

DEVELOPMENT REVIEW STAFF REPORT
Amended Redevelopment Plan for the Historic Patterson House Redevelopment Area

DATE: May 31, 2016

PURPOSE: To approve the Amended Redevelopment Plan for the Historic Patterson House Redevelopment Area.

LOCATION: 1225 North Benton Avenue

APPLICANT: Historic Patterson House, LLC

STAFF RECOMMENDATION:

Staff recommends the Amended Redevelopment Plan for the Historic Patterson House Redevelopment Area be **approved**.

FINDINGS:

The Amended Redevelopment Plan for the Historic Patterson House Redevelopment Area conforms to the the *Springfield-Greene County Comprehensive Plan*, which identifies this area as an appropriate location for medium- or high-density housing.

STAFF CONTACT:

Matt D. Schaefer
Senior Planner
417-864-1100

ATTACHMENTS:

Attachment A: Background Report
Exhibit I: Legal Description
Exhibit II: Location Map
Exhibit III: Amended Redevelopment Plan

ATTACHMENT A
Background Report
Amended Redevelopment Plan for the Historic Patterson House Redevelopment Area

Applicant's Proposal:

Historic Patterson House, LLC (the "Applicant") has filed an Amended Redevelopment Plan for the Historic Patterson House Redevelopment Area that will add multi-family residential as a permitted use. The Redevelopment Area is located at 1225 North Benton Avenue (*Exhibits I & II*). It consists of a 0.49 acre parcel that 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 decades and now sits vacant and in need of rehabilitation.

The original Redevelopment Plan was considered by the Planning and Zoning Commission on [April 9, 2015](#) and subsequently adopted by City Council on May 11, 2015 by Special Ordinance No. [26564](#). It proposed to rehabilitate the Patterson House, in conjunction with an adjoining property located immediately outside of the Redevelopment Area to the south 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.

Reuse of the Patterson House as a bed and breakfast and restaurant is not currently feasible due to market conditions. The Amended Redevelopment (*Exhibit III*) Plan will allow the Patterson House to be rehabilitated as a 10-unit, multi-family residential apartment building with the option to use it as bed and breakfast and restaurant in the future. Rehabilitation will be performed in accordance with the requirements and standards applicable to Planned Development District No. 348 Amendment 1, which is being considered in concurrence with this Plan.

Comprehensive Plan:

1. The *Growth Management and Land Use Element* of the *Springfield-Greene County Comprehensive Plan* designates this area as Medium or High Density Housing. This area is also within proximity to the Comprehensive Plan-designated Center City Activity Center (Downtown, Drury University/OTC), which is a major mixed-use activity center. The Comprehensive Plan states that activity centers will vary from one to another, but each should include, at a minimum, retail and office buildings and, ideally, multi-family housing, restaurants, and hotels, entertainment, and community facilities such as churches, public agencies, libraries, parks, etc. Activity centers are the preferred development

pattern to encourage infill growth by using existing infrastructure where the city has already constructed the necessary services and facilities to accommodate growth.

2. The Redevelopment Area is located within the *Mid-Town Neighborhood Plan* area. The Neighborhood Plan identifies actions aimed at protecting and improving the single-family character of the neighborhood, improving safety, preserving architecturally significant structures, and managing the expansion of institutional uses in the neighborhood. The Plan identifies the area west of the Drury University campus as an appropriate area for the future expansion of institutional uses. It specifically mentions that any expansion into the 1100 and 1200 blocks of North Benton Avenue should utilize contributing structures in the Mid-Town National Historic District.

Although the proposed redevelopment is not an expansion of Drury University, it is a supporting use that will compliment the University and surrounding neighborhood. Furthermore, the proposed redevelopment will involve preserving the Patterson House, which is a contributing structure within the Mid-Town National Historic District.

3. The Redevelopment Area is located within the area included in the *Center City Plan Element* of the *Springfield –Greene County Comprehensive Plan*. The Plan mentions the Center City area suffers from physical deterioration and economic obsolescence. It also states that although there are several properties within Center City that have been well maintained or recently constructed, the overall tone is one of an area that could use revitalization and new investment. The Redevelopment Plan addresses those issues by proposing to remove existing blight and rehabilitate the Area for multi-family residential use.
4. The proposed redevelopment, being a historic rehabilitation and adaptive reuse, is congruent with the vision for Center City as outlined in the *Center City Element of the Springfield-Greene County Comprehensive Plan*. The Plan states,

“Center City will preserve and enhance the public and private historic landmarks and "celebrate the heritage" and history of Springfield.”

As well as,

“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.”

Staff Comments:

1. The proposed Redevelopment Plan is one component of the applicant's request to obtain partial real property tax abatement pursuant to the Land Clearance for

Redevelopment Law (“Chapter 99, RSMo”). Chapter 99 tax abatement is an economic development incentive used to encourage redevelopment within blighted areas through partial real property tax abatement. Within Council-approved redevelopment areas, the Land Clearance for Redevelopment Authority may authorize partial real property tax abatement for projects that conform to an approved redevelopment plan. Real property tax abatement is based on 100% of the assessed value of qualified new construction or rehabilitation for 10 years.

The applicant is required to submit an application that includes a redevelopment plan as well as a blight report if the redevelopment area is not currently declared a blighted area. In this case, the Redevelopment Area is currently declared a blighted area; therefore, a blight report is not required. The Planning and Zoning Commission’s responsibility is to review the redevelopment plan for conformance with the City’s general plan for the development of the City as a whole and make a recommendation regarding the same to City Council.

2. The Redevelopment Area and the adjoining property at 1215 North Benton Avenue are currently zoned Planned Development District No. 348. The applicant has filed an application requesting both properties be rezoned to Planned Development District No. 348, Amendment 1 to allow multi-family residential use in addition to bed and breakfast and restaurant uses. The Planning and Zoning Commission and City Council will consider both the rezoning and proposed Redevelopment Plan concurrently.
3. The Patterson House will be redeveloped as part of a larger project that includes an adjoining property immediately south of the Redevelopment Area at 1215 North Benton Avenue. The property at 1215 North Benton was not included in the proposed Redevelopment Area because it lacks a predominance of blighting conditions. Both properties will be redeveloped in accordance with the regulations and standards applicable to Planned Development District No. 348 Amendment 1.
4. The Redevelopment Project will utilize both federal and state historic tax credits. In order to qualify for those credits, the rehabilitation 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.

EXHIBIT I
Legal Description
Amended Redevelopment Plan for the Historic Patterson House 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 II
Location Map
Amended Redevelopment Plan for the Historic Patterson House Redevelopment Area



EXHIBIT III

Amended Redevelopment Plan for the Historic Patterson House Redevelopment Area

I. Introduction

Historic Patterson House, LLC, a Missouri limited liability company (the “Developer”), has prepared this plan (the “Redevelopment Plan”) for the rehabilitation and redevelopment of 0.51 acres in Springfield, Missouri. The Patterson House, located within the Redevelopment Area, was constructed between 1900 and 1904. It has a storied history and has many features that are architecturally significant. Initially constructed as a single family residence, the Patterson House has been apartments since 1939. The Patterson House has fallen into disrepair and is currently uninhabitable. The Redevelopment Plan proposes to save the Patterson House and rehabilitate it as multi-family residential apartments with optional use as an inn. 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 in the Mid-town Historic District and is identified as a contributing property to the District on the National Register of Historic Places.

The Developer plans to rehabilitate the property, repairing and reversing disrepair that has occurred over time, removing recent architectural additions not in keeping with the historic character of the property and rehabilitating every floor of the property to better accommodate the historic use of the property as apartments with the option to also use as an inn.

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 within the Redevelopment Area.

III. Description of the Project

A. Boundaries of the Redevelopment Area

The Redevelopment Area is on approximately 0.51 acres and is 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 and incorporated as Exhibit “A”, and the Redevelopment Area is legally described on Exhibit “B”, which is attached and incorporated. The Redevelopment Area is part of a larger project, Planned Development District No. 348 Amendment 1, and 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.

B. Need for Redevelopment

i. Mid-Town Plan

The Redevelopment Area is in the Mid-town Historic District and is specifically referenced in the Mid-Town Plan and the Mid-Town Design Guidelines for Exterior Rehabilitations. The Mid-town Plan identifies the Redevelopment Area 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..."

Additionally, the rehabilitation and initial proposed use as apartments conforms with the Neighborhood Plan as it satisfies Objective 4 (maintain a safe environment) and Objective 5 (protect architecturally significant structures). Further, the Neighborhood Plan specifically recommends preservation and rehabilitation of contributing structures in the Redevelopment Area and adjacent properties along North Benton Avenue.

ii. Mid-Town Urban Conservation District

The Redevelopment Area was 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*, referred to as the *Zoning Ordinance*. As part of the rezoning to Planned Development District No. 348 last year, the Redevelopment Area was removed from Area A and added to Area E of the UCD. Area E is an unclassified subarea of the UCD 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*:

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.

iii. Objectives of the City of Springfield's Growth Management and Land Use Plan

The Redevelopment is closely aligned with many 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 in a neighborhood that predates the 20th century. It is 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 in the Center City Activity Center 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). In general, activity centers are intended to serve as a focal point for higher-intensity uses and would include apartments and inns.

Reference Page 18-30 of the GMLUP

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 encourages pedestrian and alternate transportation methods. 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

The Land Use Plan map designates the area located in and around the Redevelopment Area for medium or high density housing.

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 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.

iv. Objectives of the Center City Element of the City's Comprehensive Plan

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

Reference Figure 18-5 of the Springfield - Greene County Strategic Plan

The Center City Plan Element, adopted May 1998, provides this 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 *Vision 20/20 Strategic Plan Summary Document*, adopted by Springfield City Council on November 11, 2004, identifies Center City Revitalization as one of the Common Threads and Principals of the Strategic Plan and the VISION 20/20 Comprehensive Plan. It states:

"Center City Revitalization – Revitalization of Springfield's Center City continues to be a key component of future strategies for community development. Center City Springfield helps define the health of the overall community and its success or failure reflects on the entire community."

As proposed in the Redevelopment Plan, the existing residence will be fully rehabilitated. Redevelopment will include cleaning and repair of the façade, removal of overgrown vegetation and general overdue maintenance of the property. The existing structure has suffered greatly from a lack of maintenance and investment; revitalized investment of the existing structure will remediate these blighting conditions. Improved maintenance of the now vacant property will also improve curb appeal.

The *Vision 20/20 Strategic Plan Summary Document* provides this 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."

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 in the

Planned Development District No. 348 Amendment 1, a copy of which is attached as Exhibit E and incorporated by reference, provides an opportunity to offer economically attractive spaces for start-up businesses.

The *Vision 20/20 Strategic Plan Summary Document* also identifies several Actions that are important areas of focus for the Government Plaza & Central Street Corridor. The following are actions that the Redevelopment will take to improve Center City.

Government Plaza & Central Street Corridor (reference pages 29-30 of the *Vision 20/20 Strategic Plan Summary Document*)

Action 5 – “Enhance major street corridors to complement the ... architecture and emphasize the importance of the corridor”, and

Action 8 – “Establish a strong linkage along the corridor... and form linkages to Jordan Valley Park, Downtown, and Commercial Street.

The Redevelopment Area enhances the Benton Avenue corridor, complementing the architecture and improving the linkage between other districts within Center City.

Developer respectfully suggests that these Actions recommended by the *Vision 20/20 Strategic Plan Summary Document* for other Center City districts are enhanced by implementing the Redevelopment Plan for the Patterson House property within the Mid-town Historic District:

Downtown Action 2 – “Link the sub-districts into a whole that is recognized as Greater Downtown.”

Downtown Action 3 – “Preserve buildings of historic, architectural, or cultural merit.”

Downtown Action 10 – “Improve maintenance and cleanliness.”

Commercial Street Action 3 – “Extend the emphasis given Downtown Springfield over the past [15] years to the Commercial Street area.”

Walnut Street Action 1 – “Increase the number of complementary businesses.”

Walnut Street Action 3 – “Improve the appearance of the Corridor.”

Walnut Street Action 5 – “Continue to present the District as a special area in Springfield and highlight its historic character.”

C. 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 these ways:

- Rehabilitating blighted apartments.
- Activating a previously vacant property.
- 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.

IV. Land Use Plan

A. Former and Existing Land Use

The Redevelopment Area comprises one (1) structure 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 proposed land use is for no more than ten (10) multi-family residential dwelling units. Planned Development District No. 348 Amendment 1 includes the development of the property at 1225 N. Benton Avenue and the property at 1215 N. Benton Avenue. The 1215 property is not included in this Redevelopment Plan because it lacks a preponderance of blight. The apartments within the Redevelopment Area will operate within the existing footprint of the Patterson House and will be an appropriate repair and rehabilitation of the historic building.

In addition to multi-family residential apartment use, Planned Development District No. 348 Amendment 1 provides the opportunity for Developer to reconstruct the carriage house at a future date and reuse the house as an inn. The carriage house will be used as covered off-street parking bays that reflect the historic character of the original carriage house, upon the west edge of the Redevelopment Area.

*A preliminary site plan reflecting the proposed land use is attached as **Exhibit D** and incorporated herein. The adjacent 1215 property is not located in the Redevelopment Area and is not eligible for benefits under this Redevelopment Plan.*

C. Existing and Proposed Zoning

The property is currently zoned as Planned Development District No. 348. The Redevelopment Area is in Planned Development 348a, a copy of which is attached as **Exhibit E** and incorporated by reference, which proposes to develop the Patterson house, and the adjacent house at 1215 N. Benton Avenue to allow the development of multi-family and single family housing with up to eighteen dwelling units per acre, including up to ten dwelling units with the Redevelopment Area. The previously approved use involving the operation of an Inn may occur in the future.

D. Regulations and Controls

Redevelopment of the Redevelopment Area will be subject to all Local and State Codes and Ordinances. The Redevelopment Area shall also be redeveloped in accordance with proposed Planned Development District No. 348 Amendment 1. The regulations for said District are attached hereto as Exhibit E and incorporated herein by reference.

V. Execution of the Project

A. Execution

The Developer or its successors in interest will execute the redevelopment of the Redevelopment Area under the Redevelopment Plan.

B. Land Acquisition

The Developer acquired the land within the Redevelopment Plan in February of 2015.

C. Financing

The developer is utilizing Historic Tax Credit financing and Real Property Tax Abatement, in addition to conventional private financing 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 2016
- Redevelopment and Construction: Summer and Fall of 2016
- Completion of Redevelopment/Occupancy: December 2016

F. Taxation

The Developer or its successors in interest may apply to the Land Clearance for Redevelopment Authority for tax relief under sections 99.700 to 99.715 of the Missouri Revised Statutes, 2000.

G. Covenants

The Redevelopment Plan will run with the land and require the Developer and any successors in interest to redevelop the real property within the Redevelopment Area under 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.

VI. Other Provisions

A. Compliance with General Plans

As described herein, the Redevelopment Plan conforms to the objectives of the Springfield-Greene County Comprehensive Plan.

B. Compliance with State and Local Law

The Redevelopment Plan will be implemented in conformance with the requirements of state and local law, including those of Planned Development District No. 348 Amendment 1.

C. Public Facilities

It is not anticipated that the Project will require any additional public facilities or utilities.

VII. 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.

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 Amendment 1

Exhibit A

Map of Redevelopment Area

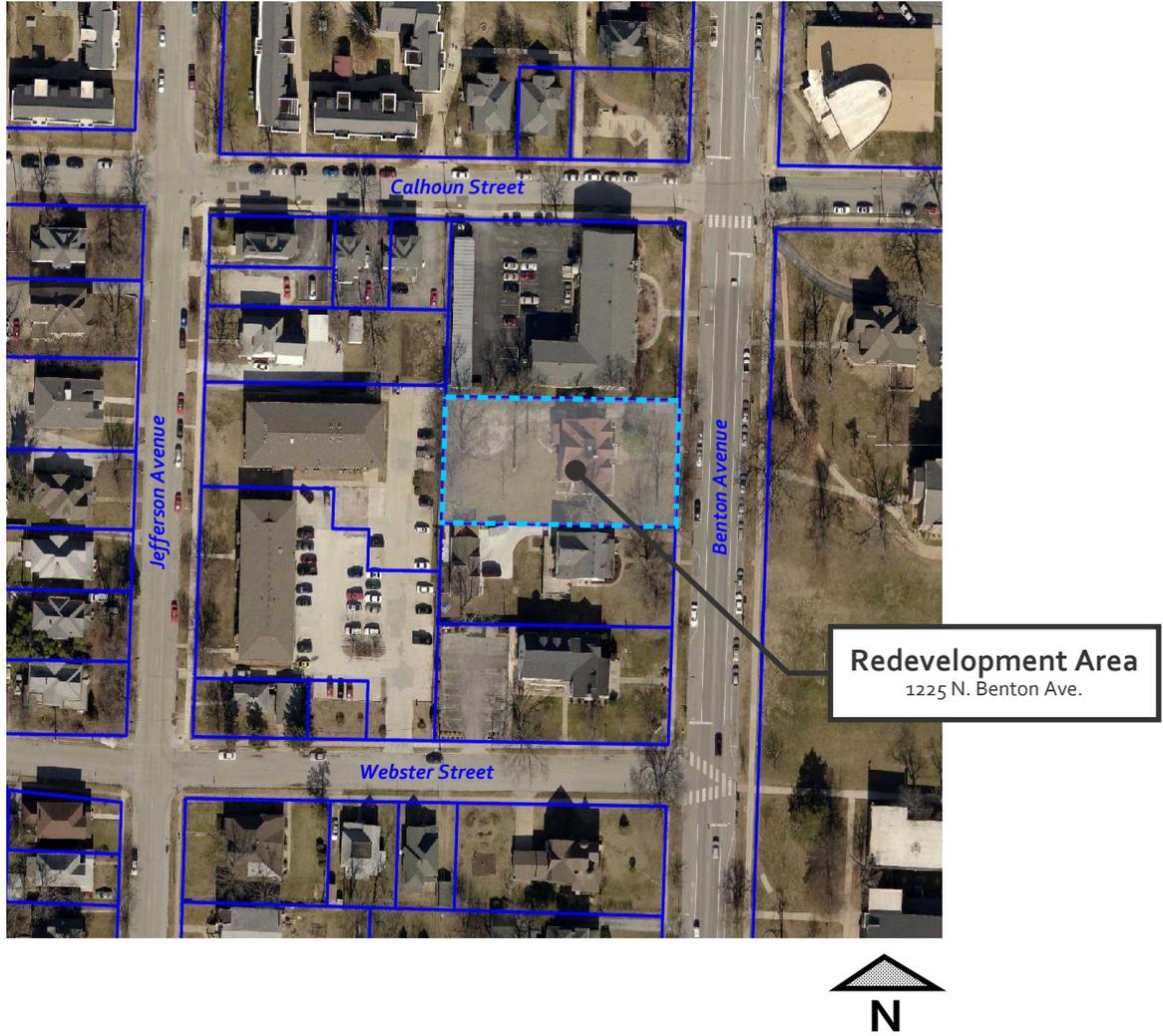


Exhibit B

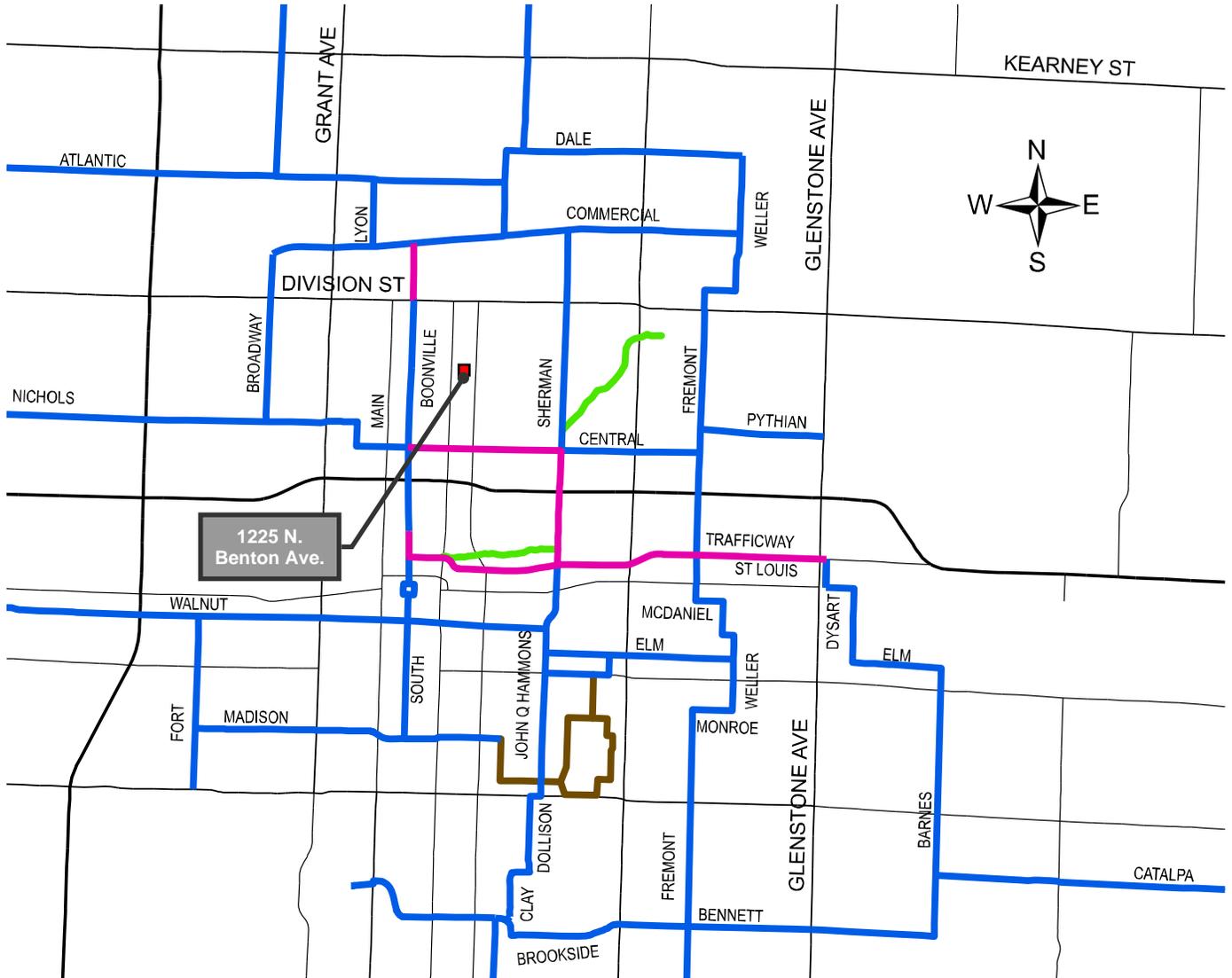
Legal Description of Redevelopment Area

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

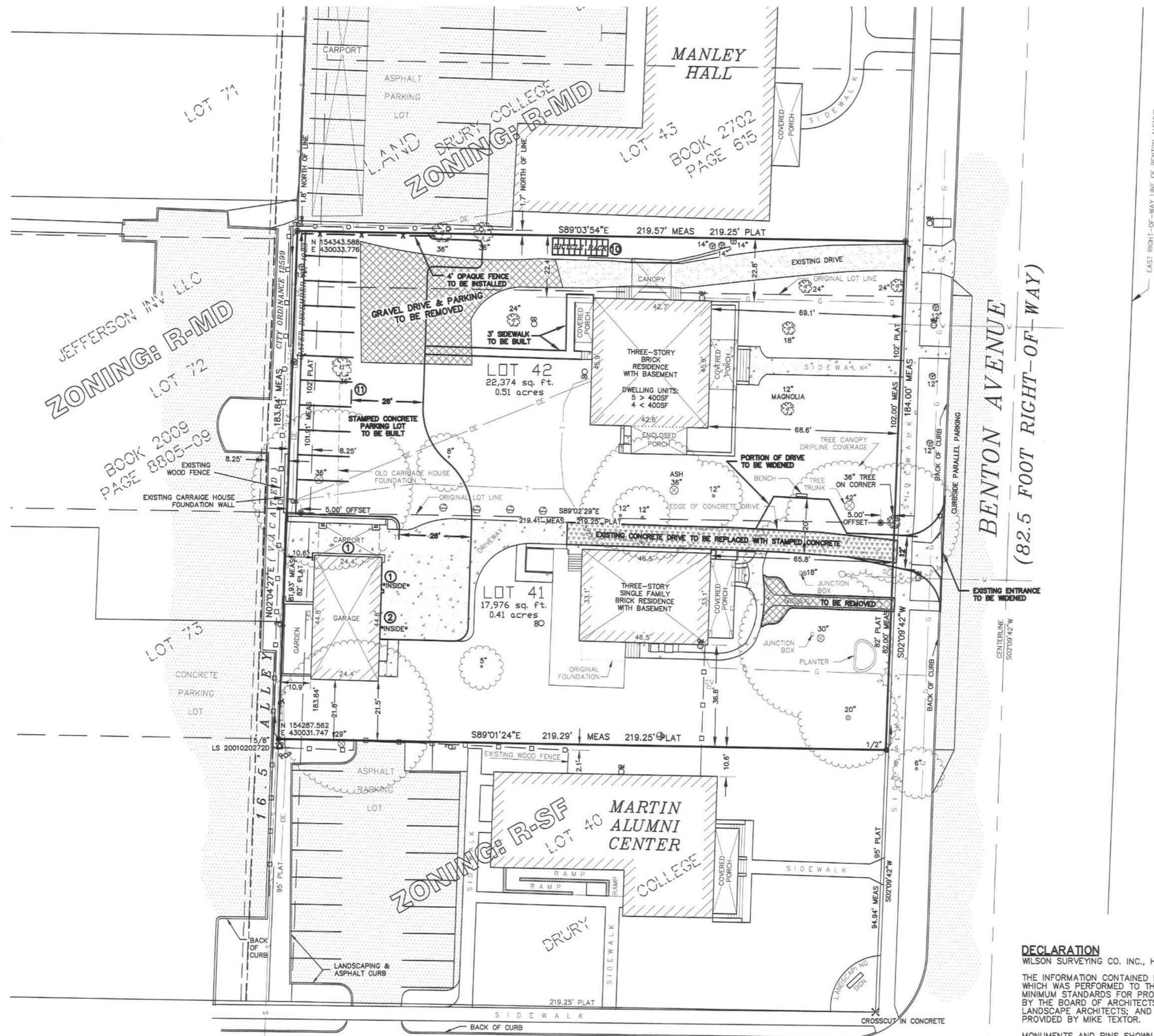
partial image of Springfield Bicycle Route Map



Legend

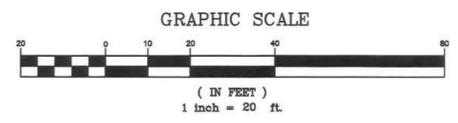
- BIKE LANES
- BIKE ROUTES
- SHARED ROADWAY
- MULTI-PURPOSE PATHS
- MSU BIKEWAYS
- CITY LIMITS

Exhibit D - Preliminary Site Plan



LOCATION MAP
SECTION 13
TOWNSHIP 29 RANGE 22
APPROX. SCALE: 1"=2000'

GRID NORTH
MISSOURI STATE
PLANE
CENTRAL ZONE
NAD83



PARKING NOTE
10 BICYCLE PARKING SPACES
15 VEHICLE PARKING SPACES (TYP: 9'x18.5')

- LEGEND**
- = EXISTING IRON PIN EXCEPT AS NOTED
 - ⊙ = 5/8" IRON PIN SET CAPPED "LS-267D"
 - ✕ = CROSSCUT IN CONCRETE
 - ☐ = CLEANOUT
 - ☐ = TELEPHONE RISER
 - ⊙ = TREE TRUNK
 - ⊙ = DECIDUOUS TREE
 - ⊙ = POWER POLE
 - ⊙ = LIGHT POLE
 - ⊙ = GAS METER
 - ⊙ = WATER METER
 - ⊙ = CONTROL VALVE
 - ⊙ = CHAIN-LINK FENCE
 - ⊙ = WOOD FENCE
 - ⊙ = OPAQUE FENCE TO BE INSTALLED
 - ⊙ = SANITARY SEWER LINE
 - ⊙ = OVERHEAD ELECTRIC LINE
 - ⊙ = GAS LINE
 - ⊙ = WATER LINE
 - ⊙ = TELEPHONE LINE
 - ⊙ = TREE DRIP LINE
 - ⊙ = ASPHALT
 - ⊙ = CONCRETE
 - ⊙ = GRAVEL
 - ⊙ = TO BE REMOVED
 - ⊙ = TO BE REPLACED WITH STAMPED CONCRETE

RESOURCE MATERIALS USED FOR BOUNDARY DETERMINATION

- ZARK 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
- SURVEY BY WILSON SURVEYING CO., INC. DATED NOVEMBER 12, 2015
- DEEDS AS SHOWN

SOURCE OF TITLE

- BOOK 2015 PAGE 7026-15
- BOOK 2015 PAGE 11348-15
- HOGAN LAND TITLE COMMITMENT NO. 1411011 EFFECTIVE DATE: OCTOBER 31, 2014
- HOGAN LAND TITLE COMMITMENT NO. 1502141 EFFECTIVE DATE: FEBRUARY 9, 2015

PROPERTY DESCRIPTION

ALL OF LOTS FORTY-ONE (41), 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.

DECLARATION

WILSON SURVEYING CO. INC., HEREBY DECLARES TO HISTORIC PATTERSON HOUSE LLC:

THE INFORMATION CONTAINED HEREON IS BASED ON AN ACTUAL SURVEY OF THE LAND DESCRIBED ABOVE, WHICH WAS PERFORMED TO THE BEST OF CORPORATE KNOWLEDGE AND BELIEF IN ACCORDANCE WITH THE MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS PROMULGATED FOR THE STATE OF MISSOURI BY THE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS; AND THE MISSOURI DEPARTMENT OF AGRICULTURE; AND BASED ON INFORMATION PROVIDED BY MIKE TEXTOR.

MONUMENTS AND PINS SHOWN AS SET WERE PLACED UNDER MY PERSONAL SUPERVISION.

PHYSICAL EVIDENCE OF IMPROVEMENTS AS SHOWN IS FROM INFORMATION OBTAINED BY VISUAL INSPECTION OF THE PREMISES. EASEMENTS SHOWN ARE THOSE WRITTEN, PROVIDED, OR DISCOVERED AND MAY NOT BE ALL INCLUSIVE. APPARENT OWNERSHIPS AS SHOWN ARE THOSE BASED ON INFORMATION PROVIDED BY OTHERS AND DO NOT REPRESENT AN OPINION AS TO TITLE.

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)

PREPARED BY
WILSON SURVEYING CO., INC.

SURVEYING/ ENGINEERING/ LAND PLANNING
2012 S. STEWART AVENUE
Springfield, Missouri 65804
TELE: (417)522-7870 FAX: (417)522-7874
EMAIL: RICK.WILSON@WILSONSURVEYING.COM
DRAWING NO.: WD-105-008
JOB NO.: 16044
DRAWN BY: MSB
DATE: MAY 5, 2016

TOTAL AREA
0.93 ACRES
40,350 SQ. FT.

Rick Wilson
WILSON SURVEYING CO., INC. L.C. 267D
BY RICK WILSON, P.L.S. 1970

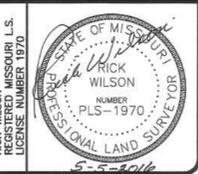


EXHIBIT E

Requirements and Standards Applicable to Planned Development District 348 Amendment 1

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 initial development with their historic uses of single family and multi-family residential, with potential future 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 North Benton and totals approximately 0.39 acres. The north property, hereinafter referred to as the “Patterson House”, is located at 1225 North 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 permits for any currently allowed use can be issued at any time. Otherwise, building or other permits cannot be issued for development permitted by this planned development, 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. Multi-family, R-LD uses.
3. Accessory Uses as permitted in section 36-350, accessory structures and uses.

B. The following commercial and multi-family 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. For the initial phase of this planned development the carriage house will be a garage.
4. R-LD, multi-family apartments shall be allowed.
5. Accessory uses as permitted by section 36-350. Accessory structures and uses.
6. 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. If it is not possible to repair or rebuild in a manner that complies with these requirements, the use of the property shall revert to single family and multi-family residential uses.
7. All new construction of multi-family buildings, per 6 (c) above, shall meet the Multi-Family Development Location and Design Guidelines. Bufferyard and landscaping requirements for the existing parking lot shall be in substantial conformance with Exhibit 2. If the site is completely redeveloped then the current bufferyard and landscaping requirements at the time of development will have to be met for parking and other site developments.

Historic District and Landmarks Compliance

A. The Landmarks Board, in 2015, approved the proposed exterior modifications to the historic structures. The initial phase of single and multi-family residential eliminates the previously-proposed addition to the Hawkins House. Because the initial phase uses the properties for their historic purposes, rehabilitates and preserves the existing exterior structures without any material change to the exterior appearance of existing structures, and reduces the parking and driveway area from the previously approved design, no further review by the Landmarks Board is required. 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 36-485 of the Springfield Zoning Ordinance.
- B. No use may emit an odor that creates a nuisance as determined by Springfield City Code.

Design Requirements

- 1. In the event the removal of trees from the Planned Development would cause the number of trees, six inches or more in diameter and 4.5 feet tall, to fall below (7) seven trees per acre, the following provisions shall apply. A tree six inches or greater in diameter measured 4 1/2 feet above ground must be preserved or replaced with a tree of at least two inches (2") in diameter—for a maximum total of 7 trees per acre. Trees meeting the landscape requirements in the zoning ordinance may be counted toward this requirement. A tree survey site plan must be submitted with a zoning application in order to assess this requirement. The life of all planted or saved trees shall be guaranteed and maintained for a period of 5 years or shall be replaced with an equal diameter tree. If this is not possible then the total diameter of trees at the time they are lost shall be replaced with an equal diameter amount of trees with no less than 2" in diameter throughout the project area

2. There shall be one (1) street/park bench provided within each multi-family development.

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 eighteen (18) dwelling units per acre may be developed within the Planned Development. A maximum of fourteen (16) 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 North Benton Avenue.

Off-street Parking

The Planned Development shall have one (1) parking space for each dwelling unit under 400 sf and shall have one and a half (1.5) parking spaces for every dwelling unit over 400 sf. The second phase of 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 or dwelling units shall not be considered for parking requirements.

Signs

All signage shall meet the standards of section 36-454 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. Lighting sources or luminaries that do not have a cutoff and are used in parking lots and pedestrian ways shall not exceed a maximum of 15 feet in height. Lighting sources or luminaries that do have a cutoff shall not exceed a maximum 30 feet in height. The developer shall submit a lighting plan at the time of development 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 not 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