City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: June 5, 2017

Item: COUNCIL BILL NO. 2017-265
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Copy of Council Bill 2017-265
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: 05/08/17

Recommended Action: Planning and Zoning Commission recommended approval by a vote of 5 In favor, 2 Absent

SUMMARY/REQUEST:
Case 017-17: 2925 East 14th Street - A request to rezone from R-1 (Single Family Residential) to C-1 (Neighborhood Commercial) for the expansion of O'Reilly's Automotive – Liz Dugger.

STAFF SUMMARY:
This property consists of a 60 x 160 ft. lot in addition to a 30 x 25 ft. piece of vacated 14th Street right-of-way. This property is owned by O'Reilly's automotive who is proposing a building expansion in addition to additional parking. The proposed expansion is approximately 2,700 square feet on the west side of the building. There will be an additional nine parking spaces added on the south side of the building. Landscaping and screening would be required between the proposed commercial lot and adjacent residential zoning.

Staff recommends approval of Case 017-17.

PLANNING & ZONING COMMISSION TESTIMONY:

Jerrod Hogan, Anderson Engineering, 811 East 3rd Street, Joplin, Missouri, stated that this lot is directly behind O'Reilly's Automotive. It is also owned by O'Reilly's. It will line up with Chili's blocking off 14th Street. He has submitted a preliminary redevelopment plan showing the small 9' x 20' extension on the west side of the building along with fencing and a vegetative screen for a buffer.

Mr. Smith asked if the privacy wall will be expanded.

Mr. Hogan stated it will. Along with some tree planting on the east side of the privacy fence.

PUBLIC COMMENT:

Michael Pier, 2915 East 14th Street, Joplin, Missouri, stated that he is in favor of this because in order to finish off the fence O'Reilly needs that property to make it more uniform.

Mr. Duncan wanted to know where he lived in relation to O'Reilly's. Mr. Pier stated he lives about four (4) houses down. Mr. Duncan asked him if he was here in the Chili's matter. Mr. Pier was there. Mr. Duncan wanted to know how that was working out. Mr. Pier stated for the most part it has worked out well for the neighborhood.

Z&P Meeting: May 8, 2017
City Council Meeting: June 5, 2017

STAFF PLANNING REPORT
Rezoning

CASE 017-17 A request to rezone from R-1 (Single Family Residential) to C-1 (Neighborhood Commercial) for the expansion of O'Reilly's Automotive

LOCATION 2925 East 14th Street

APPLICANT Liz Dugger

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-1	Residential	10,350 sq ft

SITE CONTEXT

	North	East	South	West
Existing Zoning	C-3	C-1	C-3-PD	R-1
Land Use	Commercial	Commercial (O'Reilly's)	Commercial (Chili's)	Residential

FUTURE LAND USE

This area is designated as future retail/commercial in the City of Joplin's future land use map.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
Rangeline Road	Arterial	100'
Picher Avenue	Secondary	60'

UTILITIES Yes. Utilities – including City of Joplin sanitary sewer – run along 14th Street.

FLOOD PLAIN N/A – this property is not in the flood plain.

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

Yes. This area is marked as future retail/commercial development in the Future Land Use map of the Comprehensive Plan.

THE SUITABILITY OF THE SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED

Currently, part of this site is zoned R-1 and does not accommodate commercial expansion. It is within the future commercial corridor between Rangeline Road and Highview and abuts commercial property. Due to the vacation of 14th Street and construction of a fenced barrier between Rangeline and the residential neighborhood, this site is no longer ideal for residential use.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

This zoning change should not detrimentally affect nearby property. O'Reilly's will be required to provide screening between this parcel and adjacent housing. Additionally, this rezoning would be aligned with the commercial rezoning of Chili's across 14th Street.

DISCUSSION

This property consists of a 60 x 160 ft lot in addition to a 30 x 25 ft piece of vacated 14th Street right-of-way. This property is owned by O'Reilly's automotive who is proposing a building expansion in addition to additional parking. The proposed expansion is approximately 2,700 square feet on the west side of the building. There will be an additional nine parking spaces added on the south side of the building. Landscaping and screening would be required between the proposed commercial lot and adjacent residential zoning.

Staff recommends approval of Case 017-17.

ATTACHMENTS

- Application
- Map
- Proposed site plan
- Proposed landscape plan
- Survey

PHOTOS



From west side of barrier looking toward O'Reilly's



From east side of barrier



0 130 260 520 780 1,040 Feet

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Mr. Hogan stated it will. Along with some tree planting on the east side of the privacy fence.

Mr. Smith asked if there were any other questions. There were none. Mr. Smith asked if anyone would like to speak in favor of this proposal?

Michael Pier, 2915 East 14th Street, Joplin, Missouri, stated that he is in favor of this because in order to finish off the fence O'Reilly needs that property to make it more uniform.

Mr. Duncan wanted to know where he lived in relation to O'Reilly's. Mr. Pier stated he lives about four (4) houses down. Mr. Duncan asked him if he was here in the Chili's matter. Mr. Pier was there. Mr. Duncan wanted to know how that was working out. Mr. Pier stated for the most part it has worked out well for the neighborhood.

Mr. Smith asked if anyone would like to speak in opposition to this proposal? There were not. The public hearing was closed.

MR. DUNCAN MOVED, SECONDED BY MR. CORTZ, THAT CASE 017-17 BE FORWARDED TO CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. THE MOTION CARRIED, WITH MR. SMITH, MR. DUNCAN, MR. CORTEZ, MR. BROWN, MR. DERMOTT AND MS. BRUECKNER-SEARS VOTING "AYE". (5 IN FAVOR, 2 ABSENT).

P & Z Case 017-17
Liz Dugger
(P & Z Recommended Approval)

COUNCIL BILL NO. 2017-265 ORDINANCE NO.

AN ORDINANCE amending Ordinance No. 2004-256, passed by the Council of the City of Joplin, Missouri, November 15, 2004, by removing from District R-1 and including in District C-1 property as described below and located 2925 East 14th Street in the City of Joplin, Jasper County, Missouri.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. Having referred the subject matter of this ordinance to the City Planning and Zoning Commission and having given at least fifteen days' notice of time and place of hearing on same by publication in the Joplin Globe, Ordinance No. 2004-256 is hereby amended by removing the following described property from District R-1 and including same in District C-1:

ALL OF LOT SIXTY-NINE (69) IN CAMPBELLS FIRST ADDITION TO THE CITY OF JOPLIN, JASPER COUNTY MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF, ALONG WITH THE PORTION OF THE NOW VACATED 14TH STREET BEING THE NORTH HALF OF SAID STREET RIGHT-OF-WAY LYING SOUTH AND ADJACENT TO THE EAST TWENTY-FIVE (26) FEET OF SAID LOT SIXTY-NINE (69), CAMPBELL'S FIRST ADDITION TO THE CITY OF JOPLIN.

Section 2. That the City Clerk is hereby ordered to file this ordinance with the Zoning District Map maintained in her office and to note the changes herein provided for thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of _____, 2017, by a vote of _____.

_____
Michael L. Seibert, Mayor

ATTEST:

_____
Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney