Z&P Meeting: December 14, 2020
City Council Meeting: January 4, 2021

STAFF PLANNING REPORT
Rezoning

CASE 050-20 A request to rezone from R-1 (Single-family Residential) to R-1-HP (Single-family Residential Historic Preservation)

LOCATION Fairview Cemetery

APPLICANT City of Joplin

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-1	Cemetery	Approx. 50 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	M2	M-2	M-2/R-1/C-1	R-1/R-3-PD
Land Use	Equipment Rental	Manufacturing	Vacant/Residential	Single-family Residential/Multi-family Residential

FUTURE LAND USE

Joplin's Future Land Use Map shows this property as future low-density residential.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
S. Maiden Ln.	Arterial	70'
W. 10th St.	Local	50'
W. 11th St.	Local	60'
S. Cunningham Ave.	Local	35'
W. Junge Blvd.	Collector	60'

UTILITIES

Utilities do not need to be extended to this property. Utilities are 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 used for a residential which is appropriate for continued use as a cemetery.

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

The current zoning of R-1 is suitable in this area. The current and intended future use as a cemetery is consistent with the zoning.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning to R-1-HP overlay will not be detrimental to the nearby property. The overlay will not have any changes or restrictions in the use of nearby property.

DISCUSSION

R-1-HP overlay zoning at this location is appropriate considering current use as a cemetery and the property meeting the criteria for local landmark designation as reviewed and recommended for approval by the Historic Preservation Commission. The Commission approved the cemetery for recommendation to the Planning and Zoning Commission on criteria:

1. Its character, interest, or value as part of the development heritage, or cultural characteristics of the community, county, state, or county.
3. Its identification with a person or persons who significantly contributed to the development of the community, county, state, or county.
6. Its embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant.
8. Its unique location or singular physical characteristics that make it an established or familiar visual feature.
10. Suitability of preservation or restoration.

Staff recommends approval of Case 050-20.

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.: 050-20
Filing Fee: $550.00
Date Advertised: 11-29-20
Date Notices Sent 12-1-20
Public Hearing Date: 1-4-20

APPLICANT: City of Joplin PHONE: 417-624-0820
ADDRESS: 602 S. Main Street, Joplin, MO ZIP: 64801

OWNER: City of Joplin PHONE:
ADDRESS: ZIP:

LOCATION/ADDRESS OF PROPERTY: Fairview Cemetery

Present Zoning R-1 Requested Zoning: R1-HP Acreage: 49
Present Use of Property: Cemetery

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Industrial	M-2
South	Vacant / residential	M-2 & R-1
East	Industrial	M-2
West	residential	R3-PD

Character of the Neighborhood:

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? no
   If yes, explain:

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: Madden Lane
2. Classification of Street(s):
   Arterial X 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? no
2. Properly Sized Street Right-of-Way? no
3. Drainage Easements? no
4. Utility Easements:
   - Electricity? no
   - Gas? no
   - Sewers? no
   - Water? no
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: Thomas Walters DATE: 11-17-20

EMAIL: twalters@joplinmo.org

TITLE: Planner

HISTORIC JOPLIN PRESERVATION COMMISSION

602 S Main Street, Joplin, MO 64801 (417)624-0820

HPC Case No. _____

Meeting Date: _____

LOCAL LANDMARK NOMINATION FORM

LOCATION

Address: 1201 S. Maiden Ln., Joplin, MO, 64801

Property Name (historic or common): Fairview Cemetery

OWNER INFORMATION

Name: City of Joplin, Missouri

Phone: 417-624-0820

Address: 602 S. Main St., Joplin, MO 64801

FORM PREPARED BY (if other than owner)

Name: Jill Sullivan

Phone: 417-365-1420

Address: 721 N. Sergeant Ave., Joplin, MO 64801

Relationship to Owner: Commissioner, Joplin Historic Preservation Commission

*A notarized letter of consent from the legal owner is required.

CLASSIFICATION

Present Use: Cemetery

Historic Use (if known): Cemetery

Public or Private: Public

Occupied or Unoccupied: N/A

ARCHITECTURAL and PHYSICAL DESCRIPTION (attach a separate sheet if needed)

Construction Date: Established 1873

Architect and/or Builder (if known): Unknown

Building Materials (foundation, walls, roof, etc.): The information kiosk is made of wood; tombstones vary, historic wrought iron fencing around a family plot.

Architectural Style: This cemetery does not adhere to any one specific architectural style, but, through the headstones and other elements, illustrates varying architecture types, as noted in

the Cemetery Survey Form included in the supporting documentation for this nomination. **Please see Cemetery Survey Form in supporting documentation.**
Site Description (property and surrounding area): Flat, about 40 acres. Trees and vegetation on grounds. **Please see the Legal Description in Attachment D – Supporting Documents.**

HISTORICAL SIGNIFICANCE

1. Its character, interest, or value as part of the development, heritage, or cultural characteristics of the community, county, state, or country: Cemeteries are cultural wonders in their own right that reflect the broad spectrum of the heritage and the values of the communities in which they lay. Indeed, Joplin's cemeteries are reflections of the settling of our city. Like our historic architecture and landmark sites, our historic cemeteries are important factors in the telling of the development, values, and cultural character of our city. Additionally, cemeteries may be considered a facet of Heritage Tourism, defined as "traveling to experience the places, artifacts and activities that authentically represent the stories and people of the past." Cemeteries are among the places visited often by heritage tourists, illustrating that people have a deep interest in learning about the past through cemeteries. Fairview Cemetery has been owned and operated by the City of Joplin longer than any other city-owned cemetery. **Please see Attachment A.**

2. Its location as a site of a significant local, county, state, or national event: N/A

3. Its identification with a person or persons who significantly contributed to the development of the community, county, state, or country: Fairview Cemetery is associated with our city's earliest developers, leaders, and pioneers. For about 60 years, Fairview Cemetery was the only city-owned cemetery in which people could be interred, thus it's the final resting place for many of our community's founders. Former mayors, police, fire personnel, Masons and Shriners are interred at Fairview. Also, Fairview has two Grand Army of the Republic plots and other monuments which include highly decorated military personnel from the American Civil War to the present. **Please see Attachment A.**

4. Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials: N/A

5. Its identification as the work of a master builder, designer, architect, or landscape architect whose individual work has influenced the development of a community, county, state, or country: N/A

6. Its embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant: Like other cemeteries in Joplin (and cemeteries in general), the design, detailing, materials, and craftsmanship of the monuments within Fairview Cemetery embody a variety of architecturally significant types. Examples include the headstones/monuments themselves, the materials from which they are made, and the detail and decorative carvings found on them. Municipal cemeteries, such as Fairview, are meant to be useful to generations of residents and to reflect the tastes and values of the public in general. Thus, the entirety of the monuments within will not adhere to *one* particular style or type; rather they are a collection of the embodiments of different styles and types. In Fairview, one may find historic wrought iron fence and monuments comprised of materials that were in common use at the time the monuments were made, including metals (bronze, iron, and zinc) and stone (granite, marble, and slate), concrete, wood, and other uncommon or indigenous materials, such as shells, minerals, rocks, etc. A wide variety of religious, military, and other decorative carvings are found on Fairview's monuments. In Fairview, some monument types include die in socket, die on base, lawn markers, plaques, urn, architectural forms, statuaries, vaulted pedestals, and obelisk.

7. Its embodiment of design elements that make it structurally or architecturally innovative: N/A

8. Its unique location or singular physical characteristics that make it an established or familiar visual feature: Fairview Cemetery's location is unique in that it's the first municipally-owned cemetery established in and by the City of Joplin.

9. Its character as a particularly fine or unique example of a utilitarian structure, including, but not limited to, farmhouses, gas stations, or other commercial structures, with a high level of integrity or architectural significance: N/A

10. Its suitability for preservation or restoration: Fairview Cemetery is well-suited for preservation and, as needed, restoration. Fairview, like the other city-owned cemeteries, is maintained by the Parks and Recreation Department of the City of Joplin. This department has performed ongoing maintenance and restoration at Fairview since the city acquired the cemetery in 1873. Creating a Local Historic Landmark District for Joplin's cemeteries does not alter the city's current commitment to maintaining its public cemeteries. **Please see Cemetery Survey Form in Attachment D – Supporting Documents for further details on physical condition of tombstones, markers, and monuments.**

(Any structure, property, or area that meets one or more of the above criteria shall also have sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation or restoration. Ord. No. 86-31, ' 1, 3-17-86)

SUPPORTING DOCUMENTS

A. Bibliography – Please provide a list of all sources used to complete this nomination form. **Please see Attachment B.**
B. Photographs – Please provide current photographs of the property, as well as historic photographs (if available). **Please see Attachment C.**
C. Any other sources (such as maps, newspaper clippings, etc.) that help support the nomination as a local historic landmark. **Please see Attachment D.**

Please submit completed nomination forms to:

Planning & Community Development
Joplin City Hall
602 S. Main Street
Joplin, MO 64801

Please sign below once the nomination form is complete and ready for submittal:

Printed Name: Jill Sullivan

Signature: Jill Sullivan

Date: 28 June 2019

ATTACHMENT A - HISTORY

History of Fairview Cemetery *(Note: This history is derived from the attached supporting documentation.)*

Fairview Cemetery was in use as Joplin Cemetery as early as 1832, prior to the incorporation of the City of Joplin. In September 1873, about six months after the city's incorporation, Mayor E.R. Moffet, Joplin's first mayor, drafted and signed a notarized document stating that the cemetery would henceforth be released to the public for public use, thus creating Joplin's first municipal cemetery. It is not yet known when or why the name of the cemetery changed from Joplin Cemetery to Fairview Cemetery, but it's evident that 'Fairview' was in common use by 1914 and likely earlier.

Some sources indicate the land for Fairview Cemetery was donated by Patrick Murphy, the founder of Murphysburg, which, in March 1873, incorporated with Joplin City (now known as Joplin's East Town neighborhood) to become the City of Joplin.

For 60 years, Fairview was Joplin's only municipal cemetery. As such, Fairview Cemetery is associated with numerous city-founders and other persons of note. Some of them include the Murphy, Picher, and Zelleken families; Percy Wenrich; Harry and Jennings Young; Joel Livingston; Jessie F. Osborne; John B. Sergeant; Gilbert Barbee; John Reding; Thomas Gilyard; and Thomas Bellas.

Veterans from the American Civil War, the Spanish-American War, both World Wars, Korea, and Vietnam are interred at Fairview. As are Masons, members of the Order of the Eastern Star, Oddfellows, Shriners, and Woodsman. Fairview also contains a Potter's Field.

Persons of Note Interred at Fairview Cemetery *(Note: This list is a work in progress rather than a comprehensive list.)*

- Barbee, Gilbert – Pioneer citizen, political leader
- Bellas, Thomas – Early architect, Murphysburg homes
- Gilyard, Thomas – Victim of 1903 Joplin lynching
- Livingston, Joel – Author, early historian
- Murphy, Patrick – Founder of Murphysburg, community leader (later reinterred at Mt. Hope)
- Osborne, Jesse F. – Community leader, former mayor, lawyer, realtor, namesake of the Jesse F. Osborne Memorial Cemetery and the Osborne House.
- Picher, O. – Mine operator (later reinterred at Mt. Hope)
- Reding, John – Pioneer citizen
- Wenrich, Percy – Famous American composer of ragtime and popular music

- Young, Harry and Jennings – Career criminals
- Zelleken, Edward – banking, brewer, businessman, mining (later reinterred at Mt. Hope)

Veterans Interred at Fairview Cemetery

- Civil War
- Spanish-American War
- World War I
- World War II
- Korea Vietnam
- And more...

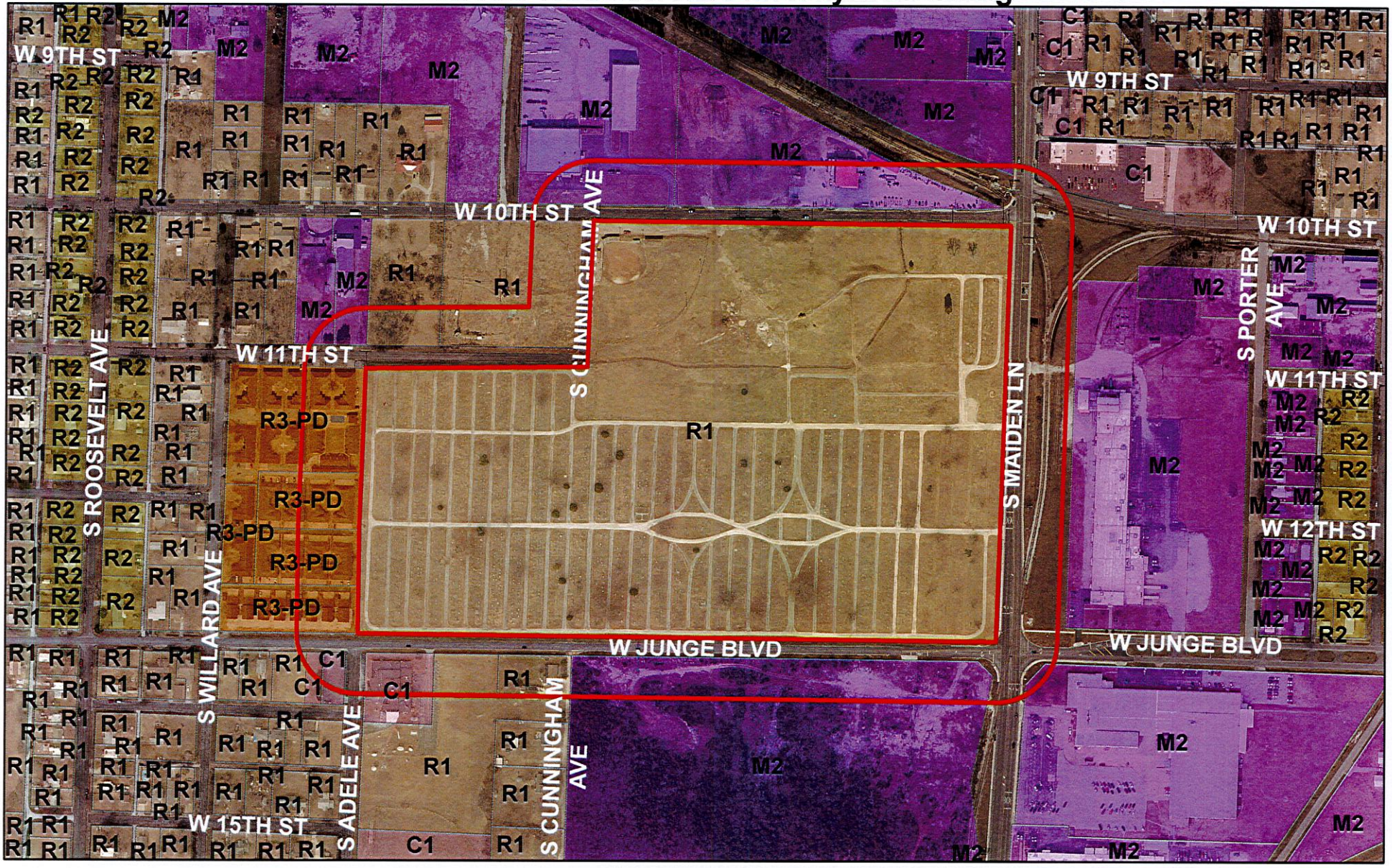
ATTACHMENT B - BIBLIOGRAPHY

Annotated Bibliography *(Note: Photocopies/scans of all articles and documents listed below follow this bibliography in Attachment D - Supporting Documents.)*

- Cemetery Survey Form
    - Survey form provided by the Missouri Department of Natural Resources Division of State Parks. This survey was completed by the Joplin Historic Preservation Commission's Cemeteries and Parks Subcommittee.
        - The purpose of the JHPC Cemeteries and Parks Subcommittee is to conduct research about and surveys of Joplin's four public cemeteries and Joplin's public parks to identify historic resources within those cemeteries and parks, as well as to complete and submit Local Landmark nominations for all city-owned cemeteries and parks to create a Local Landmark District. (Phase I: Cemeteries; Phase II: Parks)
        - Members: Paula Callihan, Chair; Nancy Morton, JHPC; Jill Sullivan, JHPC; Christopher Ferguson, Joplin Museum Complex; Paul Bloomberg, City of Joplin, Parks and Recreation; Dustin Parker, Parks and Recreation; Harvey Hutchinson, Parks and Recreation.
- Transcription of E.R. Moffet's Document, September 3, 1873
- E.R. Moffet's Document, September 3, 1873
- E.R. Moffet's legal description and field notes, 1873
- Plat map, 1873
- Current legal description
- 1914, June 28, Joplin Daily Globe: "Fairview Cemetery presents new aspect after improvements"
    - Article describes much-needed improvements that were made to the cemetery, such as mowing, grounds maintenance, new landscaping, etc. New rules to help maintain a nice cemetery environment are also discussed. Masons, Oddfellows, Knights of Pythias, Joplin volunteer firemen, and Grand Army of the Republic all have large lots in Fairview. Grounds donate by Patrick Murphy.
- 1931, October 18, Joplin Globe: "Fairview cemetery is reconditioned"
    - At the time, this was Joplin's *only* established city-owned cemetery. Note the final paragraph of the article, which states Fairview is nearly full and "plans for opening a new cemetery on the new cemetery tract on the McClelland park road" were being considered. The McClelland park tract referenced in this article is what became Parkway and Osborne cemeteries.
- 2010, April 16, online post (Source: Joplin News Herald): "Joplin's Potter's field"
    - Joplin's Potter's Field – historically where our poor and unforgotten are buried – is located at the western fringe of Fairview Cemetery.

- 2004, May 30, Joplin Globe: "Memorial Day evolved with Nation, Joplin"
    - As the oldest city cemetery, veterans from many wars, including as far back as the Civil War, are interred at Fairview.
- 2017, October 6, Joplin Globe: "Antique fence expected to draw bidders at auction"
    - In 2017, the City was to auction off an historic fence that once, partially if not completely, surrounded Fairview Cemetery.
- 2017, October 7, Joplin Globe: "City to rethink sale of antique fencing from cemetery"
    - Following the announcement of the auctioning off of the historic Fairview Cemetery fencing, the city decided rescind the decision to include the fence in the auction. It's clear that residents – family members, city staff, Council members, residents, etc. – care about preserving the historical integrity of our city's oldest (city-owned) cemetery.

Case 050-20: Fairview Cemetery - Rezoning



Case 050-20: Fairview Cemetery – A request to remove from District R-1 (Single-family Residential) and include in District R-1-HP (Single-family Residential Historic Preservation) for historic preservation – City of Joplin.