COUNCIL AGENDA
June 1, 2015
6:00 P.M., Council Chambers

1. **Call To Order**
   Invocation
   Pledge of Allegiance of the United States of America

2. **Roll Call**

3. **Presentations**

   1. Presentations - Proclamation To Recognize June As 'Myasthenia Gravis Awareness Month'
      Proclamation recognizing June as 'Myasthenia Gravis Awareness Month', presented to Pam Bhend, Joplin.

4. **Finalization Of Consent Agenda**

5. **Reports And Communications**

6. **Citizen Requests And Petitions**

   1. CITIZEN REQUEST
      John Moore, 103 S. High, requests to address council concerning parking when the Blasters play at home games.

   2. CITIZEN REQUEST

      Doug Hunt, 1232 Xenia Ct, Joplin, requests to address council concerning the JHAP Program in regards to the process and timelines to closing on property.

7. **Public Hearings**

   1. PUBLIC HEARING PROCEDURES

   2. RESOLUTION NO. 2015-004
      RESOLUTION NO. 2015-004 -A RESOLUTION granting a Special Use Permit (First Renewal) to South Joplin Christian Church for the continued operation of a group residential facility to house volunteers located at 1901 South Pearl Avenue, in the City of Joplin, Jasper County, Missouri. (Requested by South Joplin Christian Church (P & Z Recommended Approval for a five-year Special Use Permit)

   3. COUNCIL BILL NO. 2015-262
      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 R-2 property as described below and located at the northeast corner of Wisconsin Avenue and Montana Place in the City of Joplin, Jasper County, Missouri.

      Documents: SUMMARY SHEET CB 2015-262 NE CORNER WISCONSIN AND MONTANA.PDF, CB 2015-262 REZ NE CORNER WISCONSIN AVE AND MONTANA PLACE.PDF, CB 2015-262 REZ NE CORNER WISCONSIN AND MONTANA PL.PDF

4. CASE 014-15

   Case 014-15 A request to declare excess property on an approximately 5,800 square foot lot located at 1402 South Ohio Avenue – (Requested by City of Joplin Planning and Zoning Commission recommended approval by a vote of "6 in favor, 1 absent).

8. Consent Agenda

1. Minutes Of The May 18, 2015 Council Meeting

2. COUNCIL BILL NO. 2015-609

   COUNCIL BILL NO. 2015-609 -AN ORDINANCE approval of License Agreement by and between the City of Joplin and Alpha Air Center, LLC, to conduct an Airshow at the Joplin Regional Airport.

9. Resolutions

10. Ordinances - Emergency

1. COUNCIL BILL NO. 2014-455

   COUNCIL BILL NO. 2015-455-AN ORDINANCE authorizing a Program Services Contract for WIC Local Agency Services, by and between the State of Missouri, Department of Health and Senior Services, and the City of Joplin, Missouri, and for the City of Joplin Health Department to receive additional funds for various program enhancement services, for up to Six Thousand, Three Hundred Forty-Two Dollars, no Cents, ($6,342.00); amending the Annual Budget of the City of Joplin for the Fiscal Year 2014-2015 as adopted by Ordinance 2014-177 on October 20, 2014; and, authorizing the City Manager to execute the same by and on behalf of the City of Joplin, Missouri; and, containing an emergency clause.

11. Ordinances - First Reading

1. COUNCIL BILL NO. 2015-260

   COUNCIL BILL NO. 2015-260 - 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 District C-1 and including in District C-3-PD property as described below and located at the northwest corner of 15th Street and Range Line Road in the City of Joplin, Jasper County, Missouri.

12. Ordinances - Second Reading And Third Reading

13. Unfinished Business

14. New Business

1. Boards And Commissions Appointments

2. NEWS FROM THE PIO

3. CLOSED SESSION

   Vote to go into closed session, which shall pertain to the hiring, firing, disciplining, or promotion of an employee or particular employees of a governmental body involving personal information as set forth in Section 610.021(3) RSMo, as amended, 2014, more specifically for the purpose of evaluating certain Council employees. This meeting, record, and vote to be closed to the extent provided by law. The City

Council shall adjourn at the end of the session.

Anyone wishing to address the Council should step to the podium and state his/her name and address. If the matter is not a Public Hearing, a request to speak to the Council should be prepared prior to the meeting. Speaking time will be limited to five (5) minutes.

Sound enhancement units are available for hearing impaired customers who provide a form of identification as security, which will be returned to the customer upon the return of the unit.

Those in need of disability-related auxiliary aids or services should contact the City Clerk's office at (417) 624-0820, ext. 220 no later than 48 hours prior to the meeting.

Notice posted at ____ p.m. on this the __ day of ____, ____. (RSMo 610.020)

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: June 1, 2015

Item: COUNCIL BILL NO. 2015-262
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Copy of Council Bill
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: 5/11/2015

Recommended Action: Planning and Zoning Commission recommended approval by a vote of "6 in favor, 1 absent"

SUMMARY/REQUEST:
Case 013-15: Northeast corner of Wisconsin Avenue and Montana Place – A request to rezone from District R-1 (Single-Family Residential) to District R-2 (Two-Family Residential) lots 4-11 in the Harmony Heights Subdivision – Kevin Parker.

STAFF SUMMARY:
The proposed rezoning is for future development on this property. This area of Joplin was severely impacted by the May, 2011 tornado and is still largely undeveloped. There is a mixture of residential, commercial, educational, and religious uses nearby, as well as higher-density residential zoning. This rezoning is in compliance with future land use for the City of Joplin as well as the 2012 Comprehensive Plan.

Staff recommends approval of Case 013-15.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Jerrod Hogan, Anderson Engineering, Joplin, requested the rezoning of eight single-family residential lots along Montana Place from District R-1 to District R-2 for the construction of duplexes.

Mr. Eastman asked Mr. Hogan about the size of the duplexes, and he replied three bedroom/one bath or two bedroom/two bath units. He discussed the future re-platting of the property and constructing apartments on the property to the north that is already zoned R-3.

Mr. Duncan asked Mr. Hogan how many duplexes are proposed at this time, and he replied eight duplexes.
Mr. Kevin Parker stated he began purchasing lots in this area after the tornado since the proposed

20th Street viaduct will close off Wisconsin Avenue. He thought the R-2 buffer would be a good transition from the viaduct to areas that are already zoned for apartments and commercial uses.

Mr. Ramsour asked if access will be from 22nd Street once Wisconsin Avenue is closed, and Mr. Parker replied from 22nd Street to Wisconsin Avenue to Montana Place, with a right turn onto Montana Place. The lots in this request are on the left-hand side.

Mr. Eastman asked Mr. Bolander if he has received any comments or complaints from the neighbors across the street, and he replied no.

Mr. Duncan asked Mr. Bolander if the closing of Wisconsin Avenue is temporary or permanent. He replied Wisconsin will be closed permanently following construction of the viaduct.

PUBLIC COMMENT:
Mr. Marshall Spencer, 3007 Kansas Avenue, Joplin, appeared on behalf of his son and daughter-in-law who recently purchased a home across the street from this area. He was initially concerned about R-3 zoning or apartments in this area, but he has seen some of the work Mr. Parker has done in the past and is in favor of duplexes. He expressed concern about apartments if Wisconsin Avenue is closed but stated you can access Connecticut Avenue by going south on Montana Place, or to go west on 22nd Street to Indiana Avenue. He supports this request at this time.

P & Z Case 013-15
Kevin Parker
(P & Z Recommended Approval)

COUNCIL BILL NO. 2015-262 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 R-2 property as described below and located at the northeast corner of Wisconsin Avenue and Montana Place 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 R-2:

Lots 4-11 in the Harmony Heights Subdivision of the City of Joplin, Jasper County, Missouri.

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 _____, 2015, by a vote of _____.

_____
Michael L. Seibert, Mayor

ATTEST:

_____
Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney

Z&P Meeting: May 11, 2015
City Council Meeting: June 1, 2015

STAFF PLANNING REPORT
Rezoning

CASE 013-15: A request to rezone eight lots from R-1 (single-family residential) to R-2 (two-family residential).

LOCATION: The Northeast corner of Wisconsin Avenue and Montana Place; lots 4-11 of the Harmony Heights subdivision.

APPLICANT: Kevin Parker

EXISTING CONDITIONS:

Zoning	Land Use	Property Size
R-1	Undeveloped	1.76 acres

SITE CONTEXT:

	North	East	South	West
Existing Zoning	R-3	C-1	R-1	R-1
Land Use	Undeveloped	Undeveloped	Residential	Residential

FUTURE LAND USE:

The City of Joplin's future land use map classifies this area as future residential development.

TRANSPORTATION:

Streets with access	Classification	Right-of-way width
Wisconsin Avenue	Collector	60'
Montana Place	Local	50'

UTILITIES: The property has utility connections.

FLOOD PLAIN: Zone X – Area of minimal flooding.

STAFF ANALYSIS:

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

Yes.

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

This site is currently undeveloped and is situated between R-1 (single family residential) and R-3 (multi-family residential) and is suitable for a higher density residential use.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

This zoning change will not detrimentally affect nearby property.

DISCUSSION

The proposed rezoning is for future development on this property. This area of Joplin was severely impacted by the May 2011 tornado and is still largely undeveloped. There is a mixture of residential, commercial, educational, and religious uses nearby, as well as higher-density residential zoning. This rezoning is in compliance with future land use for the City of Joplin as well as the 2012 Comprehensive Plan.

Staff recommends approval of Case 013-15.

ENCLOSURES:

Map

THE FOLLOWING MUST ACCOMPANY YOUR APPLICATION:

1. One copy of a legal description of the property proposed to be rezoned.
2. One copy of a statement describing the reasoning for the rezoning, the impact of the proposed change, including any traffic conditions that may result; any danger from fire hazards; how the proposed change may effect the character of the surrounding properties; and how the proposed change will benefit the City of Joplin.
3. Owner Affidavit, if applicant applying for the rezoning is not the owner of the property be rezoned

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: Wisconsin Ave and Montana Pl
2. Classification of Street(s):
   Arterial _____ Collector Wisconsin Ave Local Montana Pl
3. Right-of-Way Width: Wisconsin Ave = 60 feet, Montana Pl = 50'
4. Will turning movements caused by the proposed use create an undue traffic hazard?
   No

IS PLATTING OR REPLATTING REQUIRED TO PROVIDE FOR:

1. Appropriately Sized Lots? Yes
2. Properly Sized Street Right-of-Way? No
3. Drainage Easements? Yes
4. Utility Easements:
   - Electricity? No
   - Gas? No
   - Sewers? No
   - Water? No
5. Additional Comments: _____

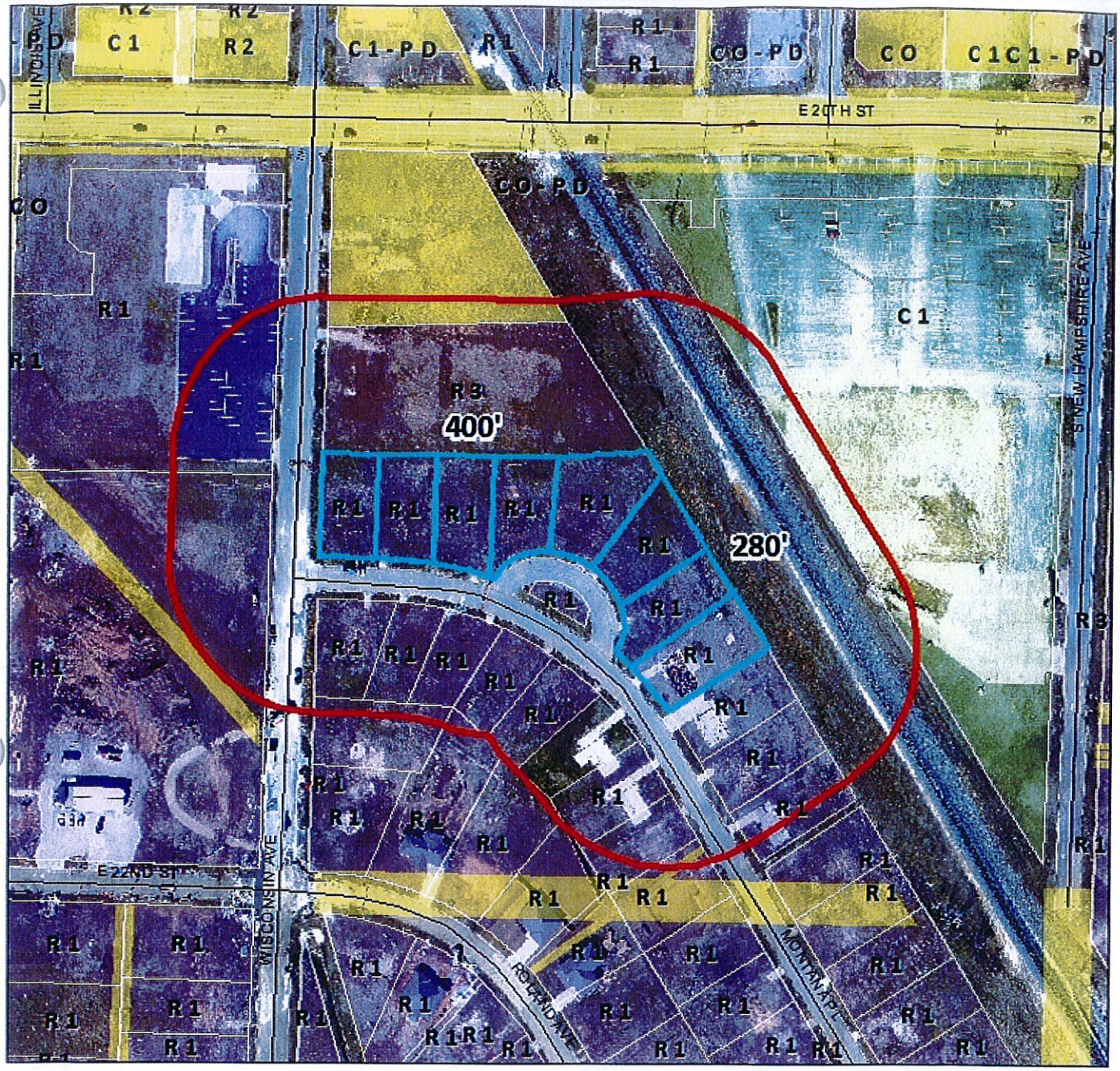
UNIQUE CHARACTERISTIC OF PROPERTY AND ADDITIONAL COMMENT:

This property and the surrounding neighborhood are still redeveloping following the May 2011 tornado.

SIGNATURE: _____ DATE: 4-10-15

BY: Kevin Parker

TITLE: President



0 160 320 640 960 1,280 Feet

Case 013-15: A reqest for the rezoning of lots 4 thru 11 of the Harmony Heights Subdivision, being generally described as located on the Northeast corner of the intersection of Wisconsin Avenue and Montana Place - Kevin Parker.

N

Case 013-15: Northeast corner of Wisconsin Avenue and Montana Place – A request to rezone from District R-1 (Single-Family Residential) to District R-2 (Two-Family Residential) lots 4-11 in the Harmony Heights Subdivision – Kevin Parker.

Mr. Eastman opened the public hearing for Case 013-15.

Mr. Jerrod Hogan, Anderson Engineering, 811 East Third Street, Joplin, appeared to request the rezoning of eight single-family residential lots along Montana Place from District R-1 to District R-2 for the construction of duplexes.

Mr. Eastman asked Mr. Hogan about the size of the duplexes, and he replied three bedroom/one bath or two bedroom/two bath units. He discussed the future re-platting of the property and constructing apartments on the property to the north that is already zoned R-3.

Mr. Duncan asked Mr. Hogan how many duplexes are proposed at this time, and he replied eight duplexes.

Mr. Kevin Parker appeared and stated he began purchasing lots in this area after the tornado since the proposed 20th Street viaduct will close off Wisconsin Avenue. He thought the R-2 buffer would be a good transition from the viaduct to areas that are already zoned for apartments and commercial uses.

Mr. Ramsour asked if access will be from 22nd Street once Wisconsin Avenue is closed, and Mr. Parker replied from 22nd Street to Wisconsin Avenue to Montana Place, with a right turn onto Montana Place. The lots in this request are on the left-hand side.

Mr. Eastman asked Mr. Bolander if he has received any comments or complaints from the neighbors across the street, and he replied no.

Mr. Eastman asked for comments from the audience.

Mr. Marshall Spencer, 3007 Kansas Avenue, Joplin, appeared on behalf of his son and daughter-in-law who recently purchased a home across the street from this area. He was initially concerned about R-3 zoning or apartments in this area, but he has seen some of the work Mr. Parker has done in the past and is in favor of duplexes. He expressed concern about apartments if Wisconsin Avenue is closed but stated you can access Connecticut Avenue by going south on Montana Place, or to go west on 22nd Street to Indiana Avenue. He supports this request at this time.

Mr. Duncan asked Mr. Bolander if the closing of Wisconsin Avenue is temporary or permanent. He replied Wisconsin will be closed permanently following construction of the viaduct.

Mr. Eastman asked for additional comments from the commissioners and the audience, and none were received. He closed the public hearing for Case 013-15.

MR. DUNCAN MOVED, SECONDED BY MR. RAMSOUR, THAT CASE 013-15 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL, BASED UPON THE COMMENTS RECEIVED IN THE PLANNING

REPORT AND DURING THE PUBLIC HEARING. THE MOTION CARRIED, WITH MR. BROWN, MR. CORTEZ, MR. DERMOTT, MR. DUNCAN, MR. EASTMAN, AND MR. RAMSOUR VOTING "AYE"; AND WITH MR. SMITH BEING ABSENT (6 IN FAVOR, 1 ABSENT).

REZONING APPLICATION FORM

Return Form to:
Planning / Community Development Specialist.
Joplin City Hall
602 South Main Street
Joplin, Missouri 64801
417-624-0820 Ext. 511
FAX 417-625-4738

For Office Use Only

Case No.: 013-15
Filing Fee: $ 350.00
Date Advertised: 4-26-15
Date Notices Sent 4-27-15
Public Hearing Date: 5-11-15

APPLICANT: Kevin Parker PHONE: 417-434-5552
ADDRESS: 1115 Illinois Ave, Joplin, MO ZIP: 64801
OWNER: Parker Properties and Investments PHONE: 417-434-5552
ADDRESS: 1115 Illinois Ave, Joplin, MO ZIP: 64801
LOCATION OF PROPERTY: Northeast corner of Wisconsin Ave and Montana Pl
LEGAL DESCRIPTION: Lots 4-11 in Harmony Heights Subdivision

Present Zoning R-1 Requested Zoning: R-2 Acreage: 1.76 acres
Present Use of Property: Vacant

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Vacant	C-1
South	Vacant	R-1
East	Vacant	C-1
West	Vacant	R-1

CHARACTER OF THE NEIGHBORHOOD: Mixed use of residential, commercial, school, and church. Neighborhood is still redeveloping.

RELATIONSHIP TO EXISTING ZONING PATTERN:

1. Would proposed change create a small, isolated district unrelated to surrounding districts?
   No.
2. Are there substantial reasons why the property cannot be used in accord with existing zoning?
   If yes, explain: Yes. Duplexes are not allowed under R-1 zoning.

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. Consistent with Development Policies? Yes
2. Consistent with Future Land Use Map? Yes