
Requested Council Meeting Date: October 3, 2016

Item: COUNCIL BILL NO. 2016-279

Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Copy of Council Bill
2) Planning Report
3) Commission Minutes

Planning/Community Development Manager: Troy Bolander

City Attorney: Peter C. Edwards

City Manager: Samuel L. Anselm

Board or Commission: Planning and Zoning Commission

Date: 9/12/2016

Recommended Action: Planning and Zoning Commission recommended approval by a vote of “6 in favor, 1 opposed, and 0 absent”

SUMMARY/REQUEST:

Case 035-16: 655 South Lavender Lane – A request to rezone from R-1 (Single-Family Residential) to R-3 (Multi-Family Residential) for the construction of a multi-family residential development – O’Reilly Holdings, LLC.

STAFF SUMMARY:

This property was recently annexed into the City of Joplin in August of 2015. It is approximately nine acres, with about one third of the parcel lying in the flood plain. Currently the site is undeveloped. The City of Joplin’s future land use map shows future commercial development along East Seventh Street. There is a sewer line that runs along the east side of the northern half of the parcel.

The proposed development consists of approximately 48 affordable housing units; these would be a mixture of 2- and 3-bedroom units. The development consists of 10 residential buildings as well as a community building and playground. There will be landscaped parking and a storm water detention area on the northern portion of the parcel that lies in the flood plain. Staff considers this to be an appropriate use due to the transition of light commercial and residential development on East Seventh Street.

Staff recommends approval of Case 035-16.

PLANNING & ZONING COMMISSION TESTIMONY:

Ms. Denise Heintz appeared representing O’Reilly Holdings, LLC, to request the rezoning of property for a proposed multi-family affordable housing development that has been submitted with the Missouri Housing Development Commission. The development would contain 48 affordable housing units in four and six-plex buildings. A portion of the buildings will be two-story since they are townhomes, with all the buildings having street access.

O'Reilly Holdings submitted a \$9 million project with the Missouri Housing Development Commission in September. They review all applications and makes a decision during December and approves the successful applications. If O'Reilly Holdings are successful with their application, they would prepare development plans and begin construction next summer. Construction will take 12 months, with affordable housing being available during mid-2018. This application is a partnership between O'Reilly Holdings and Economic Security Corporation.

This is a combined workforce housing application, so a portion of the income qualifications are at 60 percent area median income, and 20 percent of the units are at 80 percent area median income. The development contains a mix of two-bedroom and three-bedroom units. There will be 12 two-bedroom units with monthly rental rates between \$410.00 and \$460.00, and 36 three-bedroom, two-bath units with rental rates from \$550.00 to \$650.00.

O'Reilly Holdings conducted a neighborhood meeting and discussed the project, with 14 to 20 attendees. Most of the attendees were from University Heights Subdivision that lies northwest of the property in this request. They expressed concern about the storm water detention and runoff, with O'Reilly Holdings assuring the neighbors that they would be developing the project with professional engineers and complying with all of the requirements set by the City of Joplin to seek approval and a building permit. The neighbors also expressed concerns about buffering and access into the proposed development.

Mr. Ramsour asked the City staff if Lavender Lane will ever be developed. Mr. Bolander asked if Lavender Lane is currently a driveway into another property, and Ms. Heintz replied yes.

Mr. Bolander stated Lavender Lane doesn't have the current right-of-way width to be a public street, so it will probably remain a private drive or a private lane. Ms. Heintz stated Lavender Lane lies to the west of the property in this request, with the access to the proposed development being east of that. They would not utilize Lavender Lane as access.

Mr. Duncan asked Ms. Heintz about the estimated width of the greenway between the proposed development and the property owners to the west. Ms. Cunningham stated the zoning code allows a 20-foot natural landscaping buffer between those two zoning districts.

Ms. Heintz stated there will be 65 feet between the property line and the back of the buildings on the west side. The tree line is a solid privacy line.

Mr. Duncan asked if any parking will be within that 65-foot space, and Ms. Heintz replied no parking will be in that area. The parking is all in the interior of the development.

Mr. Duncan asked Ms. Heintz if the proposed development lies to the east of Lavender Lane, and she replied yes. It appears that O'Reilly Holdings' property line starts on the east boundary of Lavender Lane.

Mr. Cortez asked about plans for a privacy fence or any kind of security fence between the University Circle neighborhood and this proposed development. Ms. Heintz plans on retaining the existing tree line, which is very thick and very solid, so she has not budgeted in a privacy fence. She is not opposed to looking at a privacy fence but stated the natural tree is very solid. They normally erect privacy fences around the parameters of their properties.

Mr. Ramsour thought the north end of the development should contain a circular turn-around instead of a hammerhead turn-around. Ms. Heintz stated the turn-around allows the emergency vehicles to back up and turn around. She will design it the way the Fire Department and the City staff requests. She stated the hammerhead uses less concrete and keeps the turn-around out of the 100-year flood plain.

Ms. Cunningham stated a turn-around must be provided per the City's fire code similar to what was developed on 14th Street west of Range Line Road.

PUBLIC COMMENT:

Comments in opposition were received from the following:

Mr. Robert Downey, 4226 University Circle, Joplin
Mr. Roger Gronewold, 4030 East Seventh Street, Joplin
Mr. John Alburty, 100 Lavender Lane, Joplin
Mr. Joe Lewis, 4222 University Circle, Joplin

They expressed concerns about drainage and storm water retention issues, along with access into the proposed development. They also expressed concerns about buffering and asked for the existing tree line to remain as opposed to fencing. Other concerns included a decrease in residential property values with adjoining low-income housing. Some of the residents who attended commission meeting are residents of Duquesne and Jasper County but stated the proposed development will affect them.

In response to the neighbors' concerns regarding drainage issues, Mr. Kurt Higgins from Allgeier-Martin & Associates stated the flood plain in this area is due to the drainage into Turkey Creek. Developments in Duenweg, Duquesne, and Crossroads Industrial Park all drain into Turkey Creek. The flood plain is impacted by a lot of developments in and outside of Joplin, so the area in this request is a dot on that drainage basin.

Mr. Higgins stated the drainage from the proposed development is not going to impact the FEMA flood plain. The development should be designed to the City standards and is a small piece of the overall drainage area that will have hardly any impact at all on this flood plain.

Mr. Duncan asked Mr. Higgins where along Turkey Creek the drainage from this property would have to flow. He replied Mr. Alburty is correct in that everything from this property drains from the south to the north, so it currently drains across his driveway and into Turkey Creek.

Mr. Bolander stated storm water retention doesn't keep water from flowing. It doesn't make it flow another direction uphill. It just slows it to the point where it keeps at the same velocity. It won't fix a problem if there is already a flooding problem, but it's not going to make it worse.

Mr. Higgins stated a detention basin collects the storm water and then releases it at the same pre-development rate. The quantity of water increases because water is being stored. There is more water runoff, but it is slowed down so that it doesn't increase the peak flows off the property. If storm water controls weren't in place, the flood plain would be increased as the Turkey Creek drainage basin continues to development. The proposed development will not have an impact on its own into Turkey Creek. A 1,000 acre development upstream would have a significant impact.