

**MEETING DATE:** March 8, 2022

**STAFF:** Brian Harker, Planner

**PROJECT NAME:** Quik Trip Store #192

**CASE NUMBER/REQUEST:** Case 21-100-12 – Rezoning – Southwest corner of Highways M-291 and M-78 (E. 23<sup>rd</sup> Street S.) – The Quik Trip Corporation requests to rezone properties at 16813 E. 23<sup>rd</sup> Street S. (a.k.a. 16801 E. 23<sup>rd</sup> Street S. and 2304 S. M-291 Highway) from C-1 (Neighborhood Commercial) and C-2 (General Commercial) to C-2 (General Commercial)

**APPLICANT/OWNER:** Quik Trip Corporation

**PROPERTY ADDRESS:** 16813 E. 23<sup>rd</sup> Street S. (a.k.a. 16801 E. 23<sup>rd</sup> Street S. and 2304 S. M-291)

**SURROUNDING ZONING/LAND USE:**

- North:** C-2 (General Commercial)...strip center  
**Northeast:** C-2 (General Commercial)...Scooter's Coffee shop  
**South:** R-6 (Single-Family Residential)...Bethel Baptist church  
**East:** C-1 (Neighborhood Commercial)...23<sup>rd</sup> Street Station strip center  
**West:** C-2 (General Commercial)... Hub Shopping center

**PUBLIC NOTICE:**

- Letters to adjoining property owners – August 27, 2021
- Public Notice published in the Independence Examiner – August 28, 2021
- Sign posted on property – August 27, 2021

**FURTHER ACTION:**

Following action by the Planning Commission, this rezoning request is scheduled for its first reading by the City Council on March 21<sup>st</sup> and the public hearing/second reading on April 4<sup>th</sup>.

## RECOMMENDATION

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

## PROJECT DESCRIPTION & BACKGROUND INFORMATION

**PROJECT DESCRIPTION:** – The Quik Trip Corporation requests to rezone the properties located at 16813 E. 23<sup>rd</sup> Street S. (a.k.a. 16801 E. 23<sup>rd</sup> Street S. and 2304 S. M-291 Highway) from C-1 (Neighborhood Commercial) and C-2 (General Commercial) to C-2 (General Commercial).

**Current Zoning:** C-1 (Neighborhood Commercial) and C-2 (General Commercial)

**Proposed Zoning:** C-2 (General Commercial)

**Current Use:** thrift store/vacant retail

**Lot Size:** 127,489-square feet (both lots combined)

**BACKGROUND:**

The properties located at 16813 E. 23<sup>rd</sup> Street are currently zoned C-1 (Neighborhood Commercial) and C-2 (General Commercial) and will be rezoned to C-2 (General Commercial). The two-lot site is at a major intersection and envisioned in the Comprehensive Plan as an important node for commercial activity. The “L” shaped site that wraps around the Scooters Coffee property, located at the southwest corner of 23<sup>rd</sup> Street and M-291 Highway, is 127,489-square feet in area. The larger of the lots is already zoned C-2, but the smaller 10,804-square foot property is zoned C-1.

The two-existing lots will be replatted into a differently proportioned, two-lot subdivision to be the sites for two structures, a brand-new Quik Trip convenience store and an urgent care facility; uses both permitted in C-2 zoned districts and envisioned by the Comprehensive Plan.

**ANALYSIS**

**Consistency with *Independence for All*, Strategic Plan:**

The application is within keeping with the Goal of, “Growth – Increase in economic prosperity.”

**Comprehensive Plan Guiding Land Use Principles:** The City Comprehensive Plan recommends Commercial uses for this site. It also addresses the policy to “Encourage redevelopment or adaptive reuse of vacant or underutilized buildings and sites.”

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

**Landscaping Plan:** A detailed Landscaping Plan indicating plantings per Code must be provided with the Final Plan Review application and the building permit. The copy submitted with the Rezoning application is not adequate (this is particularly the case for the urgent care facility). The plans will be reviewed in accordance with Section 14-503 of the UDO.

**Buildings:** The convenience store will predominately feature a red brick construction with accent bands and columns of dark granite EIFS, as well as large windows with steel framing. Pedestrian shading will be provided by metal awnings with “QT Red” components. The fuel canopy has been designed to complement the design of the store and contains the same metal elements. The canopy area will be a “doublestack ten” and handle up to 20 automobiles at a time.

The Urgent Care facility’s façade will be two colors of Stucco, another wall material of a third color around the entrance doors and metal copings and fixtures.

Masonry trash enclosures will be sited on the southeast side of the Quik Trip property and the northwestern side of urgent care property.

The buildings’ elevations will be reviewed during final plan reviews and the building permit submittal in accordance with Section 14-506 Nonresidential Design Standards of the UDO.

**Public Utilities:** All utilities are present in adjacent rights-of-way.

**Storm Water Detention:** The site will have onsite, underground storm water detention south of the Quik Trip building.

**Gas Pumps and Parking:** Similar to other Quik Trips, the pumps along the 23<sup>rd</sup> Street frontage will be oriented perpendicular to the building. Although there will be some parking spaces near the intersection of Hubb Drive and 23<sup>rd</sup> Street, most of the parking spaces (more than adequate for the use) will be near the front doors and on the east and west sides of the building. The urgent care facility will have an adequate number of parking spaces as well, however the drive aisles need to be 26 feet not 25 feet.

**Auto and Pedestrian Access:** Access to the two-lot subdivision will be via four on-site driveways and one on the Scooter's property. The unimproved east driveway (serving Scooters and QuikTrip) will continue to be right-in and right-out given the median in M-291 Highway. The improved north driveway (again serving Quik Trip and Scooter's) will continue to be right-in and right-out, with left-turns blocked by the 23<sup>rd</sup> Street median. The existing west driveway will be eliminated and two new, improved east-west driveways, to serve QuikTrip (with a cross-access easement across a sliver of separate ownership), will be right-in and right-out given the median in Hub Drive. An improved private drive across the southern portion of the site will give access to the new urgent care facility lot. Public sidewalks will be provided along the 23<sup>rd</sup> Street and Hub Drive rights-of-way and another sidewalk segment along the private drive. The 23<sup>rd</sup> Street and private drive sidewalks will not extend all the way east to M-291 Highway, but rather end at the driveways for Quik Trip and the urgent care facility. Further, a direct sidewalk link will connect the Hub Drive sidewalk with the QuikTrip building.

**Traffic Study:** MoDOT and the City's traffic engineer have reviewed the submitted study and concur with its conclusions. The study states, "The property is bounded by 23<sup>rd</sup> Street to the north, M-291 to the east, Hub Drive to the west and a private road to the south... The purpose of this study was to assess the capacity of the existing roadway system to handle the background traffic and the impacts of the proposed development...Another objective of the study was to look at right and left-turn lane warrants along with signal warrants at all intersections since these roadways and intersections will provide the primary access for traffic generated from the development on a daily basis. " The traffic study confirms the proposed reconfigured access as depicted in the site plan.

## 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 envisions Commercial uses for these parcels. The proposed rezoning to C-2 would be in conformance with the Comp Plan.*

**2. Conformance of the requested zoning with any adopted neighborhood or sub-area plans in which the properties are located or abut.**

*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.**

*This portion of the 23<sup>rd</sup> Street and M-291 Highway corridors are generally zoned C-2 and have uses as permitted in such a district.*

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

*The proposed uses and structures will be like others along the corridor.*

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

*The intersection of 23<sup>rd</sup> Street and M-291 Highway is a high traffic commercial node; C-2 zoning is more appropriate there than C-1 zoning.*

- 6. The length of time the subject properties have remained vacant as zoned.**

*Although not vacant, the parcels have had the mixed zoning for many years.*

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

*The properties to be rezoned abut and are surrounded by other C-2 zoned properties and commercial uses.*

- 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.**

*If the rezoning were denied, it would have a negative financial effect on the landowner, as he would not be able to replat the properties. It would be expected that his new use would better utilize this commercial node.*

#### **EXHIBITS**

1. Applicant Letter
2. Application
3. Affidavit
4. Addresses
5. Site Plan
6. Site Plan with Aerial
7. Rezoning Plat
8. Quik Trip Elevations
9. MeWise Elevations
10. Traffic Report
11. Comp Plan Map
12. Zoning Map