CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2024-282 – Alley Vacation

MEETING DATE:
September 16, 2024

ORIGINATING DEPARTMENT:
Planning, Development and Neighborhood Services

REVIEWED BY:
Director of Planning, Development & Neighborhood Services – Troy Bolander
Director of Finance – Leslie Haase
City Attorney – Peter Edwards
Assistant City Manager – Tony Robyn
City Manager – Nicholas Edwards

FUNDING SOURCE:
Not applicable for this item.

SUMMARY REQUEST:
Case 029-24: 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

BACKGROUND:
Trash trucks and the public currently utilize the alley for access to the commercial property on this block. While City staff would not usually recommend the vacation of a part of an active alley, the developer is offering to record a public access easement running east to west which would connect Range Line Rd to Frost Ave. Furthermore, they will improve a portion of Frost Ave at their own expense. This will provide an alternative connection, with legally recorded access for the public, businesses on this block, city services (trash, emergency services, etc.). Frost Ave is currently a platted street with no improvements. This will also give the residences at 1030/1032 Frost Ave and 2933/2931 E 11th St an improved street built to City standards.

The applicant has not been able to provide vacation consent forms for business/property owners along the rest of the alley. However, no access is being lost from property owners adjacent to the alley. Consent forms are not required.

PLANNING & ZONING COMMISSION TESTIMONY:

Max Di Carlo and Andy Seemiller presented the case. They explained that they had their civil engineer create turn radiuses that were approved by the City engineer. They have also accounted for traffic and car back up in their drive through. They stated that First Street Development has made multiple attempts to work with Mr. Cramer.

PUBLIC COMMENT;

Mr. Darris Adams spoke in favor of the case. Norman Cramer spoke in opposition of the case. He stated that their truck drivers are not confident that the trucks can make the turn. He also voiced his concerns about the menu boards being in the drive through and holding up traffic. Mr. Cramer's son, Andy Cramer, read letters from the owner of Golden Dragon restaurant, who uses the alley to serve their shipments, the truck drivers for Cramer's meat supply, and the owner of the duplexes on Frost Ave (being concerned with traffic, property values, and privacy with the Frost improvements and told by Mr. Bellairs that the case did not impact them). Mr. Geary Williams also spoke in opposition of the case. He did not think they would vacate the alley when they purchased the property.

There was question among the commission about traffic onto 11th. Mr. Bellairs indicated that the traffic generated from a C-3 district is permitted by right, no matter where it was directed from. Mr. Bellairs also clarified that Frost was a platted street, and may be improved at any time, regardless of the outcome of this case. There was also question of the ownership of the property on the block, which Mr. Bellairs provided answers for.

Dr. Rosenberg motioned to approve the case, stating that at the last meeting the commission approved the request and requested First Street Development to provide turning information showing that they could support the truck traffic, which they have done.

RECOMMENDATIONS:

Staff recommends Approval of Council Bill 2024-282
Planning & Zoning Commission recommends Approval of Case 029-24 (6 in Favor, 1 Opposed, 0 Absent)

ATTACHMENTS

Staff Planning Report
P&Z Commission Minutes
Applicant Materials
Map