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**Requested Council Meeting Date: February 1, 2016**

**Item: COUNCIL BILL NO. 2016-254**

**Originating Department: PLANNING & COMMUNITY DEVELOPMENT**

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

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Planning/Community Development Manager: Troy Bolander

City Attorney: Peter C. Edwards

City Manager: Samuel L. Anselm

Board or Commission: Planning and Zoning Commission

Date: 1/11/2016

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Recommended Action: Planning and Zoning Commission recommended approval by a vote of “5 in favor, 2 absent”

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**SUMMARY/REQUEST:**

Case 002-16: 1820 South St. Louis Avenue – A request to rezone from R-1 (Single-Family Residential) to C-1-PD (Planned Neighborhood Commercial District) for the construction of a parking lot – People’s Bank of Seneca.

**STAFF SUMMARY:**

This property is a residential lot just off of 20<sup>th</sup> Street and St. Louis Avenue. 20<sup>th</sup> Street is one of Joplin’s Planned Development Corridors identified during the 2012 comprehensive planning process in which design standards are considered for any new development. Therefore, approving this rezoning also requires a site plan approval.

This corridor is a mixture of low to moderate density residential and commercial development. While there is single family residential to the east, there is also a duplex and commercial development to the west. This zoning change would be appropriate for this commercial corridor.

Staff recommends approval of Case 002-16.

**PLANNING & ZONING COMMISSION TESTIMONY:**

Mr. John Klute and Mr. Darrin Burr appeared representing People’s Bank of Seneca. Mr. Kurt Higgins, Allgeier-Martin and Associates, appeared to speak on behalf of People’s Bank regarding a lot north of property they currently owns at 20<sup>th</sup> Street and St. Louis Avenue.

People’s Bank previously purchased three lots along the west side of St. Louis Avenue from 20<sup>th</sup> Street going north. They had those lots rezoned, with a fourth lot becoming available just to the north of that property. They weren’t really sure they needed the fourth lot, but Allgeier-Martin

advised them to purchase that lot. Only a small portion of the lot is being used for parking, with the lot being used mostly for stormwater control, water quality, and a detention basin.

Mr. Higgins visited with Carol Greenlee, the property owner to the north, and showed her the site plan. She expressed concern about having a wall next to her property. She has a six-foot beige vinyl privacy fence along her yard and requested matching her fence instead of erecting a wall.

Mr. Higgins also met with the Joplin Housing Authority, the property owner to the west, who would prefer a landscaped buffer versus a fence or a wall.

Mr. Higgins is meeting all the requirements of the City's Public Works Department regarding traffic control and the three entrances that are proposed. The parking lot was set back much further than what is required to provide space for a future sidewalk and future widening of 20<sup>th</sup> Street. The front of the bank building will line up with the new commercial building to the east.

Mr. Duncan asked Mr. Higgins if the north driveway is partly on the piece of land being rezoned. He replied the north entrance isn't, but half of the parking aisle is located on the lot.

Mr. Duncan asked about using the same fencing as the homeowner to the north, and using the same landscaping buffer as is being planned adjoining the property owner to the west. Mr. Higgins would actually connect to Ms. Greenlee's fence corner and just extend it on to St. Louis Avenue; however, he understood the City Code doesn't allow a six-foot fence in the front yard.

Mr. Bolander explained that between commercial and residential property, a six-foot fence is allowed, but the area within 15 feet of the front property line must be open to provide for sight distance. He is looking for flexibility to accommodate the adjacent property owners since the new design guidelines ask for a more permanent type of structure such as a wall.

Mr. Duncan asked about approving the request, and Mr. Bolander asked for approval for what meets the intent of the design guidelines adopted by this commission and the City Council.

Mr. Ramsour asked if only the rezoning is being requested at this particular hearing, but Mr. Bolander replied this is part of a planned district with the plan being adopted at this time. For the plan to meet the intent or the requirements of the code, it must be approved. The plan must meet the intent of the code that was adopted by this commission and the City Council.

Mr. Brown asked Mr. Higgins if an entrance from 20<sup>th</sup> Street was considered. He trying to control access on 20<sup>th</sup> Street. The City engineers want to limit access on 20<sup>th</sup> Street, with traffic control is better suited off of St. Louis Avenue versus 20<sup>th</sup> Street.

Mr. Bolander expressed concern about having too many driveways and access points on 20<sup>th</sup> Street. It is always better to have a common entrance points instead of having a multitude of driveways if all this property develops commercially in the future.

**PUBLIC COMMENT:**

Carol Greenlee, 1810 South St. Louis Avenue, Joplin, is not opposed to the rezoning request but had issues regarding buffering and fencing.