

Requested Council Meeting Date: May 4, 2015

Item: COUNCIL BILL NO. 2015-260

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: 4/13//2015

Recommended Action: Planning and Zoning Commission recommended approval by a vote of “7 in favor, 0 absent”

SUMMARY/REQUEST:

Case 010-15: Northwest Corner of 15th Street and Range Line Road – a request to rezone from District R-1 (Single-Family Residential) and District C-1 (Neighborhood Commercial) to District C-3 PD (Commercial Planned Development) for future commercial development – Yorktown Properties.

STAFF SUMMARY:

The proposed rezoning is for future development on this property. This property is adjacent to some single-family residential housing on the west side and may be subject to protest from residents due to noise, congestion, or increased traffic. The rezoning of this property should not, however, adversely affect adjacent commercial development.

Staff recommends approval of Case 010-15.

PLANNING & ZONING COMMISSION TESTIMONY:

Mr. Mike Mellinger stated that he and the property owner have entered into an agreement subject to the rezoning to lease this property to Chili’s for a free-standing restaurant. The property encompasses several lots that previously contained commercial and residential buildings. One existing home on the southwest corner of the property will be removed. The driveways shown on the development plan line up with what the Missouri Department of Transportation (MoDOT) asked him to do.

There is a small non-buildable piece of land on the southeast corner that Mr. Mellinger and Yorktown Properties do not own. MoDOT will eventually take that property as part of the intersection improvements, so that area is not included in this request.

Mr. Eastman asked what type of fencing or berm will be placed adjacent to the houses on the

west end of the property, and what type of lighting will be involved. Mr. Mellinger typically erects a six-foot privacy fence, with some land on the west side of the fencing to allow for some landscaping on the residential side. This would be very similar to what was done at the Bel-Aire Center at 20th Street and Range Line Road.

Mr. Mellinger stated that the lighting will be designed to shine onto the property and not off of the property. He is not really in control of what Chili's would do since the property will be leased to them, but the owners can control what Chili's would have to do. If the commissioners believe something needs to be accomplished, that can be incorporated into the planned district.

Mr. Duncan thought Mr. Mellinger bermed up the property at 20th and Range Line besides erecting the privacy fence. Mr. Mellinger stated that the topography is a lot different, with the top of the property being bermed to increase the height of the fence.

Mr. Duncan discussed the amount of height the developers want to achieve for a privacy fence and asked if there is a minimum requirement on that. Mr. Bolander stated they can do a combination of fencing and berming. The code doesn't contain any specific standards, but the landscaping and berming can be included as part of the requirements in the planned district.

Mr. Mellinger stated that one the benefits of doing the planned development is that he can modify and mold the development to fit what the commissioners want.

Mr. Duncan asked Mr. Mellinger how traffic will enter the restaurant coming from the three directions. He replied the intersection of 15th and Range Line has a traffic signal, with a median going north all the way to the north portion of the property. The Range Line entrance will be a "right-in/right-out" entrance. An additional entrance is provided from 15th Street, with a relief driveway entering the property from 14th Street. Northbound traffic would turn left onto 15th Street and turn right into the property. Eastbound traffic would make a left turn. Southbound traffic would make a "right-in/right-out" turn.

Mr. Duncan asked if only one house would be removed, and Mr. Mellinger stated yes. The house is on the north side of 15th Street at the southwest corner of the property in this request.

In response to comments from the audience, Mr. Duncan asked if closing off 14th Street is an option, and Mr. Bolander was not sure at this point. The City staff must review the traffic flow and traffic capacity.

PUBLIC COMMENT:

Comments in opposition were received from the following:

Dr. Keith Grebe, 2736 East 15th Street, Joplin

Mr. Michael Pier, 2915 East 14th Street, Joplin

Mr. Barry Sanborn, 2911 East 15th Street, Joplin

They expressed concerns about increased traffic volumes, along with speeding traffic endangering children in the neighborhood. They also expressed concern about an entrance from 14th Street.