CASE 039-24: ALLEY VACATION

An alley located at 1036 S Range Line Rd- Alley Vacation- A request to vacate a portion of alley right-of-way- Seneca Enterprises MO LLC

Mr. Kimble asked the applicant or representative to come forward and state their name and address for the record.

Max DiCarlo and Andrew Seemiller with Frist Street Development of 4700 Bellview Dr. Kansas City, Missouri presented the case on behalf of Seneca Enterprises.

Mr. Seemiller explained that they had made the changes recommended by the City Council. Mr. Seemiller explained that in the revisions to the plans they have changed the use of roll over curbs, to striping and they have widened the necessary areas for ingress and egress. Mr. Seemiller stated that City engineers have stated that this revised plan should improve the overall flow of the site.

Mr. Kimble asked if anyone on the commission had questions for the representative.

Dr. Rosenberg asked Mr. Seemiller, who owned the property to the west of the alley, directly behind the corner property.

Mr. DiCarlo stated that the property Dr. Rosenberg had asked about is currently owned by Seneca Enterprises, whose First Street Development has a purchase and sale agreement with to purchase both sides of the alley.

Dr. Rosenberg asked Mr. DiCarlo if there would be anything preventing them from fencing the property in if they chose to do so.

Mr. DiCarlo stated that there is not anything preventing them from fencing the property in.

Mr. DiCarlo stated that the turning templates provided show that there is no approaching on private property that is being used as a turnaround. Mr. DiCarlo continued to explain that the turning templates also show the use of the WB67 semi-trailer, which is the largest semi-trailer that can be on the roadway.

Mr. Kimble asked Mr. DiCarlo if the property on both sides of the alley way is owned by the developer.

Mr. DiCarlo explained that they are currently owned by the seller, since the property selling is contingent on the approval of the project and are both part of the purchase and sell agreement.

Mr. Kimble asked Mr. Bellairs if it was acceptable to ask for a vacation of the alleyway if the property is not yet owned by the representatives that have proposed the movement of the alleyway.

Mr. Bellairs stated that the current owners had applied for the alley vacation, which is Seneca Enterprises LLC, and they signed an owner affidavit so that First Street Development could present the case on behalf of them. Mr. Bellairs stated that this is a common practice for public hearing cases.

Mrs. Klue- Michael asked the representatives how trucks would get down the alleyway if there were cars in the drive through, if there were cars wanting to enter the drive through from the Range Line entrance.

Mr. DiCarlo stated that at the site was designed to allow car stacking for 19 cars. Mr. DiCarlo continued to explain that a semi-truck may have to wait around a minute if there were more than 19 cars in the stack, to be able to drive through the lot.

Mr. Kimble asked Mr. DiCarlo if cars did not want to exit through the Range Line exit and are trying to exit through the Frost Avenue exit, if this could cause an issue with traffic in the lot.

Mr. DiCarlo explained that they had done a study on the traffic through the site, and there is minimal traffic from large vehicles and only a few times a week, typically not at peak hours, so he does not believe this would be an issue.

Mr. Kimble asked Mr. Bellairs if there should be concern over the roadway at Frost Avenue due to the traffic from large vehicles.

Mr. Bellairs stated that when public streets are designed, they must be constructed to the public works standard and that this street would not receive any more traffic than 11th street currently does due to the large shipments received by business in the area.

Ms. Phillips asked Mr. DiCarlo if cars had the ability to go north or south on Range Line Road.

Mr. DiCarlo stated that cars had the ability to go north or south on Range Line Road. Mr. DiCarlo explained that the plan was reviewed by the Missouri Department of Transportation and they were comfortable with access as proposed, and the tenant can post way finding signs on their own.

Mr. Kimble asked if there was anyone would to like to speak in favor of this case.

Mr. Morris Glaze of 3321 Delaware, Joplin, Missouri asked to speak in favor of this case. Mr. Glaze explained that he had 43 years of experience in the trucking industry and dispatching trucks. Mr. Glaze stated that upon visiting the alley and reviewing the current plans presented, he does not see that there should be any issue with the deliveries being made to current business owners.

Mr. Kimble asked Mr. Glaze if the north side of the alley way that exits onto 10th Street would take be able to take truck traffic and trucks would be able to turn onto 10th Street, then turn onto Range Line.

Mr. Glaze explained that a short trailer would be able to, since there are no obstructions.

Mr. Kimble asked if there was anyone in attendance that would like to speak in favor of this case.

Mr. Darieus Adams of 2520 Kingsdale St. Joplin, Missouri asked to speak in favor of this case. Mr. Adams continued to explain that the plans presented he believes are adequate for all range of semi-trailers to use. Mr. Adams stated the applicant has gone above and beyond what the City has asked to address the concerns.

Mr. Kimble asked if there was anyone in attendance that would like to speak in favor of this case.

Mr. Kimble asked if there was anyone that would like to speak in opposition to this case.

Martha Pope of 7974 County Road 290, Carl Junction, Missouri asked to speak in opposition to this case. Ms. Pope stated that she is the owner of the property west of the proposed Dutch Brothers location. Ms. Pope explains that her tenant's driveways enter from the alley way, and she believes the proposed changes will cause issues involving her tenant's privacy, trash service and noise issues. Ms. Pope also asked for clarification regarding where the fence would be placed for her tenants if this project was approved.

Mr. Seemiller explained that Ms. Pope's property is to the west of Frost Street and not the alley way in question. Mr. Seemiller continued to explain that the fence will be situated on the east side of Frost Street, where there is currently fencing.

Ms. Pope asked where the trash receptacles will be placed in regard to her property.

Mr. Seemiller explained that the trash receptacles will be placed to the east of the fence, behind the drive through of the proposed business.

Ms. Pope asked if the alley way will allow customers to come and go at all times.

Mr. Kimble explained that there would be several ways, including through the alley way for traffic to go through the area.

Mr. Bellairs stated that the property Ms. Pope owns is on a platted street and that nothing is being vacated there, which is also why she did not receive a letter.

Mrs. Klue- Michale asked Mr. Bellairs for clarification regarding the proposed completion of Frost Avenue.

Mr. Bellairs explained that Frost Avenue will be constructed, but not completed to 10th Street.

Ms. Pope asked if this meant that all of the truck traffic would be going through the street near her property then.

Mr. Kimble stated that this would be correct.

Mrs. Klue- Michael asked Ms. Pope if the only parking available to her tenants was located in the alley.

Ms. Pope explained that this is correct.

Mr. Kimble asked Ms. Pope if her tenants park on Frost Avenue.

Ms. Pope stated that her tenants take Frost Avenue and drive directly into the driveway.

Mr. Kimble asked Ms. Pope if any of her tenants have any small children.

Ms. Pope explained that one of her tenants have grandchildren.

Mr. Kimble asked if there was anyone in the audience that would like to speak in opposition to this case.

Norman Cramer of 1032 S Range Line Road, Joplin, Missouri asked to speak in opposition to this case.

Mr. Cramer stated that the proposed changes would not allow his delivery drivers to make deliveries with the proposed turn templates. Mr. Cramer explained that his delivery drivers stated they would not be comfortable delivering to his business due to safety concerns regarding traffic, which could lead to him losing his suppliers to his business. Mr. Cramer voiced concerns regarding a camera that had been placed in the alley way. Mr. Cramer also explained that many of his elderly customers have voiced concerns about not being able to use the alley way to access his business. Mr. Cramer explained that his deliveries are anywhere from 5AM to 9AM during the weekdays and he feels this would cause backed up traffic since that would be the most realistic time for customers to want coffee.

Mr. Spruce asked Mr. Cramer if his deliveries could be delivered on a small truck due to the lower weight amounts.

Mr. Cramer explained that his deliveries come from the Kansas City area, and he is not the only delivery for his supplier.

Mr. DiCarlo asked to clarify that First Street Development did have the camera installed so they could analyze and make sure they could accommodate the traffic of the area as proposed.

Mr. Kimble asked if there was anyone else in the audience that would like to speak in opposition to this case.

Matt Kincaid of 17534 Baseline Boulevard, Jasper, Missouri and Brett Faubion of 362 NW 50th Road, Jasper, Missouri asked to speak in opposition to this case. Mr. Kincaid explained that he is a truck driver and a farmer. Mr. Kincaid explained that he has concerns about impeding traffic due to the turns required by the semi-trucks. Mr. Kincaid also stated concerns regarding the water flow of the area.

Mr. Bellairs explained that during any new civil project, the City's civil engineers and the applicants' engineers are required to address any issues regarding stormwater. Mr. Bellaris continued to state that he is not a civil engineer and not part of the review regarding the stormwater process for civil projects.

Mr. Kincaid asked Mr. Bellairs what the elevation was currently for the project without pavement being poured for the facility.

Mr. Bellairs stated that he cannot speak to that, as he is not a civil engineer, but the City does have a review process for all new projects.

Mr. Faubion stated concerns regarding the congestion of traffic due to the large turns needed for semi-trailers to make into the parking lot.

Mr. Kimble asked if there was anyone else in the audience that would like to speak in opposition to this case.

Geary Williams of 2930 Illinois Avenue, Joplin, Missouri asked to speak in opposition to this case. Mr. Williams stated there was a camera put on his property that he did not authorize. Mr. Williams stated he owns near the proposed Dutch Brothers location and has concerns over the traffic that will be brought to this area.

Ms. Phillips asked Mr. Williams if he allows Mr. Cramer to make turns on his property.

Mr. Williams stated that this is correct.

Mr. Kimble asked if there was anyone else in the audience that would like to speak in opposition to this case.

DR. ROSENBERG MADE A MOTION TO APPROVE CASE 039-24. THIS MOTION WAS SECONDED BY MR. LANDIS. MOTION CARRIED. (4 IN FAVOR, 3 NAY)