any one of the above five factors, that lead to any of the three conditions in the second half of the definition, then an area may be deemed "blighted." *Land Clearance for Redevelopment Authority of City of St. Louis v. Inserra*, 284 S.W.3d 641, (Mo.App.E.D. 2009).

This Blight Report and attached Rehabilitation Plan demonstrate that the described property (Redevelopment Area) has a predominance of: (2) insanitary and unsafe conditions, (3) deterioration of site improvements, and (5) existing conditions which endanger life or property by fire and other causes...

Which leads to:

(a) retardation of the provision of housing accommodations and (b) constitutes an economic and social liability, and (c) is a menace to public health, safety, morals, or welfare in its present condition and use.

### Introduction

This Blight Report for 1225 N. Benton Avenue in Springfield, Missouri (aka "Blight Study") demonstrates that the subject property should be declared blighted so that the Developer, Historic Patterson House, LLC, a Missouri Limited Liability Company, will be provided incentives to invest private money to perform the historic redevelopment and restoration of the property. This study establishes that the property at 1225 N. Benton Avenue is a "blighted

area” according to the LCRA Law due to the preponderance of (1) deterioration of site improvements, (2) insanitary and unsafe conditions, (3) conditions which endanger life and property, and that, in its current condition the subject property is an economic and social liability and a menace to the public health, safety and welfare and fails to provide housing accommodations or any other economic use.

### **Background of Property**

The developer is the owner of the Patterson House, 1225 N. Benton Avenue, Springfield, Missouri. The property is located in the Mid-town Historic District and is identified as a contributing property to the District on the National Historic Register of Historic Places.

Marvin Robards constructed the home at 1225 N. Benton Avenue. His two daughters, Mabel and Emily, helped design the home. Construction began in 1900 and was completed in 1904. Emily married local attorney, Orin Patterson in 1903. Emily and Orin were the first occupants of the Patterson house.

Orin’s brother, Roscoe, became a Congressman and U.S. Senator and lost re-election to Harry S. Truman in 1934. In 1939, after Orin passed away, the house was converted into six apartments; each with its own bathroom and kitchen. A member of the Patterson family occupied at least one apartment until June 2004, when Mary Lou Patterson, Orin and Emily’s daughter passed away. Over the past several decades the condition of the house has continued to deteriorate. The apartments have been vacant for at least the past eight years.

### **II. Development of the Redevelopment Area**

The Redevelopment Area comprises approximately .51 acres (22,374 square feet) and takes up more than half of Planned Development 348. The developer intends to utilize partial real property tax abatement pursuant to Sections 99.300-99.715, RSMO, and State and Federal Historic Tax Credits to rehabilitate the Patterson House and convert the dilapidated structure into at least seven luxury boutique suites for overnight stay and other ancillary services as detailed in the Redevelopment Plan. The Redevelopment will be in line with the city’s overall plans for the area and improve the site. The “Redevelopment Plan” provides further details regarding the developer’s plans.

### **III. Evidence in Support of Blight**

The Redevelopment Area is located across from Drury University on Benton Avenue. Drury University student housing is located immediately to the north and west of the Redevelopment Area. The Drury University Alumni Center is two doors south. Many of the properties surrounding the Redevelopment Area have been rehabilitated and represent promising growth and redevelopment in the area. Significant expense, however, will be required to rehabilitate the Patterson House. Without property tax abatement the costs to rehabilitate and redevelop the property cause the redevelopment to not be economically feasible.

The Redevelopment Area meets the definition of “Blighted Area” under section 99.320(3) of the Missouri Revised Statutes as evidenced by the information and photographs in this report.

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

Construction of The Patterson House commenced in 1900 and was completed in 1904. Homes of this age require significant maintenance, repair, and upgrades. Missing and cracked foundation stones, rotting support columns, dilapidated and missing siding, gaping holes in soffit, missing and abandoned guttering and downspouts (lack of functioning guttering system causes moat around structure and water intrusion into fascia, soffit, walls and foundation), large holes in flooring, unsafe stairs, inadequate and unsafe electrical wiring and systems (100 amp service), exposed wiring, and missing and rotted handrails all evidence deterioration of Primary building components. There is water intrusion into the basement requiring significant repair and waterproofing of the foundation walls and repointing of foundation walls inside and out.

Deterioration to Secondary building structures is prevalent in peeling and rotting fascia and window frames, broken windows, broken doors requiring 2x4 bracing against inside of doors, missing and damaged drywall and plaster on ceilings and walls, missing and warped trim, insanitary bathroom fixtures, the abundance of accumulated debris, rotting walls in bathrooms, collapsing ceilings, severely peeling and chipping paint from all exterior wood surfaces and most interior framing of windows and other wood surfaces, damaged storm windows and ripped screens. The deterioration of site improvements is specifically described below and evidenced by corresponding photographs.

### **B. Insanitary and Unsafe Conditions**

The Redevelopment Area exhibits insanitary and unsafe conditions both inside the structure as well as on the exterior around the site. Some of these conditions include inadequate structural support for porches, extremely insanitary toilets and bathrooms, exposed and outdated wiring, active knob-and-tube wiring, wiring evidencing rodent damage from squirrels, tripping hazards, and chipping paint which is likely lead-based. The developer is also having the ductwork tested for the presence of asbestos.

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

The age of the structure indicates, with a high degree of certainty, that there is a presence of lead-based paint that may create health hazards. Paint and other surfaces are chipping and peeling away on the Redevelopment Area. The active knob-and-tube wiring creates fire hazards and needs to be replaced.

**A. Severe Paint Chipping**

Paint has chipped from all exterior wood surfaces. Given the age of the home, some of the paint may contain lead. Photo is representative.



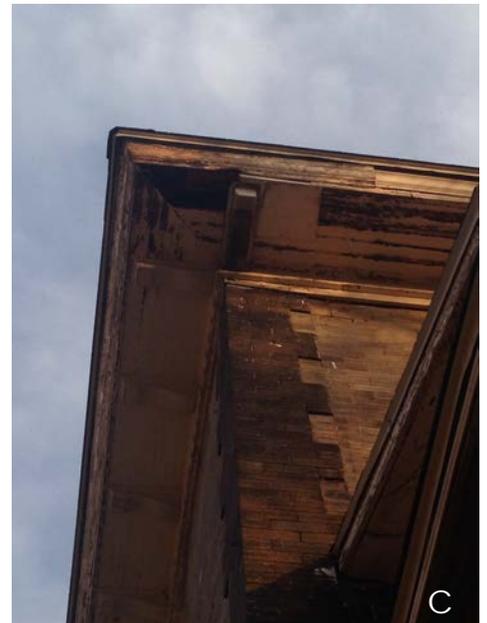
**B. Structural Instability**

This photo depicts shifting foundation stones under structural column supporting portico canopy and balcony.



**C. Missing Soffit**

Gaping holes in soffit allow squirrels, hornets and other vermin easy access to interior of structure.



**D. Dilapidated Wood**

Photo represents condition of wood surfaces falling from structure and becoming deteriorated due to lack of maintenance.



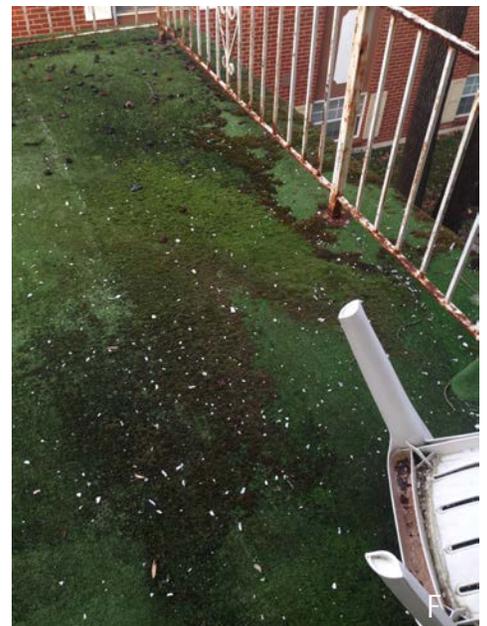
**E. Failed Weather seal**

Plastic bags used in effort to close gap between window sill and frame.



**F. Mold**

Lack of maintenance contributed to mold growth on portico balcony. Note also corroded iron handrail.



### G. Broken Handrail

Broken handrail on stairs at north entry and accumulated debris poses public health and safety concerns.



### H. Structural Instability

Unstable canopy at west entrance about to collapse



### I. Inadequate support

Rear entry canopy supported by rotting uneven column resting upon unstable and unsupported chunks of masonry



### J. Dilapidated Wood

Rotting wood windowsill represents deteriorated wood due to extended lack of maintenance



### K. Piles of trash

Rotting carpets and accumulated construction trash presents public health and safety and contributes to unsightly mess



### L. Inadequate support

Stairs supported by masonry with no mortar resting on bare ground presents unstable and unsafe conditions



M. Insanitary facilities

Extremely insanitary toilet in lower level presents public health and safety risks and reflects blighted condition of property

N. Rotten walls

Rotten walls above 3<sup>rd</sup> story tub, gaping holes in flooring and deteriorated walls reflect severe water damage

O. Missing flooring

Gaping holes in third floor flooring represent deterioration and safety issues

P. Bowing ceiling

Bowed ceiling on 3<sup>rd</sup> floor caused by inadequate support and severe water damage.

Q. Rodent Infestation

Evidence of squirrel infestation throughout home. Droppings along most windowsills, furniture, counters and floors. Photo depicts squirrel carcass in attic.



### R. Improper support

Structural support column on brick wall with missing bricks



### S. Exposed wiring

Electrical wiring hanging from porch structure reflects failures of electrical system and public safety concern



### T. Missing foundation

Rubble stone failure at west exterior wall. Stones have fallen from foundation wall due to extended lack of maintenance



### U. Dilapidated wood

Warped and dilapidated wood balustrade and chipping paint evidence extended lack of maintenance.



### V. Rotten column

Support column at south porch, which also supports enclosed 2nd story porch, shows rot. Structural rehabilitation required



### W. Bare Knob-and-Tube Wiring

Electrical Hazard created by bare knob-and-tube wiring in ceiling light box on second floor.



**X. Failing stairs**

Large chunks missing from deteriorated masonry stairs at front entrance



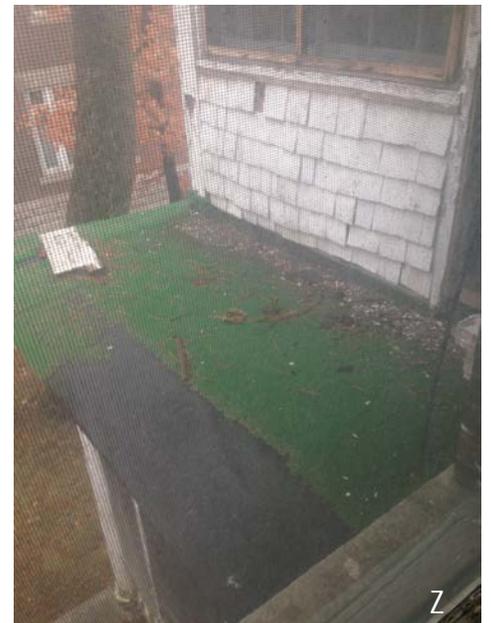
**Y. Rotten balustrade**

Wood balustrade above front porch has rotted and is about to collapse



**Z. Failed siding**

Broken and fallen siding and missing balustrade at second story enclosed porch



**AA. Falling ceiling**

Bead board ceiling on south enclosed porch has deteriorated and is falling.



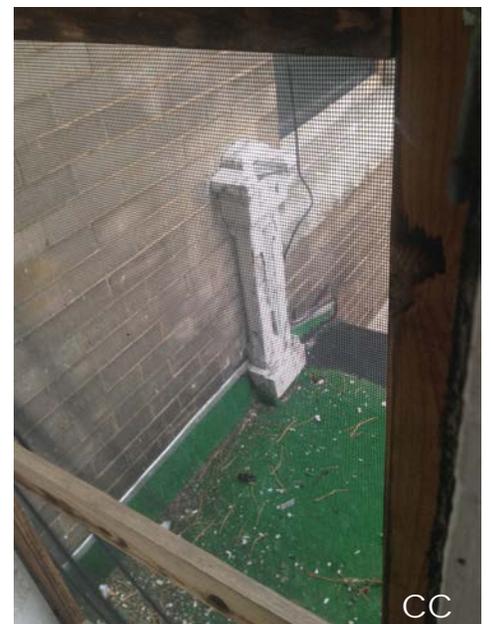
**BB. Insulation piles**

Piles of insulation evidences vermin infestation and poses health risks on second story veranda.



**CC. Missing rail**

Balustrade at south second story porch balcony has deteriorated and fallen from structure. Health and safety risk



**DD. Chewed Wiring**

Wiring in Third floor ceiling evidences rodent damage posing fire hazard.



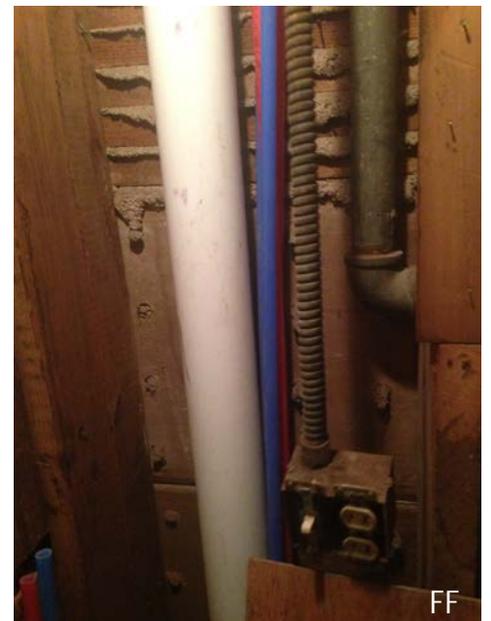
**EE. Insanitary facilities**

First floor restroom. Missing walls and rotting framing presents insanitary, unsafe and uninhabitable conditions



**FF. Exposed utilities**

Missing plaster exposes plumbing and electrical components to direct human contact presenting health and safety risks



**GG. Pipe failure**

Ceiling damage due to apparent cast iron pipe failure



**HH. Plaster failure**

Plaster ceiling collapse due to water intrusion or plumbing failure



**II. Missing walls**

Third floor restroom. Missing sheetrock walls poses health and safety concerns and represents deteriorated conditions



JJ. Brick piles

Backyard has piles of bricks from remains of carriage house. Rusty pipes and debris present unsafe conditions

KK. Unstable wall

Collapsing carriage house wall structure is public safety concern

LL. Rusty fence

Broken rusty wire, including barbed wire, fence with broken posts is menace to public safety

MM. Failing wall

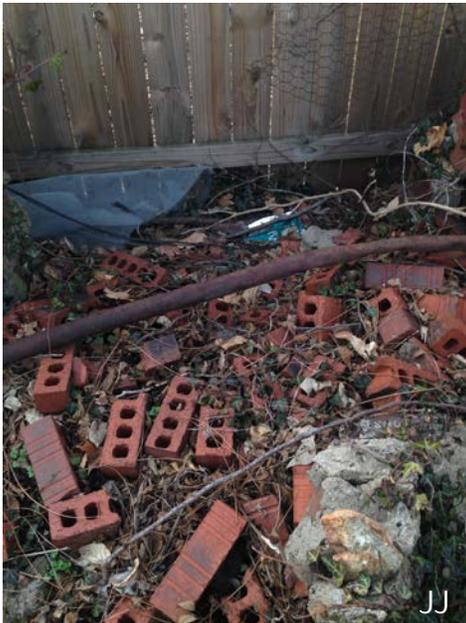
Wall from remains of carriage house on verge of collapse is threat to public health and safety

NN. Squirrel infestation

Squirrels have infested house structure and are accelerating damage and deterioration to structure and present public health and safety concerns

OO. Beer bottles

Area on west edge of Redevelopment Area invites vagrants and poses threat to public health and safety



JJ



KK



LL



MM



NN



OO

JJ. Iron plumbing debris

Broken cast iron pipes scattered in house



JJ

KK. Broken Glass

Broken glass evidence of deterioration and lack of occupancy



KK

LL. Improper Bracing

Broom head braces ceiling of sunroom



LL

MM. Bare Wiring

Bare wiring exposed throughout house including missing fixtures and receptacles.



MM

NN. Bare Knob-and-Tube Wiring

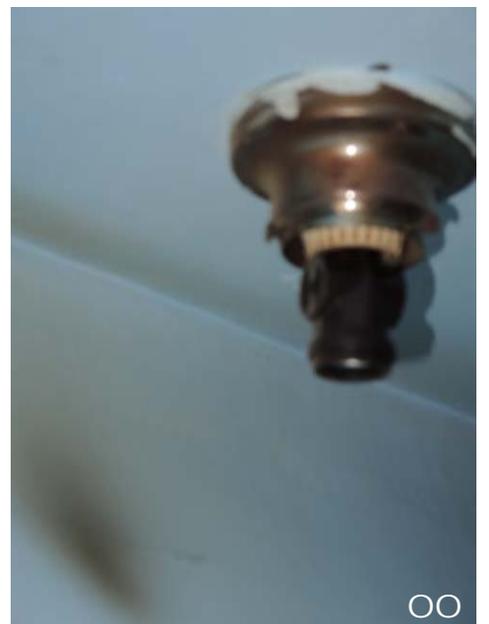
This photo depicts bare wiring in second story ceiling likely chewed by rodents. Fire hazard.



NN

OO. Light Fixture

Improperly installed light fixture too close to wall in second story bathroom. Fire hazard.



OO

#### **IV. The Impact of the Redevelopment Area's Blighted Conditions**

The above blighting conditions lead to (a) retardation of the provision of housing accommodations and (b) constitute an economic and social liability and (c) are a menace to public health, safety, morals, or welfare in their present condition and use.

##### **A. Retardation of the Provision of Housing Accommodations**

The Redevelopment Area currently consists of one two and a half story house with a basement. The house is vacant, and has been for approximately ten (10) years, likely due to its blighting conditions. These blighting conditions are retarding the provision of Housing Accommodations or other appropriate use of the Redevelopment Area.

##### **B. The Redevelopment Area is an Economic and Social Liability**

In its current condition and use, as indicated by the blighting factors above, the Redevelopment Area is an economic and social liability to the community. Nearby properties are adversely affected by the lack of investment into the Redevelopment area which has allowed it to deteriorate to an unsightly and unsafe condition. Not only does the blight negatively burden the economics of the area, it also creates social liability. Unless the blight is remedied soon, the continued deterioration of the area will become an attraction to vagrants and criminals and will negatively impact the societal welfare of the community.

##### **C. The Redevelopment Area is a Menace to Public Health, Safety, Morals and Welfare**

The Redevelopment Area has high pedestrian and bicycle traffic due to its proximity to Midtown Historic District, Drury University, and Ozarks Technical Community College. Dozens of residential units housing a high proportion of young college students are within view of the Redevelopment Area. Many live in student housing on Calhoun Street, or in one of the buildings bordering the Redevelopment Area on both the north and west. The high pedestrian and bicycle traffic increase the risk of persons being affected by the public health, safety, and welfare concerns identified above. The presence of chipping paint which likely contains lead, tripping hazards, structural deterioration, missing handrails, insanitary conditions, and exposed wiring all pose a risk to public health and safety.

The Redevelopment Area also poses a menace to public health and safety by fire risk due to its inadequate and outdated electrical system that has been severely compromised by rodent damage. It also creates an attractive nuisance to persons who are looking for trouble or are otherwise not interested in making the community safe.

#### **V. Conclusion**

The Redevelopment Area suffers from so much deterioration in site improvements as well as insanitary and unsafe conditions and conditions that endanger life and property that it is clearly an economic and social liability and a menace to public health, safety, morals, and welfare. These conditions qualify the Redevelopment Area as "blighted" as defined in section 99.320(3) of the Missouri Revised Statutes, and the City of Springfield should declare the Redevelopment Area blighted. The Redevelopment Plan cures the blight, eliminates the insanitary and unsafe conditions and conditions that endanger life and property and develops the Redevelopment Area in accordance with Planned Development No. 348, which will provide a positive economic and social boost to the community.

# **Redevelopment Plan**

## **Historic Patterson House Redevelopment Area**

### **I. Introduction**

Historic Patterson House, LLC, a Missouri limited liability company (the “Developer”), has prepared the following plan (the “Redevelopment Plan”) for the rehabilitation and redevelopment of the 0.51 acres in Springfield, Missouri. The Redevelopment Plan proposes to redevelop the Redevelopment Area (as defined below) by rehabilitating the existing multi-family housing structure into a food & drink establishment, herein referred to as a “restaurant”, and an inn in accordance with Planned Development District No. 348, herein referred to as “boutique suites”. Real property tax abatement will be utilized to encourage redevelopment.

### **II. Background**

The Developer acquired the property within the Redevelopment Area, the Patterson House, 1225 N. Benton Avenue, Springfield, Missouri, in February of 2015. The property is located in the Mid-town Historic District and is identified as a contributing property to the District on the National Historic Register of Historic Places.

Following purchase of the property, the Developer plans to rehabilitate the property, repairing and reversing disrepair that has occurred over time, removing recent architectural additions that are not in keeping with the historic character of the property and rehabilitating the second and third floor apartments to better accommodate the proposed uses of the property.

The Patterson House, constructed between 1900 and 1904, was originally designed as a single family residence. In 1939, the Patterson House was converted to multi-family use with six apartments; each with its own bathroom and kitchen. The house is the only existing structure located within the Redevelopment Area.

### **III. Description of the Project**

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

The Redevelopment Area is located on approximately 0.51 acres and is situated on the west side of Benton Avenue between E. Webster Street and E. Calhoun Street in the city of Springfield, Missouri (the “Redevelopment Area”). A map indicating the Redevelopment Area is attached hereto and incorporated herein as Exhibit “A”, and the Redevelopment Area is legally described on Exhibit “B”, which is attached hereto and incorporated herein. The Redevelopment Area is part of a larger project, Planned Development District No. 348, which includes the adjoining property to the south, the Hawkins House at 1215 N. Benton Avenue.

The Redevelopment Area is limited to the property at 1225 N. Benton Avenue because there is not a preponderance of blight on the 1215 N. Benton property.

## **IV. Need for Redevelopment**

### **A. Mid-Town Plan**

The Redevelopment Area is located in the Mid-town Historic District and is specifically referenced in the Mid-Town Plan and the Mid-Town Design Guidelines for Exterior Rehabilitations. Pages 15-16 and Map 5 in the Mid-Town Neighborhood Plan discusses the expansion of institutional uses, particularly Drury University to the west along Benton Avenue. Although this project is not an expansion of Drury University, it is a supporting use. The Mid-town Plan identifies the Redevelopment Area as appropriate for acquisition and commercial use by Drury University. The Mid-town Design Guidelines for Exterior Rehabilitations, June, 1989, prepared as part of the successful application to the United States Secretary of the Interior to obtain Historic District designation for Mid-Town, states: "Adaptive reuse is a preservation concept that has been effectively used for preserving historic structures. This concept involves changing the original use and adapting the structure to a new use... There are several structures for which adaptive reuse would be an appropriate tool for preserving the historic building. These houses are located west of Drury College..."

### **B. Mid-Town Urban Conservation District**

The Redevelopment Area is currently located in Area A, also known as the Benton Avenue Area, of the Mid-Town Urban Conservation Area (UCD). The Mid-Town UCD is recognized as a special overlay zoning district by the *City of Springfield, Missouri Zoning Ordinance*, herein referred to as the *Zoning Ordinance*. As part of the rezoning to Planned Development District No. 348, the Redevelopment Area will be removed from Area A and added to Area E of the UCD. Area E is an unclassified subarea of the UCD that is only subject to the general UCD regulations outlined in Section 3 of the UCD.

This district, designated as a UC or Urban Conservation District under section 4-2300 of the Zoning Ordinance was established to work in conjunction with other zoning districts to promote "the health, safety, economic, cultural and general welfare of the public by encouraging the conservation and enhancement of the urban environment (section 4-2302)."

The objectives of the proposed Redevelopment Plan are ideally aligned with the purpose of the Urban Conservation District. This purpose is outlined in Section 4-2302 of the *Zoning Ordinance* as follows:

*To identify physical, social and economic resources within the urban environment that are worthy of conservation;*

*To maintain neighborhood character and integrity by focusing special attention on the maintenance of the physical environment; the enhancement of physical, social and economic resources and accommodation of desirable change;*

*To prevent economic obsolescence and to promote reinvestment by fostering stable property values through a high level of economic activity, maintenance of essential urban services and by fostering financial assistance and other economic development programs;*

*To promote the efficient use of urban lands, including the encouragement of compatible infill development on vacant and passed-over parcels;*

*To encourage and to support rehabilitation of the physical environment and programs for the conservation and revitalization of urban areas;*

*To foster harmonious, orderly and efficient growth, development and redevelopment; and*

*To aid in the prevention or elimination of slums or blight.*

### **C. Objectives of the City of Springfield's Growth Management and Land Use Plan**

The Redevelopment is closely aligned with many of the objectives of the City of Springfield's Growth Management and Land Use Plan (GMLUP), which is a component of the Vision 20/20 Springfield- Greene County Comprehensive Plan adopted in November 2001.

#### **Growth Management Plan**

**Objective 2, Sustainable Growth** (Page 18-5 of the GMLUP) - "Springfield and Greene County should seek sustainable growth by investing in established areas, carefully planning new neighborhoods, providing attractive public amenities, and protecting environmental resources."

##### ***Investment in Established Areas***

The Redevelopment Area is located in a neighborhood that predates the 20th century. It is located in the heart of the Mid-Town Historic District, is surrounded by student housing for Drury University and is located directly across from Drury University campus. The proposed redevelopment would invest in a previously underinvested property in a well-established area of the community, helping to further stimulate new and continued investment in nearby properties.

**Objective 9, Activity Centers** (Page 18-6 of the GMLUP) - "Springfield and Greene County should target several locations as Activity Centers. In those locations, plans, regulations and

public investments should promote additional or new employment..." "Design should emphasize mixed- and multiple-use development, attractive public spaces, and high-quality site planning and architecture." " Activity Centers should be linked to the bicycle and linear open space networks."

The Redevelopment Area is located in the Center City Activity Center which is designated as a major Activity Center. This area includes Downtown, Walnut Street, Missouri State University (identified as SMSU), Government Plaza, Commercial Street, Drury University (noted as Drury College) and Evangel University (also noted as Evangel College).

*Reference Page 18-30 of the GMLUP*

### ***Promotion of Additional & New Employment***

As proposed, the Redevelopment Area encourages new employment in the Activity Center with its addition of a restaurant and boutique suites.

### ***Emphasis on High-Quality Site Planning & Architecture***

The Developer is proposing the redevelopment of a recognized Historic property in the Mid-Town Urban Conservation District. Redevelopment of the property will preserve high-quality architecture from another era, providing enjoyment for future generations and an important link to our past. In redevelopment of the property, the developer will take care to conserve the historic integrity of the site and will provide high-quality site planning and landscaping.

### ***Reinforcement of Alternate Transportation Routes***

The Redevelopment Area creates diversity in development by boasting a restaurant and luxury boutique suites which are very rare near Drury University and throughout the Mid-Town Historic District. Diversity of services in the area encourage pedestrian and alternate transportation methods. Located near established north-south and east-west bicycle routes, the Area also encourages the use of bicycle transportation.

*See [Exhibit C](#) for location of major north-south and east-west bicycle routes.*

## ***Land Use Plan***

**Objective 14, Reinvestment** is summarized on Page 18-45 of the GMLUP: "The City of Springfield and Greene County should promote continuous public and private reinvestment to ensure that established neighborhoods remain attractive places to live."

In spirit with Objective 14 of the Land Use Plan, allowing real property tax abatement for the Redevelopment Area promotes private reinvestment in the

Redevelopment Area. Removal of the blight enhances the sense of neighborhood, preserves historically & architecturally significant buildings, and helps to ensure that the Midtown Historic District remains an attractive place to live.

*Reference Page 18-51 through 18-52 of the GMLUP*

#### **Maintaining Traditional Urban Character** (Section 18-52 of the GMLUP)

The Redevelopment Area reinforces many of the Actions outlined on Page 18-52 of the GMLUP.

##### **Action 1, Mixed-Use Areas** (Page 18-52 through 18-53 of the GMLUP)

The proposed restaurant which will be located within the Planned Development on the property adjacent to the south of the Redevelopment Area hopes to serve area both residents and employees of nearby institutions and businesses. This service is complementary to the goal of a “mutually supportive commercial” activity and “pedestrian-friendly gathering place(s)”. In addition, the Redevelopment Area will provide rear parking which also aligns with the Action’s goal to accommodate automobile transportation while promoting pedestrian and alternative forms of transportation.

##### **Action 4, Neighborhood Preservation** (Page 18-53 through 18-54 of the GMLUP)

In the spirit of maintaining the character of the Mid-Town Historic District, the Developer will strive to preserve and rehabilitate the historic character of the property.

#### **D. Objectives of the Center City Plan Element of the City’s Comprehensive Plan**

According to the *Center City Plan Element* of the Springfield Greene County Comprehensive Plan, the Redevelopment Area is located within Center City. The Redevelopment Area is located adjacent to two of the primary areas within Center City: the Government Plaza & Central Street Corridor and the Drury University Campus.

The *Center City Plan Element*, adopted May 1998, provides the following vision for historic preservation: “Center City will preserve and enhance the public and private historic landmarks and “celebrate the heritage” and history of Springfield.” (Page 1-3 *Center City Plan Element*)

Developer intends to preserve the historic and architectural significance of the property. Investment in the Redevelopment Area will include significant repair to the degraded and deteriorating façade. The now vacant property will be reinvigorated with life allowing locals and visitors alike to enjoy the rehabilitated property.

The *Center City Plan Element* provides the following observation about historic resources in Center City:

**“Historic Resources** – Renovation and adaptive re-use of Center City’s fine, older buildings will be made a priority. These structures help make Center City special and different, cement the community’s emotional attachment to the area, and offer economically attractive spaces for start-up businesses and cultural organizations that cannot be duplicated elsewhere. They are a special resource in the revitalization of Springfield, as in many other American cities.” See page 1-4.

The rehabilitation and adaptive re-use of the historic Patterson House, as proposed in the Redevelopment Plan, will save one of Center City’s fine older buildings that make Center City special and different. The proposed uses of the Redevelopment Area set forth in the Planned Development District No. 348, a copy of which is attached hereto as Exhibit E and incorporated herein by reference, provides an opportunity to offer economically attractive spaces for start-up businesses.

The project, being a historic rehabilitation, is congruent with the vision for Center City as found in the *Center City Plan Element*, which states: “Center City will preserve and enhance the public and private historic landmarks and “celebrate the heritage” and history of Springfield.” (page 1-3). Although the Patterson House is not recognized locally as a Landmark, but rather a historic site, proposed rehabilitation is keeping with the spirit of the Plan and will preserve a historically and architecturally significant structure in Center City.

The *Center City Plan Element*, Item 2, page 5-4, suggests that the Government Plaza District be developed predominately with buildings for local government, education, and other public services. It goes on to say that commercial buildings should be secondary and supportive. Although the redevelopment area and Drury University are located just outside Government Plaza, the proposed reuse of the Patterson House will be in keeping with this recommendation by functioning as a supportive and secondary use.

*Center City Plan Element*, page 2-12, item 5, states:

**“Underutilized Historic Resources.** Center City has a sizable collection of older residential and commercial buildings that can be used to establish a strong position in those markets which desire or prefer a historical setting. The Midtown Historic District... Drury College and other locations represent historical resources that evoke strong emotional responses from the community. They are Center City’s greatest asset and tool for revitalization.”

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

The primary objectives of the Redevelopment will be to (a) cure blight, specific to the site and the surrounding neighborhood, that is a social and economic drain on highly invested areas in the Mid-town Historic District and other areas of Center City, and to (b) develop a project that stays true to the intent of the Springfield-Greene County Comprehensive Plan in the following ways:

- Rehabilitating blighted apartments in favor of diverse and appropriate adaptive reuse.
- Activating a previously vacant property.
- Providing further diversity of development in the Mid-Town Historic District and Center City by providing a restaurant and boutique suites.
- Providing an urban option that appeals to modern lifestyles by incorporating a neighborhood restaurant which caters to Drury students and personnel, local businesses and residents, and suites which cater to parents of university students, wedding parties for Stone Chapel weddings, adjunct and visiting professors, business and government sector travelers and persons interested in staying in historic homes.
- Promoting pedestrian and bicycle transportation in Center City along the corridor between Commercial Street and the Government Plaza/Central Street Corridor and around Drury University.

## **VI. Land Use Plan**

### **A. Former and Existing Land Use**

The Redevelopment Area currently consists of one (1) single family home which was converted into six apartments in 1939. The apartments have been unoccupied for about ten (10) years.

The foundation of a carriage house and parts of the carriage house wall remain upon the west edge of the Redevelopment Area.

### **B. Proposed Land Use**

The Patterson House will be redeveloped as part of a larger project that includes the adjoining property immediately south of the Redevelopment Area at 1215 N. Benton Ave. The 1215 property is not included in this Redevelopment Plan because it lacks a preponderance of blight. Both properties are located within the proposed Planned Development District No. 348, which will allow the development of up to 14 luxury boutique suites offering overnight accommodations, an eating and drinking establishment, and other uses ancillary to the operation of the suites and restaurant. The current design for the Patterson House contemplates constructing up to eight boutique suites as part of an adaptive reuse of this historic structure.

Planned Development District No. 348 also provides the opportunity for Developer to reconstruct the carriage house, with open bays for parking, at a future date. This Redevelopment Plan allows the future construction upon the west edge of the Redevelopment Area of carriage house/parking bays that reflect the historic character of the original carriage house.

No residential uses shall be permitted under this Redevelopment Plan.

*A preliminary site plan reflecting the proposed land use is attached as **Exhibit D** and incorporated herein. As discussed above, the adjacent 1215 property is not part of the Redevelopment Plan and is not seeking Real Property Tax abatement.*

### **C. Existing and Proposed Zoning**

The property is currently zoned as Medium-Density Multi-Family Residential (R-MD). The Redevelopment Area is a part of proposed Planned Development District No. 348, a copy of which is attached hereto as **Exhibit E** and incorporated herein by reference, which proposes to develop the Redevelopment Area and the adjacent house at 1215 N. Benton Avenue, currently zoned single-family residential, to allow the operation of a restaurant and an Inn with up to fourteen (14) luxury boutique suites.

### **D. Regulations and Controls**

Redevelopment of the Redevelopment Area shall be subject to all applicable Local and State Codes and Ordinances. The Redevelopment Area shall also be redeveloped in accordance with proposed Planned Development District No. 348 with the exclusion of residential uses, which shall not be permitted under this Plan. The regulations for said District are attached hereto as Exhibit E and incorporated herein by reference.

## **VII. Execution of the Project**

### **A. Execution**

The Developer or its successors in interest shall be responsible for executing the redevelopment of the Redevelopment Area in accordance with the Redevelopment Plan.

### **B. Land Acquisition**

The Developer acquired the land within the Redevelopment Plan in February of 2015 and is scheduled to acquire the adjacent, 1215 N. Benton, property, which is within the Planned Development District No. 348 but not within the Redevelopment Plan, on March 31, 2015.

### **C. Financing**

The developer is utilizing Historic Tax Credit financing and Real Property Tax Abatement to finance the project.

#### **D. Disposition of the Property**

No disposition of property is proposed within the Redevelopment Area.

#### **E. Redevelopment Schedule and Estimated Date of Completion**

The Developer estimates that each stage of the Project will be completed in accordance with the following schedule:

- Preconstruction (including, but not limited to, plan review and permitting): late Spring/early Summer of 2015
- Redevelopment and Construction: Summer and Fall of 2015
- Completion of Redevelopment/Occupancy: December 2015

#### **F. Taxation**

The Developer or its 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.

#### **G. Covenants**

The Redevelopment Plan shall run with the land and require the Developer and any successors in interest to redevelop the real property within the Redevelopment Area in accordance with the specified uses in the Redevelopment Plan if they wish to benefit from tax relief available under sections 99.700 to 99.715 of the Missouri Revised Statutes, 2000.

### **VIII. Other Provisions**

#### **A. Compliance with General Plans**

The Redevelopment Plan, as described herein, conforms to state and local codes and regulations, the Mid-Town Neighborhood Plan, proposed Planned Development District No. 348 as attached hereto and incorporated herein as **Exhibit E**, and the objectives of the applicable Activity Centers as described in the City's Growth Management and Land Use Plan (GMLUP).

#### **B. Compliance with State and Local Law**

The Redevelopment Plan shall be implemented in conformance with the requirements of state and local law and the proposed Planned Development District No. 348, attached hereto as Exhibit E.

### **C. Public Facilities**

At this time it is not anticipated that the Project will require any additional public facilities or utilities.

## **IX. Procedure for Changes or Modification of Plan**

Upon application by the Developer or its successors in interest, the Redevelopment Plan may be amended or modified by the Land Clearance for Redevelopment Authority with the consent of the Planning and Zoning Commission. When the proposed amendment or modification substantially changes the Redevelopment Plan, the City Council must also approve the amendment or modification. Modification of Planned Development District No. 348 shall not operate alone to modify this Redevelopment Plan. The Redevelopment Plan cannot be modified by a zoning change to the Planned Development District No. 348. Rather, the Redevelopment Plan may only be changed or modified in accordance with this section through application to the Land Clearance for Redevelopment Authority.

## **Redevelopment Plan Exhibits**

### **Exhibit A**

Map of Redevelopment Area

### **Exhibit B**

Property Description

### **Exhibit C**

Bike Route Map

### **Exhibit D**

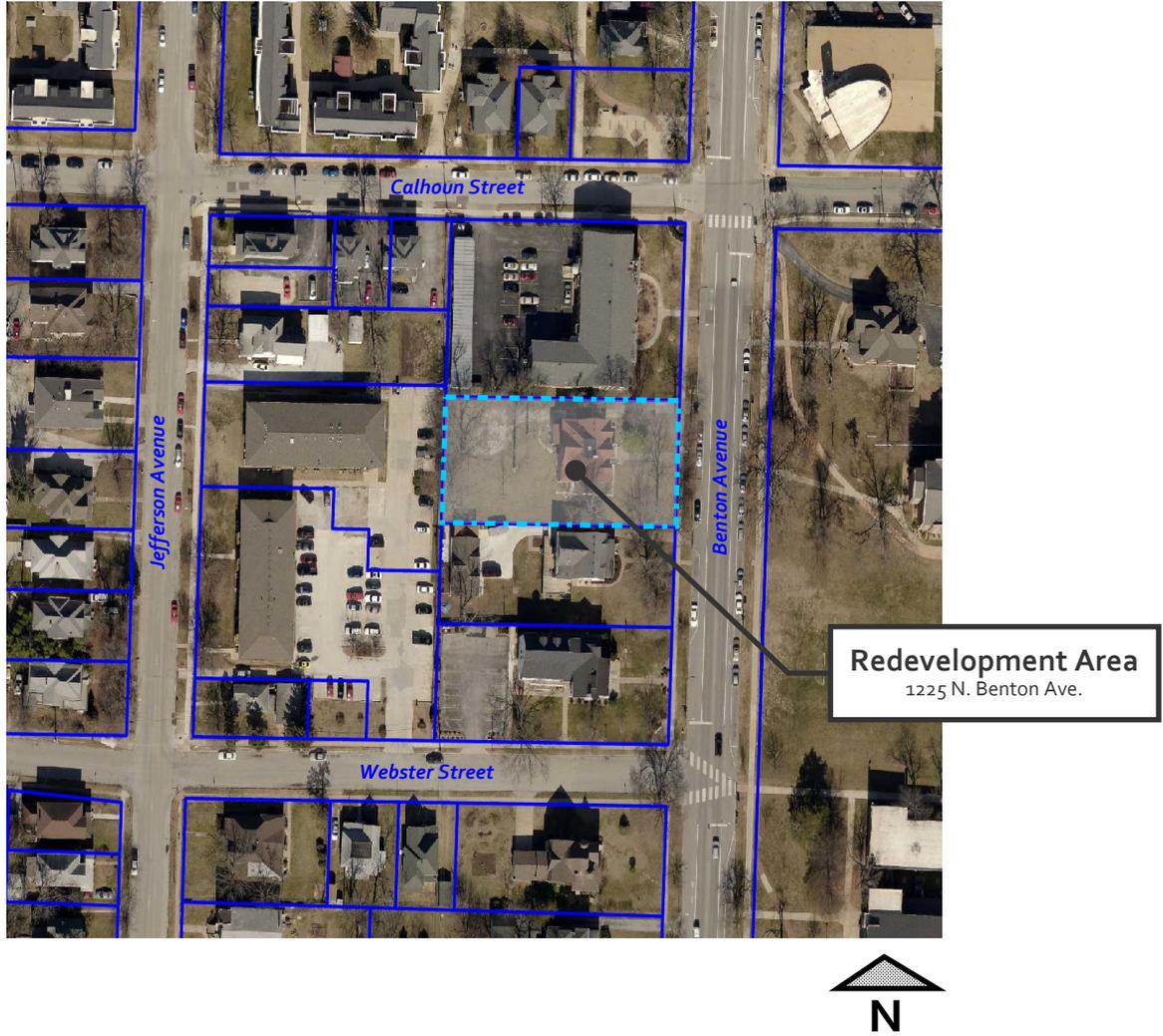
Preliminary Site Plan

### **Exhibit E**

Planned Development District No. 348

Exhibit A

Map of Redevelopment Area



## **Exhibit B**

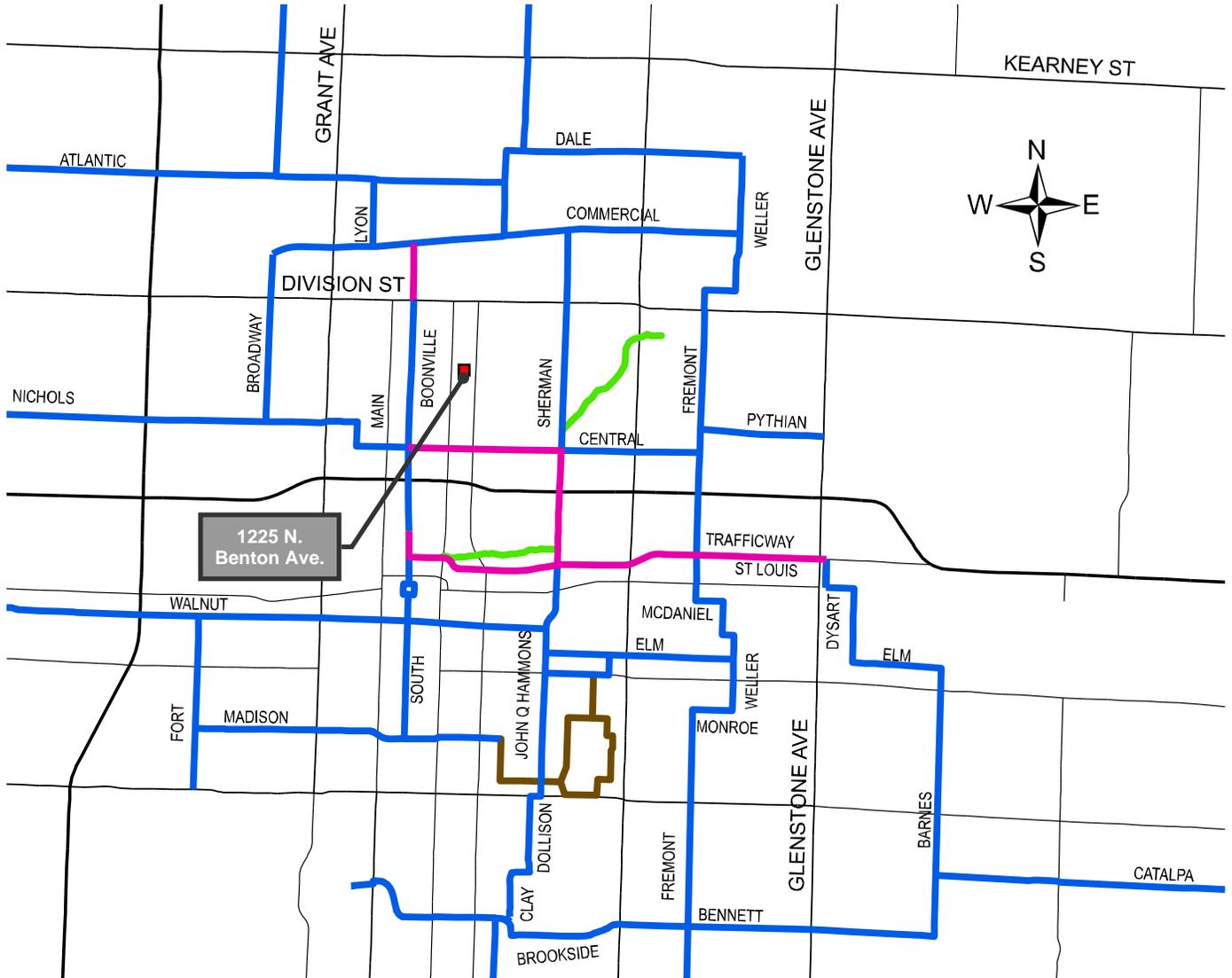
### **Legal Description of Redevelopment Area**

ALL OF LOT FORTY-TWO (42) AND THE SOUTH TWENTY (20) FEET OF LOT FORTY-THREE (43) IN OZARK LAND COMPANY'S ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

AND THE EAST HALF OF THE VACATED PUBLIC ALLEY WEST OF AND ADJACENT TO LOT FORTY-TWO (42) AND THE SOUTH TWENTY (20) FEET OF LOT FORTY-THREE (43) IN OZARK LAND COMPANY'S ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

# Exhibit C

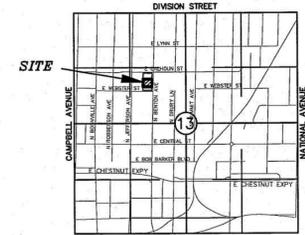
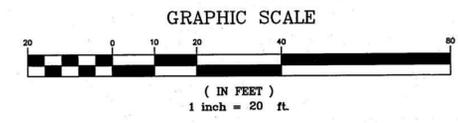
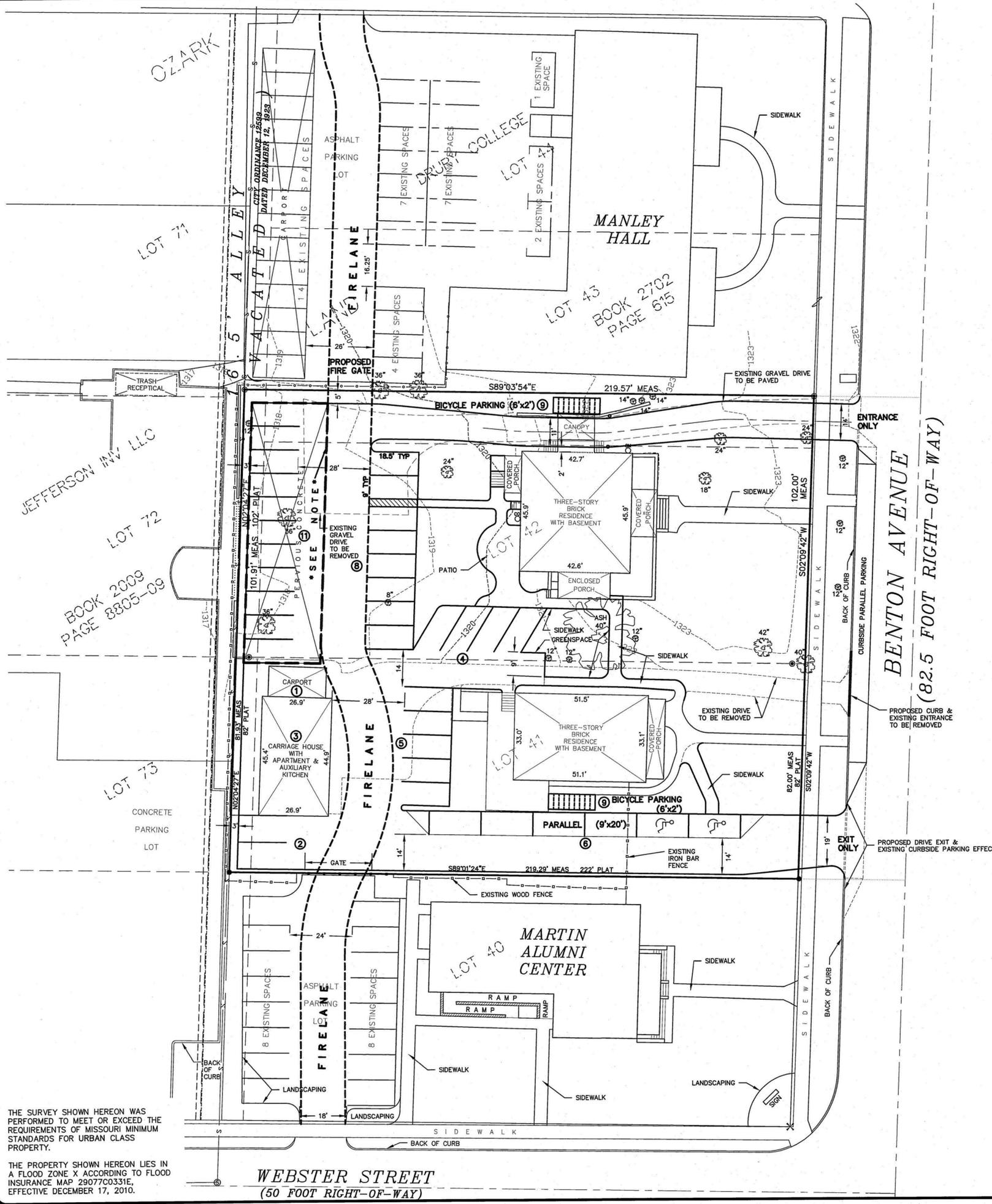
## partial image of Springfield Bicycle Route Map



**Legend**

- BIKE LANES
- BIKE ROUTES
- SHARED ROADWAY
- MULTI-PURPOSE PATHS
- MSU BIKEWAYS
- CITY LIMITS

# Exhibit D - Preliminary Site Plan



- LEGEND**
- = EXISTING IRON PIN EXCEPT AS NOTED
  - ⊙ = 5/8" IRON PIN SET CAPPED "LS-267D"
  - ⊗ = CROSSCUT IN CONCRETE
  - ⊘ = CLEANOUT
  - ⊙ (with tree symbol) = DECIDUOUS TREE
  - S— = SANITARY SEWER LINE
  - |—|— = CHAIN-LINK FENCE
  - = WOOD FENCE
  - [Stippled] = ASPHALT
  - [Dotted] = CONCRETE
  - [Horizontal lines] = GRAVEL
  - [Dashed box] = APPROXIMATE LOCATION \*SEE NOTE\*

**NOTE**  
 APPROXIMATE FUTURE CARRIAGE HOUSE LOCATION. FINAL LOCATION AND DIMENSIONS ARE TO BE DETERMINED AND SUBJECT TO CHANGE. FINAL PLANS TO BE APPROVED BY ADMINISTRATIVE REVIEW COMMITTEE.

**PROPERTY DESCRIPTION**  
 ALL OF LOT FORTY-TWO (42) AND THE SOUTH TWENTY (20) FEET OF LOT FORTY-THREE (43) IN OZARK LAND COMPANY'S ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.  
 AND THE EAST HALF OF THE VACATED PUBLIC ALLEY WEST OF AND ADJACENT TO LOT FORTY-TWO (42) AND THE SOUTH TWENTY (20) FEET OF LOT FORTY-THREE (43) IN OZARK LAND COMPANY'S ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.  
 SUBJECT TO ANY EASEMENTS OF RECORD, EXCEPT ANY PART THEREOF TAKEN OR USED FOR ROAD OR HIGHWAY PURPOSES.

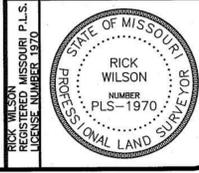
**SOURCE OF DESCRIPTION**  
 BOOK 2007 PAGE 56679-07  
 HOGAN LAND TITLE COMMITMENT NO. 1411011  
 EFFECTIVE DATE: OCTOBER 31, 2014

**RESOURCE MATERIALS USED FOR BOUNDARY DETERMINATION**  
 OZARK LAND COMPANY'S ADDITION TO THE CITY OF SPRINGFIELD FINAL PLAT  
 SURVEY BY L.A. WEEKS DATED OCTOBER 21, 1953  
 SURVEY BY WILSON SURVEYING CO., INC. DATED DECEMBER 14, 1991  
 DEEDS AS SHOWN

**TOTAL PARKING SPACES**  
 REGULAR: 38  
 HANDICAP: 2  
 BICYCLE: 18

**TOTAL AREA**  
 0.93 ACRES  
 40,350 SQ. FT.

**GREENSPACE**  
 13,447 sq. ft.  
 33.3% GREENSPACE



THE SURVEY SHOWN HEREON WAS PERFORMED TO MEET OR EXCEED THE REQUIREMENTS OF MISSOURI MINIMUM STANDARDS FOR URBAN CLASS PROPERTY.  
 THE PROPERTY SHOWN HEREON LIES IN A FLOOD ZONE X ACCORDING TO FLOOD INSURANCE MAP 29077C0331E, EFFECTIVE DECEMBER 17, 2010.

**WEBSTER STREET**  
 (50 FOOT RIGHT-OF-WAY)

**BENTON AVENUE**  
 (82.5 FOOT RIGHT-OF-WAY)

PRINTS ISSUED	DATE

ISSUED FOR CONSTRUCTION DATE: \_\_\_\_\_

REVISION DATE	MR.

**WILSON SURVEYING CO., INC.**  
 Surveying / Engineering / Land Planning  
 2012 S. STEWART AVENUE 65804  
 SPRINGFIELD, MO.  
 TELE: (417)522-7870 FAX: (417)522-7874  
 EMAIL: RICK.WILSON@WILSONSURVEYING.COM

**PREPARED FOR**  
**HISTORIC PATTERSON HOUSE LLC**  
 1225 N BENTON AVENUE  
 SPRINGFIELD, MISSOURI

DRAWN BY MSB  
 CREW CHIEF GGB  
 CHECKED RW  
 DATE MARCH 31, 2015  
 SCALE 1"=20'  
 JOB NO. 14237  
 DRAWING NO. WD-104-807  
 SHEET  
 1 OF 1 SHEETS

## **EXHIBIT E**

### **Requirements and Standards Applicable to Planned Development District 348**

#### **Introduction**

This planned development will facilitate the historic rehabilitation of the two primary historic buildings located on adjacent properties in the heart of Springfield, Missouri, and their development into an Inn and restaurant, following the guidelines promulgated by the United States Secretary of the Interior for the Rehabilitation of Historic Properties. The south property, hereinafter referred to as the "Hawkins House", is located at 1215 N. Benton and totals approximately 0.39 acres. The north property, hereinafter referred to as the "Patterson House", is located at 1225 N. Benton and totals approximately 0.51 acres. The two properties make up the entirety of the Planned Development.

#### **Background**

Both the Patterson House and the Hawkins House are located within the Mid-town Historic District and are identified as contributing to the District on the National Historic Registry.

The Patterson House, constructed between 1900 and 1904, was originally designed as a single-family residence. In 1939, the home was converted into apartments. The Hawkins House, built in 1907, was originally designed as a single-family residence. Over time, the property was converted from a single-family residence into medium density housing utilized by the Sigma Pi fraternity at Drury University. More recently, the Hawkins House was converted back into a single-family residence and a one-and-a-half story carriage house was constructed on the northwest corner of the lot. In total, there are three building structures currently located within the Planned Development. Both the Hawkins House and the Patterson House are identified as contributing to the Mid Town Historic District.

#### **Application**

Building or other permits cannot be issued for development permitted by this planned development, nor can any changes be made to this property, until the final development plan is approved in the manner described at the end of this document.

## **Intent**

The intent of this Planned Development is set forth in the Introduction and Background sections above and shall conform to the Landmarks requirements set forth herein.

## **Definitions**

The definitions contained in the City of Springfield, Missouri Zoning Ordinance apply except where terms are defined in this section or in the Uses Permitted section below.

For the purposes of this ordinance, the following definitions shall apply:

**BED AND BREAKFAST:** A dwelling, or portion thereof, that contains guest rooms where short-term lodging, with or without meals, is provided for compensation.

**FLOOR AREA GROSS:** The sum of the gross horizontal areas of the several floors of a building measured from the exterior face of the exterior walls, but not including parking or loading spaces for motor vehicles. The gross area shall include public or common areas such as public toilets, corridors, stairwells, elevators, machine and equipment rooms, and lobbies. It shall also include all outdoor areas devoted to retail sales, storage or other activities incidental to the building.

**IMPERVIOUS SURFACE AREA (ISR):** The portion of the site covered by surfaces which do not absorb rainwater, including buildings, roads, sidewalks, patios, parking areas and any other paved area.

$$\text{ISR} = \frac{\text{AREA COVERED BY IMPERVIOUS SURFACES}}{\text{TOTAL SITE AREA}}$$

## **Uses Permitted**

A. The following uses shall be permitted in the Planned Development:

1. Single-family-detached dwellings
2. Accessory Uses as permitted in section 5-1000, accessory structures and uses.

B. The following commercial uses shall be permitted within the Planned Development:

1. Eating and Drinking Establishments Use Group. Establishments primarily engaged in the sale of prepared foods and/or beverages for on-premise consumption. Typical uses include restaurants and coffee shops. Drive-up windows, Drive-in and drive thru facilities are NOT allowed.
2. Bed and Breakfasts. Establishments providing lodging available to the public on a daily basis. Typical uses include bed and breakfasts and activities normally accessory thereto such as incidental retail sales, offices, restaurants, bars, spa services, art sales and recreation facilities intended for the convenience of guests.
3. The carriage house on the south lot may have an apartment and offices incidental to the operation of the Bed and Breakfast and Restaurant. The carriage house may also be used as guest suites or as a kitchen incidental to the operation of the restaurant.
4. Accessory uses as permitted by section 5-100. Accessory structures and uses.
5. Should either the Hawkins House or the Patterson House, or both, be damaged by fire or natural disaster then: a. the structure(s) shall be restored to maintain their significant features consistent with the most recent rehabilitation plans approved by the State Historic Preservation Office; or b. the structures shall be completely rebuilt to their original plans; or c. should it not be possible to repair or rebuild in a manner that complies with these requirements, the use of the property shall revert to single family residential uses.

## **Historic District and Landmarks Compliance**

- A. All modifications and uses of Contributing Buildings within the Planned Development shall retain the historic character of the existing structure. Additionally, the goals of historic rehabilitation shall be met and any exterior modification to the property must be consistent with the Secretary of Interior's Standards for Rehabilitation. A Certificate of Appropriateness shall be required in the following instances before the commencement of exterior work upon any new or existing structure or outside work within the Planned Development except for ordinary maintenance and repair:

1. Any construction, alteration, or removal affecting the exterior of a site or structure that requires a building or demolition permit from the City of Springfield including but not limited to the construction of new structures;
  2. A material change to the exterior appearance of existing structures including but not limited to additions, reconstruction or alterations, which affects a significant exterior feature of a structure as specified in the materials attached to the ordinance designating the properties in this Planned Development as contributing to the Midtown Historic District.
  3. Any action resulting in the application of paint to a previously unpainted brick or masonry exterior surface or the application of stucco or siding;
  4. The construction or enlargement of a driveway or parking area or erection of fencing;
  5. Work by the City of Springfield or any of its agencies or departments which would require a Certificate of Appropriateness if undertaken by a private citizen and any Public Improvement Project, which, in the opinion of the Director of Planning and Development would affect the Midtown Historic District.
  6. The placement or construction of any building one hundred (100) square feet or less in size within the Planned Development, with the exception of gazebos, pergolas, and green houses, and structures associated with the temporary use of street festivals so long as said structures are removed at the expiration of the applicable use permit issued by the Director of Building Development Services; and
  7. A material change to the interior appearance of existing structures, including but not limited to additions, reconstruction, or alterations, if a significant interior feature of a structure was listed in the nomination for the Midtown Historic District.
- B. Administrative Review. A person who is required to obtain a Certificate of Appropriateness shall submit an application to the Director of Planning and Development, hereinafter referred to as Director. Persons desiring to perform work on structures or parcels designated as Historic Landmarks or located within a Historic District are required to contact the Director in order to determine if certificate is required. If the application is for work that will have no effect on exterior architectural details or is one of any number of items that the Landmark Board has designated for action, then the Director shall review the application and issue or deny a Certificate of Appropriateness. Such certificate shall be in addition to all other permits required by the City. If the request is within the Director's jurisdiction and is denied by the Director, the applicant may appeal such decision to the Landmarks Board. Permits required by the City involving items requiring a Certificate of Appropriateness shall not be issued by the City until the Director has issued said certificate, has issued a Certificate of Economic Hardship, or in the event of demolition being refused, the requisite time period has expired. If the Director determines that the application is for action not designated for administrative review, then the Director shall submit the application to the Landmarks Board. The Director may require as a condition of processing the application that the

applicant submit information as determined by the Director. The Director shall also have the authority to refer any building or demolition permit application for structures within the Planned Development to the Landmarks Board for the sole purpose of review and comment when, in his opinion, the proposed improvements would have a significant adverse impact on the Midtown Historic District.

- C. Landmarks Board Review and Action on Certificates of Appropriateness. Applications for Certificates of Appropriateness must be complete and be received in the Director's office no later than fifteen (15) days prior to a scheduled Landmarks Board meeting. Not less than ten (10) days prior to the hearing Applicant shall post signs on the property being considered indicating the proposed action and the time, date, and place of the hearing. The applicant must comply with standards and procedures provided and approved by the Director of the Planning and Development Department and on file in the City Clerk's office, regarding compliance with this section. The Landmarks Board shall review the application and approve, approve subject to specific conditions, or disapprove the certificate based on the guidelines set forth in this section. If the certificate is denied, no permit for the work shall be issued and the applicant shall not proceed with the work. The Landmarks Board shall state the reasons for denial in writing to the applicant and shall also make suggestions in regard to appropriate changes.
- D. Review Criteria. The Landmarks Board in considering whether or not to issue a Certificate of Appropriateness shall be guided by the general purpose of this section and the following:
1. The Secretary of Interior's Standards for Rehabilitation as listed below.
    - a. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
    - b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
    - c. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
    - d. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
    - e. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
    - f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible,

materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

- g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
  - h. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
  - i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
  - j. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
2. Any design guidelines or standards that the Landmarks Board may establish and adopt.
  3. For new construction, the Landmarks Board shall also consider the extent to which the building or structure would be harmonious with or incongruous to the old and historic aspects of the surroundings. It is not the intent of this section to discourage contemporary architectural expression or to encourage the emulation of existing buildings or structures of historic or architectural interest in specific detail. Harmony or incompatibility shall be evaluated in terms of the appropriateness of materials, scale, size, height, and placement of a new building or structure in relationship to existing buildings and structures and to the setting thereof.

F. Work Required to Conform with Certificate of Appropriateness. Work performed pursuant to the issuance of a Certificate shall conform to the requirements of such certificate, if any. The Director of Building Development Services shall inspect from time to time any work performed pursuant to a certificate to assure such compliance. In the event that such work is not in compliance, the Director of Building Development Services shall issue a stop work order. A certificate shall become void unless construction is commenced within one hundred eighty (180) days of date of issue. All City licenses shall be issued on condition that the person owning or occupying the premises will comply with conditions, if any, in the certificate.

- G. Applicant's Action if Application is denied. In the event that a certificate is denied, the applicant may:
1. Not resubmit a denied application without substantial change, but may change the original proposal and resubmit the application within fifteen (15) days of denial by the Landmarks Board; or

2. Apply for a Certificate of Economic Hardship; or
3. File an appeal to the Board of Adjustment within fifteen (15) days of the denial by the Landmarks Board.

#### H. Certificate of Economic Hardship.

1. Application Procedure. Application for a Certificate of Economic Hardship shall be submitted to the Director of Planning and Development. Applications for Certificates of Economic Hardship must be complete and received in the Director's office no later than fifteen (15) days prior to a scheduled Landmarks Board meeting. Not less than ten (10) days prior to the hearing the applicant shall post signs on the property being considered indicating the proposed action and the time, date and place of the hearing. The applicant must comply with standards and procedures provided and approved by the Director of the Planning and Development Department and on file in the City Clerk's office, regarding compliance with this section.
2. Review Criteria. The Landmarks Board will review the application at a public hearing and may solicit expert testimony or require that the applicant for a Certificate of Economic Hardship make submissions concerning any or all of the following information before it makes a determination on the application:
  - a. Estimate of the cost of the proposed construction, alteration, demolition, or removal and an estimate of any additional cost that would be incurred to comply with the recommendations of the Landmarks Board for changes necessary for the issuance of a Certificate of Appropriateness.
  - b. A report from a licensed engineer or architect with experience in recognized historic property rehabilitation, as to the structural soundness of any structures on the property and their suitability for rehabilitation.
  - c. A report from a state-certified real estate appraiser as to the estimated market value of the property in its current condition, after completion of the proposed construction, alteration, demolition or removal, after any changes recommended by the Landmarks Board.
  - d. If the property is income-producing, the annual gross income from the property for the previous two (2) years, itemized operation and maintenance expenses for the previous two (2) years, and depreciation deduction and annual cash flow before and after debt service, if any, during the same period.
  - e. All appraisals obtained within the previous two (2) years by the owner or applicant in connection with the purchase, financing, or ownership of the property.
  - f. Any listing of the property for sale or rent, price asked and offers received, if any, within the previous two (2) years.

- g. Assessed value of the property according to the two (2) most recent assessments.
- h. Real estate taxes for the previous two (2) years.
- i. Form of ownership or operation of the property, whether sole proprietorship, for profit or not-for-profit corporation, limited partnership, joint venture, or other.
- j. Amount paid for the property, date of purchase, and the party from whom purchased, including a description of the relationship, if any, between the owner of record or applicant and the person from whom the property was purchased, and any terms of financing between the seller and buyer.
- k. Annual debt service, if any, for the previous two years.
- l. Any consideration by the owner as to profitable adaptive uses for the property.
- m. Any other information considered necessary by the Landmarks Board to a determination as to whether the property does yield or may yield a reasonable return to the owners.

3. Landmarks Board Review and Action. The Landmarks Board shall review all information and shall either approve, approve subject to conditions, or deny the application for a Certificate of Economic Hardship. If approved, the Director of the Department of Building Development Services will be instructed to issue a building permit for the proposed work unless an appeal of the decision to the Board of Adjustment is filed within fifteen (15) days of the decision. If denied, the applicant shall have the right to appeal the decision to the Board of Adjustment. The Board of Adjustment shall conduct a full and impartial hearing on the matter before rendering a decision. The Board of Adjustment shall apply the same standards as established herein. The Board of Adjustment may affirm, reverse, or modify the decision of the Landmarks Board in whole or in part.

## **Use Limitations**

- A. All uses must operate in accordance with the noise standards contained in Section 6-1500 of the Springfield Zoning Ordinance.
- B. No use may emit an odor that creates a nuisance as determined by Chapter 2A, Article X, Springfield City Code.

## **Bulk, Area and Height Requirements**

- A. Development shall adhere to the following:
  - 1. A maximum impervious surface ratio of 0.80 shall be permitted.

## **Intensity of Development**

The Planned Development intends to utilize the existing structures located upon the properties within the Planned Development. The Planned Development will allow the construction of another Carriage House along the west boundary of the north property. Such Carriage House may be up to two stories tall with open bays on the first floor for parking of vehicles.

A maximum of fourteen (14) guest suites may be operated by the bed and breakfast within the Planned Development.

#### Access to Public Thoroughfares

The Planned Development will be allowed a maximum of two (2) access points on N. Benton Avenue.

Applicant will acquire easements for a Fire Lane access as shown on Exhibit 2 .

#### **Off-street Parking**

The Planned Development shall have one (1) parking space for each guest suite, office and apartment, and one parking space for every 250 square feet of additional gross floor area within a habitable structure. Provided, however, that the gross floor area of common areas located on a floor with guest rooms shall not be considered for parking requirements.

#### **Signs**

All signage shall meet the standards of section 5-1400 of the zoning ordinance unless otherwise modified herein:

- A. A monument sign identifying the commercial operation(s) within the Planned Development will be allowed. Such sign shall be restricted to a maximum height of five (5) feet above the ground and a total of sixteen (16) square feet of effective area on each face.
- B. Two additional detached signs identifying each of the historic buildings shall be allowed to display the historic name, a brief history of the property and the address. These signs shall be no larger than twelve (12) square feet.
- C. No detached sign shall exceed a height of five (5) feet above the ground upon which it is located. Attached signs shall not exceed sixteen (16) square feet of effective area.

- D. Wall signs shall be attached in a manner and in a location that does not obscure significant architectural features of the structure.

### **Perimeter Treatment**

The Planned Development shall adhere to the following:

- A. No buffer yard will be required between the side yards and rear yards as they adjoin parking lots. A minimum 42-inch opaque fence will be required to the rear of the structures to block the headlights of the vehicles entering and leaving the property.
- B. No perimeter buffer will be required along Benton Avenue.

### **Refuse Storage**

Waste cans, dumpster units, or other forms of litter control and refuse disposal devices shall be placed within the district, or upon adjacent properties with consent, where they are least visible from a public right-of-way, other than alleys. Each litter control or refuse device shall be enclosed so that no part of the device is visible from public right-of-ways or adjoining properties. Screening of these devices, in the form of sight-proof fence or wall shall be required.

### **Exterior Lighting**

The Planned Development shall adhere to the following:

Exterior lighting shall be designed, located and constructed to eliminate or significantly reduce glare and /or a general increase in lighting within the adjoining existing residence area. The developer shall submit a lighting plan with the final development plan demonstrating compliance with this section.

### **Maintenance of Common Areas and Facilities**

There are no proposed Common Areas within the Planned Development.

### **Final Development Plan**

A final development plan, showing conformance with the requirements of this exhibit, shall be approved in the manner described below prior to the issuance of any building permits and prior to the commencement of any improvements permitted or required by this exhibit.

- A. The Administrative Review Committee is hereby authorized to approve the final development plan for the rehabilitation and construction of improvements within the Planned Development provided such plan substantially conforms to the provisions of the ordinance.
  - 1. The Administrative Review Committee is hereby authorized, at its discretion, to approve minor adjustments and modifications to the site plan. Such authority shall include any uses not specifically prescribed by the ordinance, any increase in the intensity of uses permitted in the district, and any reduction in the required parking prescribed by the ordinance.