CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2020-286-Rezone to District C-3

MEETING DATE:
December 21, 2020

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, City Manager- Nicholas Edwards.

SUMMARY REQUEST:
Case 049-20: 3507 E. 20th St. – A request to remove from District M-2 (Heavy Industrial) and include in District C-3 (Commercial) for future restaurant development – Josh Comer.

BACKGROUND:
This area of Joplin has historically been industrial and manufacturing uses, however as Rangeline Rd. has developed into a major commercial corridor, development pressures have extended further East along 20th St. The majority of lots that surround this property and are along the corridor are zoned C-3 (Commercial) or M-2 (Heavy Industrial) and will not be affected by the change.

PLANNING & ZONING COMMISSION TESTIMONY:

PUBLIC COMMENT:
None.

FUNDING SOURCE:
These payments are included in the FY 2019-20 budget of the Community Planning Fund.

RECOMMENDATIONS:
Planning & Zoning Commission recommends approval, (5 in Favor, 2 Absent).
Planning & Zoning Staff recommends approval.

ATTACHMENTS:
CB 2020-286, Staff Planning Report, P&Z Commission Minutes

CB 2020-286

Case 049-20: 3507 E. 20th St. – A request to remove from District M-2 (Heavy Industrial) and include in District C-3 (Commercial) for future restaurant development – Josh Comer.

Andrew Spieker, 710 S. College Street, Webb City, MO, a realtor representing Mr. Josh Comer. This needs to be rezoned to build the restaurant on that piece of property. M-2 will not allow for that, so he is requesting to rezone to C-3.

Mr. Ramsour asked the commissioners if they had any other questions for Mr. Spieker. They did not. Mr. Ramsour asked if there was anyone else that would like to speak in favor of this case? There was not. Mr. Ramsour asked if there was anyone in opposition to the case? There was not.

MR. EASTMAN MOVED, SECONDED BY MR. KIMBLE THAT CASE 049-20 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MR. RAMSOUR, MRS. STEELE, MR. MCCULLOUGH, MR. EASTMAN, AND MR. KIMBLE VOTING "AYE". (5 IN FAVOR, 2 ABSENT).

Z&P Meeting: December 14, 2020
City Council Meeting: December 21, 2020

STAFF PLANNING REPORT
Rezoning

CASE 049-20 A request to rezone from M-2 (Heavy Industrial) to C-3 (Commercial)

LOCATION 3507 E. 20th St.

APPLICANT Josh Comer

EXISTING CONDITIONS

Zoning	Land Use	Property Size
M-2	Heavy Industrial	Approx. 3.5 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	M-2	M-2	C-3	C-3
Land Use	Big Box Retail	Vacant	Big Box Retail	Used Car Sales

FUTURE LAND USE

Joplin's Future Land Use Map shows this property as future retail commercial.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
E. 20th St.	Arterial	80'

UTILITIES

Utilities currently in place.

FLOOD PLAIN

This property is not in the flood plain.

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

The request is consistent with the comprehensive plan. The future land use map does show this property to be future retail commercial.

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

The current zoning of M-2 is somewhat suitable in this area. This area of Joplin has historically been industrial and manufacturing uses, however as Rangeline Rd. has developed into a major commercial corridor, development pressures have extended further East along 20th St. There are no longer any heavy industrial uses along this part of 20th St. as Joplin's industrial and manufacturing has relocated to other areas of town.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning to C-3 will not be detrimental to the nearby property. The majority of lots that surround this property and are along the corridor are zoned C-3 (Commercial) or M-2 (Heavy Industrial) and will not be affected by the change.

DISCUSSION

This request is compatible with the Comprehensive Plan, the Future Land Use Map, and the zoning requested is appropriate for the area. C-3 zoning is consistent with the gradual transition of this area over time and reinforces the Comprehensive Plan and Future Land Use Map.

Staff recommends approval of Case 049-20.

ATTACHMENTS

- Application
- Map

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.: 04/9-20
Filing Fee: $550.00
Date Advertised: 11-29-20
Date Notices Sent 12-1-20
Public Hearing Date: 12-21-20

APPLICANT: Josh Comer PHONE: 918-591-5197
ADDRESS: P.O. Box 7102 Williston, ND ZIP: 58803

OWNER: Ali Hammad PHONE: 417-669-4855
ADDRESS: 1406 E. Quincy St. Pittsburg KS ZIP: 66762

LOCATION/ADDRESS OF PROPERTY: 3507 East 20th Street

Present Zoning M2 Requested Zoning: C3 Acreage: ~3.5
Present Use of Property: Vacant Land

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Retail	M2
South	Retail	C3
East	Vacant	M2/M1
West	Auto Sales	C3

Character of the Neighborhood: Commerical

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? Yes
   If yes, explain: We want to put in a restaurant.

CONFORMANCE WITH COMPREHENSIVE PLAN:

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

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: East 20th Street
2. Classification of Street(s):
   Arterial _____ Collector _____ Local _____
3. Right-of-Way Width: 80
4. Will turning movements caused by the proposed use create an undue traffic hazard?
   No

IS PLATTING OR REPLATTING REQUIRED IN ORDER TO PROVIDE FOR:

1. Appropriately Sized Lots? _____
2. Properly Sized Street Right-of-Way? _____
3. Drainage Easements? _____
4. Utility Easements:
   - Electricity? _____
   - Gas? _____
   - Sewers? _____
   - Water? _____
5. Additional Comments: _____

UNIQUE CHARACTERISTIC OF PROPERTY AND/OR ADDITIONAL COMMENT:

THE FOLLOWING MUST ACCOMPANY YOUR APPLICATION:

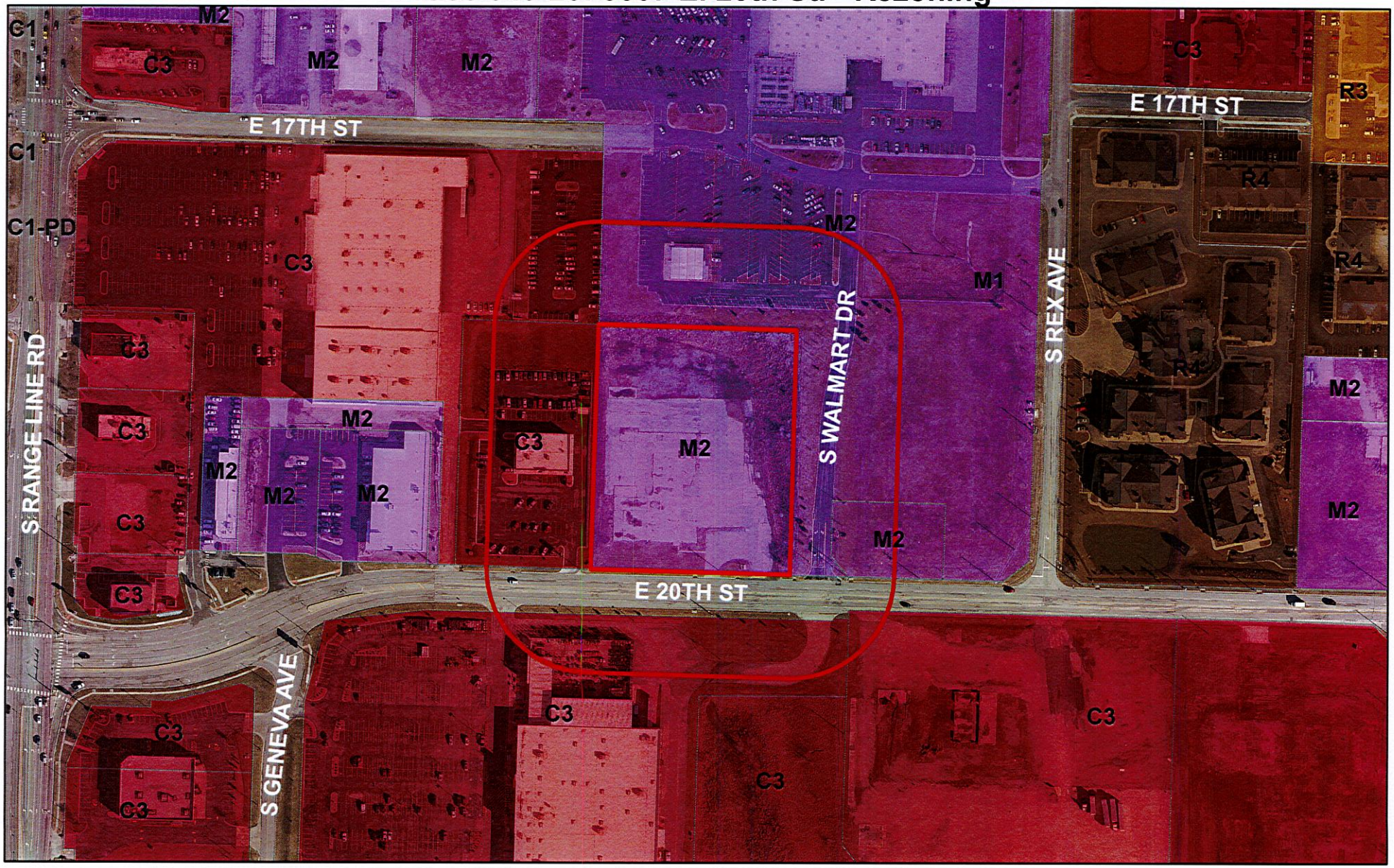
1. One copy of a legal description of the property proposed to be rezoned from a deed or certified survey.
2. One copy of a statement describing the reasoning for the rezoning, the impact of the proposed change, including any traffic conditions that may result; any danger from fire hazards; how the proposed change may affect 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

SIGNATURE: Josh Comer DATE: 11-18-20

EMAIL: joshua_111@live.com

TITLE: N/A

Case 049-20: 3507 E. 20th St. - Rezoning



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0 125 250 500 750 1,000 Feet

N

P & Z Case 049-20
Josh Comer
(P & Z Recommended Approval)

COUNCIL BILL NO. 2020-286 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 M-2 and including in District C-3 property as described below and located 3507 E 20th Street, 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 the following described property and including in District C-3:

All that part of the Southwest Quarter of Section 7, Township 27, Range 32 City of Joplin, Jasper County, Missouri, described as follows: beginning at a found iron pin on the North right-of-way of 20th Street said point being 30 feet North and 1004.67 East of the Southwest Corner of said Southwest Quarter, thence N01°48'41"E a distance of 436.67 feet to a found iron pin; thence S88°26'21"E a distance of 174.00 feet; thence S01°48'40"W a distance of 436.67 feet to a set iron pin and cap on said North right-of-way line; thence N88°26'21"W along said North right-of-way line a distance of 174.00 feet to the point of beginning. Containing 1.7 acres more or less. Subject to any easements or restrictions of record. And all that part of the Southwest Quarter of Section 7, Township 27, Range 32, City of Joplin, Jasper County, Missouri, described as follows: beginning at a found iron pin and cap on the North right-of-way of 20th street said point being 30 feet North and 1178.67 East of the Southwest Corner of said Southwest Quarter, thence N01°48'40"E a distance of 436.67 feet; thence S88°26'21"E a distance of 174.00 feet to a set iron pin and cap; thence 01°49'10"W a distance of 436.67 feet to a found iron pin on said North right-of-way line; thence N88°26'21"W along said North right-of-way line a distance of 173.94 feet to the point of beginning. Containing 1.7 acres more or less.

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 thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of_____, 2020, by a vote of _____.

_____
Ryan D. Stanley, Mayor

ATTEST:

_____
Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney