CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2021-295 – Rezone R-3-PD to C-1

MEETING DATE:
January 3, 2022

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 070-21: 2202 S. Connecticut Ave. - A request to remove from District R-3-PD (Apartment House Planned Development) and include in District C-1 (Neighborhood Commercial) for future commercial development – Imogene Kelley Trust

BACKGROUND:
This request to rezone to C-1 is for future commercial development. The location of the property along a collector-level street is appropriate for C-1 zoning, and the Future Land Use map does indicate future retail commercial uses at this location. This continues the transition that this portion of S. Connecticut Ave. has experienced in recent years.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Eastman stepped down from the dais as he was representing the owner. Ms. Steele conducted this case.

Kent Eastman, 619 S. Florida, Joplin, MO. There used to be two (2) sets of four (4) plexuses. Ms. Kelly is in a nursing home now and the highest and best use of this property would be C-1. The property that surrounds this property is all either C-1 with the exception of the C-Store and it is C-3. There isn't currently a use for this property yet but feel economically the best use would be C-1.

PUBLIC COMMENT;
Jason Mayberry, 1016 Joanne Drive, Joplin, Mo. He is representing Mayberry Construction; they own the property behind this property and the property to the south. The biggest opposition is not knowing what will go on that property. Our intentions are building another set of 4-plexes on the property to the south of this property. If it is zoned commercial this could affect our rental intentions. High traffic is our biggest concern.

RECOMMENDATIONS:
Staff recommends approval for Case 070-21.
Planning & Zoning Commission recommends approval for Case 070-21 (5 Favor, 2 Absent)

ATTACHMENTS
CB 2021-295, Staff Planning Report, P&Z Commission Minutes

CB 2021-295

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Ms. Steele asked the commissioners if they had any questions for Mr. Eastman. They did not. Ms. Steele asked if there was anyone that would speak in favor of this case? There was not. Ms. Steele asked if there was anyone that would speak in opposition to this case?

Jason Mayberry, 1016 Joanne Drive, Joplin, Mo. He is representing Mayberry Construction; they own the property behind this property and the property to the south. The biggest opposition is not knowing what will go on that property. Our intentions are building another set of 4-plexes on the property to the south of this property. If it is zoned commercial this could affect our rental intentions. High traffic is our biggest concern.

Mr. Eastman stated for clarification for Jason Mayberry is this classification is for offices.

Mr. Stanton stated that C-1 would be different from C-O. C-1 would mostly allow for smaller general retail and office spaces. Gas Stations will not be permitted in this district, and buffering would be required.

Ms. Steele asked if there was anyone else to speak in opposition of this case? There was not.

MR. MCCULLOUGH MOVED, SECONDED BY MS. WARREN THAT CASE 070-21 BE FORWARDED TO THE CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL. MOTION CARRIED WITH MR. MCCULLOUGH, MS. STEELE, MS. WARREN, AND MS. PHILLIPS "AYE", (4 IN FAVOR, 2 ABSENT, 1 ABSTAIN)

Z&P Meeting: December 13, 2021
City Council Meeting: January 3, 2022

STAFF PLANNING REPORT
Rezoning

CASE 070-21 A request to remove from District R-3-PD (Apartment House Planned Development) and include in District C-1 (Neighborhood Commercial) for future commercial development

LOCATION 2202 S. Connecticut Ave.

APPLICANT Imogene Kelley Trust

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-3-PD	Vacant	Approx. 0.63 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	C-2-PD	C-O/R-1	C-O	C-O
Land Use	Vacant	Religious/Office	Vacant	Multi-family

FUTURE LAND USE

Joplin's Future Land Use Map shows this property as future Commercial Opportunity Area.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
S. Connecticut Ave.	Collector	80'

UTILITIES

Utilities in place.

FLOOD PLAIN

This property is not in a flood plain.

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

This request is consistent with the Comprehensive Plan. The future land use map does indicate future commercial opportunity area. This request would be in line with that. Additionally, the frontage along a collector level street is appropriate for this request.

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

The current zoning of C-1 is suitable for the property in this context.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning will not be detrimental to nearby property. The properties directly abutting the subject property are zoned C-O and C-2-PD and allow similar uses to those in C-1.

DISCUSSION

This request to rezone to C-1 is for future commercial development. The location of the property along a collector-level street is appropriate for C-1 zoning, and the Future Land Use map does indicate future retail commercial uses at this location. This continues the transition that this portion of S. Connecticut Ave. has experienced in recent years.

The request is found to be consistent with the comprehensive plan and future land use map.

Staff recommends approval of Case 070-21.

ATTACHMENTS

- Application
- Map

CITY OF JOPLIN, MISSOURI
REZONING APPLICATION FORM

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

For Office Use Only
Case No.: 070-21
Filing Fee: 550.00
Date Advertised: 11-27-21
Date Notices Sent 11-22-21
Public Hearing Date: 12-13-21

APPLICANT: INOCENE KELLEY TRUST PHONE: 850-0215
ADDRESS: P.O Box 2166 Joplin, Mo ZIP: 64803
OWNER: SAME PHONE:
ADDRESS: ZIP:
LOCATION OF PROPERTY: 2207 S CONNECTICUT
LEGAL DESCRIPTION:
SEE ATTACHED

Present Zoning R-3-PD Requested Zoning: ~~R-T~~ C-1 Acreage: .6291
Present Use of Property: VACANT LOT

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	APARTMENTS	R-3
South	OFFICE OFFICES	C-1
East		C-1
West	APARTMENTS	R-3

CHARACTER OF THE NEIGHBORHOOD: MOSTLY OFFICE + APARTMENTS

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 LIKELY TO BE USED AS OFFICE

CONFORMANCE WITH COMPREHENSIVE PLAN:

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

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 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.

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: CONNECTICUT
2. Classification of Street(s):
   Arterial ✓ Collector _____ Local _____
3. Right-of-Way Width: UNKNOWN
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? 145 X 189
2. Properly Sized Street Right-of-Way? Y
3. Drainage Easements? NO
4. Utility Easements:
   Electricity? AVAILABLE
   Gas? AVAILABLE
   Sewers? AVAILABLE
   Water? AVAILABLE
5. Additional Comments: _____

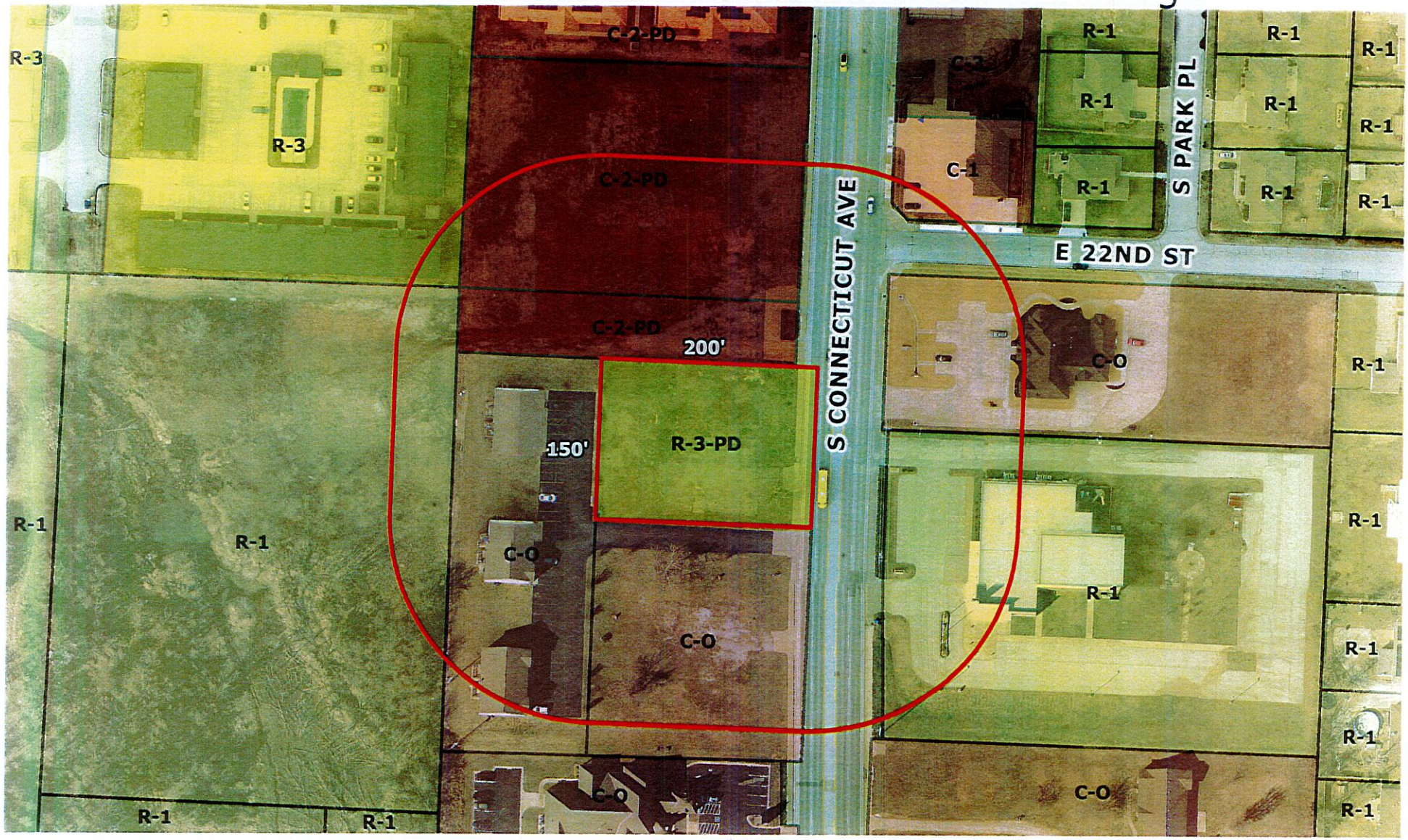
UNIQUE CHARACTERISTIC OF PROPERTY AND ADDITIONAL COMMENT:

NEARLY TO BUILD ON

SIGNATURE: _____ DATE: 11-5-21
BY: MARTY LOWN
TITLE: _____

(Note: By signing this application you are signifying that you are either the legal owner of the subject property or are a legal representative of the owner or owners of the subject property.)

Case 070-21: 2202 S. Connecticut Ave. - Rezoning



Case 070-21: 2202 S. Connecticut Ave. - A request to remove from District R-3-PD (Apartment House Planned Development) and include in District C-1 (Neighborhood Commercial) for future commercial development – Imogene Kelley Trust

N

0 50 100 200 300 400 Feet

P & Z Case 070-21
Imogene Kelley Trust
(P & Z Recommended Approval)

COUNCIL BILL NO. 2021-295 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-3-PD (Apartment House Planned Development) and including in District C-1 (Neighborhood Commercial) property as described below and located 2302 S. Connecticut Ave., 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-1.

Commencing at the Northeast corner of Lot 90 in Southmorland Acres, a subdivision in the City of Joplin, Jasper County, Missouri. Thence South along the East line of said lot 204.85 feet to the point of beginning. Thence South along the line 40.0 feet. Thence West parallel to the North line of said lot 319.0 feet. Thence North 185.0 feet. Thence East 130.0 feet. Thence South 145.0 feet. Thence East 189.0 feet to the point of beginning. Being subject to all easements, right-of-way, and reservations of record.

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_____, 2022, by a vote of _____.

_____
Ryan D. Stanley, Mayor

ATTEST:

_____
Holly Nagy, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney