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**MEETING DATE:** July 14, 2020

**STAFF:** Brian Harker, Planner

**PROJECT NAME:** McBee Coffee and Carwash/McBee Landing

**CASE NUMBER/REQUEST:** Case 20-100-01 – 1401, 1409, 1503 and 1505 E. 23<sup>rd</sup> Street S. – Steve McBee requests to rezone the properties from R-12 (Two-Family Residential) to C-2 (General Commercial)

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**APPLICANT:** Steve McBee

**OWNER:** Sam Investments

**PROPERTY ADDRESSES:** 1401, 1409, 1503 and 1505 E. 23<sup>rd</sup> Street S.

**SURROUNDING ZONING/LAND USE:**

**North:** C-1 and C-2...single-family homes and vacant lot  
**South:** R-6...undeveloped acreage  
**East:** C-2 and R-12...retail box stores and single-family home  
**West:** R-12...undeveloped land and a residence

**PUBLIC NOTICE:**

- Letters to adjoining property owners – June 24, 2020
- Public notice published in the Independence Examiner – June 27, 2020
- Signs posted on property – June 29, 2020

**FURTHER ACTION:**

This rezoning request is scheduled for first reading by the City Council on August 3<sup>rd</sup> and the public hearing/second reading at its August 17<sup>th</sup> meeting.

### RECOMMENDATION

Staff recommends **APPROVAL** of this rezoning request.

### PROJECT DESCRIPTION & BACKGROUND INFORMATION

**PROJECT DESCRIPTION:**

Steve McBee requests to rezone the properties located at 1401, 1409, 1503 and 1505 from R-12 (Two-Family Residential) to C-2 (General Commercial).

<b>Current Zoning:</b>	R-12 (Two-Family Residential)	<b>Proposed Zoning:</b>	C-2 (General Commercial)
<b>Current Use:</b>	Undeveloped property	<b>Proposed Use:</b>	Commercial/Retail
<b>Acreage:</b>	2.5 acres		

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## BACKGROUND:

The applicant intends to develop a four-lot subdivision. Three lots and a tract along the E. 23<sup>rd</sup> Street S. corridor will be zoned C-2 (General Commercial). The western lot and the middle lot have yet to have a proposed use. A proposed Special Use for a Carwash will encompass the area of eastern most lot and adjacent tract. South of the commercial lots, the remainder of the property will remain undeveloped and keep its existing R-6 (Single-Family Residential) zoning.

The applicant intends to construct a high-end, tunnel carwash, with an express exterior wash and interior detailing, on the 50,309-square foot eastern most lot. The tract to the southeast will be the site of the detention basin.

Access to the subdivision will be via S. Haden Street extended across E. 23<sup>rd</sup> Street S. along the western edge of the development. South of the intersection, a private driveway will extend eastward south of the commercial lots providing access. Lot 1 will have a driveway off E. 23<sup>rd</sup> Street as well be aligned with S. Woodbury Street. South Haden Street will be built to City standards. Public sidewalks are needed on both side of the street.

Prior to site plan and building permit approval, the property must be replatted.

## ANALYSIS

**Consistency with *Independence for All*, Strategic Plan:** The proposal is consistent with the Goal, “Increase economic prosperity of community”. It meets the strategy to, “recruit business.”

**Comprehensive Plan Guiding Land Use Principles:** The proposal is consistent with the Guiding Principle, “Foster redevelopment opportunities within the city to revitalize used or underused property”. It meets the policies to, “Encourage redevelopment or adaptive reuse of vacant or underutilized buildings and sites,” and, “Encourage reinvestment in our existing neighborhoods.”

**Historic and Archeological Sites:** There are no apparent historic/archeological issues with this property.

**Public Utilities:** All utilities are present and available near the site.

**Traffic Study:** Tran Systems prepared a study for the Preliminary Plat and proposed residential and commercial development McBee Landing. The study included trip generation estimates, trip distribution estimates, capacity analysis and a summary of findings. McBee’s Coffee and Carwash’s planned driveway will be aligned with S. Woodbury Street and an extension to S. Haden Street will be aligned with the existing segment north of E. 23<sup>rd</sup> Street S. Sight distances will be adequate for both accesses.

The study indicates that most side street movements at the study intersections are projected to operate at level E or F (the worst categories for intersection movements) during peak hours. This is largely due to high traffic volumes on E. 23<sup>rd</sup> Street S. The suggested mitigation is to construct additional outbound lanes on the driveway and S. Haden Street to permit the bypass of left-turning vehicles. Traffic volumes from the side streets and driveway will not be enough to warrant any signalization of the intersections.

## REVIEW CRITERIA

Recommendations and decisions on rezoning applications must be based on consideration of all of the following criteria:

**1. Conformance of the requested zoning with the Comprehensive Plan.**

The Comprehensive Plan recommends Community Commercial uses for this site

**2. Conformance of the requested zoning with any adopted neighborhood or sub-area plans in which the property is located or abuts.**

There are no recent neighborhood or sub-area plans for this area.

**3. The compatibility of the proposed zoning with the zoning and use of nearby property, including any overlay zoning.**

There is not any overlay zoning. The proposed zoning is similar to that already present along the E. 23<sup>rd</sup> Street S. corridor. The proposed use is compatible with other General Commercial uses along the street.

**4. The compatibility of the proposed zoning and allowed uses with the character of the neighborhood.**

The carwash/coffee shop will be immediately adjacent to one single-family residence. Other single-family uses are across the street. Commercial uses (a tire and grocery store) lie to the east. Undeveloped property lies to the west and southwest.

**5. The suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations.**

The existing R-6 zoning is not ideal for immediately adjacent to the E. 23<sup>rd</sup> Street S. right-of-way, which is a heavily traveled roadway.

**6. The length of time the subject property has remained vacant as zoned.**

This property has been vacant for more than a decade before which it was the site of two residences.

**7. The extent to which approving the rezoning will detrimentally affect nearby properties.**

Again, the proposed zoning is similar to that already present along the E. 23<sup>rd</sup> Street S. corridor. The proposed use is compatible with other General Commercial uses along the street.

**8. The gain, if any, to the public health, safety and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.** The community will benefit from the commercial uses as with the new street access and infrastructure for new residential development to the south.

## EXHIBITS

1. Applicant's letter
2. Mailing affidavit
3. Notification Letter and Mailing list
4. Concept Plan
5. Traffic Study

6. Comprehensive Plan Map
7. Zoning map
8. Neighbor Letter