**CITY OF JOPLIN**
**COUNCIL AGENDA ITEM**

**ITEM:**
CB 2021-297 – Rezone C-1 to R-2

**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 072-21: 1201 and 1203 E. 20th St. - A request to remove from District C-1 (Neighborhood Commercial) and include in District R-2 (Two-family Residential) – City of Joplin

**BACKGROUND:**
This request to rezone to R-2 is to bring this property into compatibility with the surrounding neighborhood. The City currently owns this property and plans to declare it surplus in the coming months. Prior to that, staff is recommending that the property be rezoned to a more appropriate district given the change in access to 20th St. in order to protect the existing neighborhood from a commercial intrusion.

**PLANNING & ZONING COMMISSION TESTIMONY:**
Keegan Stanton, 602 S. Main St., Joplin, MO. This piece of property is triangular. The city is requesting that it be rezoned, we are the current owners and rezoning to R-2 will match the existing zoning in this neighborhood.

**PUBLIC COMMENT;**
None.

**RECOMMENDATIONS**:
Staff recommends approval for Case 072-21.
Planning & Zoning Commission recommends approval for Case 072-21 (5 Favor, 2 Absent)

**ATTACHMENTS**
CB 2021-297, Staff Planning Report, P&Z Commission Minutes

Case 072-21: 1201 and 1203 E. 20th St. - A request to remove from District C-1 (Neighborhood Commercial) and include in District R-2 (Two-family Residential) – City of Joplin

Keegan Stanton, 602 S. Main St., Joplin, MO. This piece of property is triangular. The city is requesting that it be rezoned, we are the current owners and rezoning to R-2 will match the existing zoning in this neighborhood. We do intend to declare it surplus in the future, so we wanted to get it rezoned before doing that.

Mr. Eastman asked if there was anyone that would speak in favor of this case? There were not. Mr. Eastman asked if there was anyone that would speak in opposition to this case? There was not.

**MR. MCCULLOUGH MOVED, SECONDED BY MS. WARREN THAT CASE 072-21 BE FORWARDED TO THE CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL. MOTION CARRIED WITH MR. EASTMAN, MR. MCCULLOUGH, MS. STEELE, MS. WARREN, AND MS. PHILLIPS "AYE", (5 IN FAVOR, 2 ABSENT)**

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

# STAFF PLANNING REPORT
## Rezoning

**CASE 072-21** A request to remove from District C-1 (Neighborhood Commercial) and include in District R-2 (Two-family Residential)

**LOCATION** 1201 & 1203 E. 20th St.

**APPLICANT** City of Joplin

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### EXISTING CONDITIONS

| Zoning | Land Use | Property Size |
|---|---|---|
| C-1 | Vacant | Approx. 0.48 acres |

### SITE CONTEXT

| | North | East | South | West |
|---|---|---|---|---|
| Existing Zoning | R-1 | R-1 | R-1 | R-1 |
| Land Use | Single-family Residential | Single-family Residential | Vacant | Single-family Residential |

### FUTURE LAND USE

Joplin's Future Land Use Map shows this property as future Office/Institutional.

### TRANSPORTATION

| Streets with access | Classification | Right-of-way width |
|---|---|---|
| S. Wisconsin Ave. | Local | 60' |

### 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 retail commercial; however, this designation was given prior to the construction of the 20th St. viaduct. Without access to 20th St. or another collector or arterial street, it is no longer appropriate for this property to retain commercial zoning with access only through an existing residential neighborhood.

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

The current zoning of C-3 is unsuitable for the subject property. There is no access to a collector or arterial street, and any traffic generated will traverse through an existing residential neighborhood.

### THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning will not be detrimental to nearby property. The requested zoning conforms to the zoning of the existing residential neighborhood and uses.

### DISCUSSION

This request to rezone to R-2 is to bring this property into compatibility with the surrounding neighborhood. The City currently owns this property and plans to declare it surplus in the coming months. Prior to that, staff is recommending that the property be rezoned to a more appropriate district given the change in access to 20th St. in order to protect the existing neighborhood from a commercial intrusion.

The request is found to be consistent with the comprehensive plan.

*Staff recommends approval of Case 072-21.*

### ATTACHMENTS

- Application
- Map

# REZONING APPLICATION FORM

Return Form to:
Planner
Joplin City Hall
602 S. Main Street
Joplin, Missouri 64801
417-624-0820 Ext. 1511
FAX 417-625-4738

For Office Use Only

Case No.: 072-21
Filing Fee: ~~$550.00~~
Date Advertised:
Date Notices Sent
Public Hearing Date: 1-3-2022

APPLICANT: City of Joplin PHONE: 417-624-0820 x 1511
ADDRESS: 602 S. Main St. EMAIL: kstanton@joplinmo.org

OWNER: Same as above. PHONE:
ADDRESS: EMAIL:

LOCATION/ADDRESS OF PROPERTY: 1101 E 20th St.

Present Zoning C-1 Requested Zoning: R-2 Acreage: ~0.22
Present Use of Property: Vacant

SURROUNDING LAND USE AND ZONING:

| | Land Use | Zoning |
|---|---|---|
| North | Single-Family Residential | R-2 |
| South | Vacant | R-1 |
| East | Vacant | R-2 |
| West | Restaurant | C1-PD |

Character of the Neighborhood: Fringe commercial transitioning to residential.

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: Current property is too small for any realistic commercial use after considering space taken up for setbacks, parking, landscaping, etc.

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: S. Illinois Ave.
2. Classification of Street(s):
   Arterial____ Collector____ Local X
3. Right-of-Way Width: 60'
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:

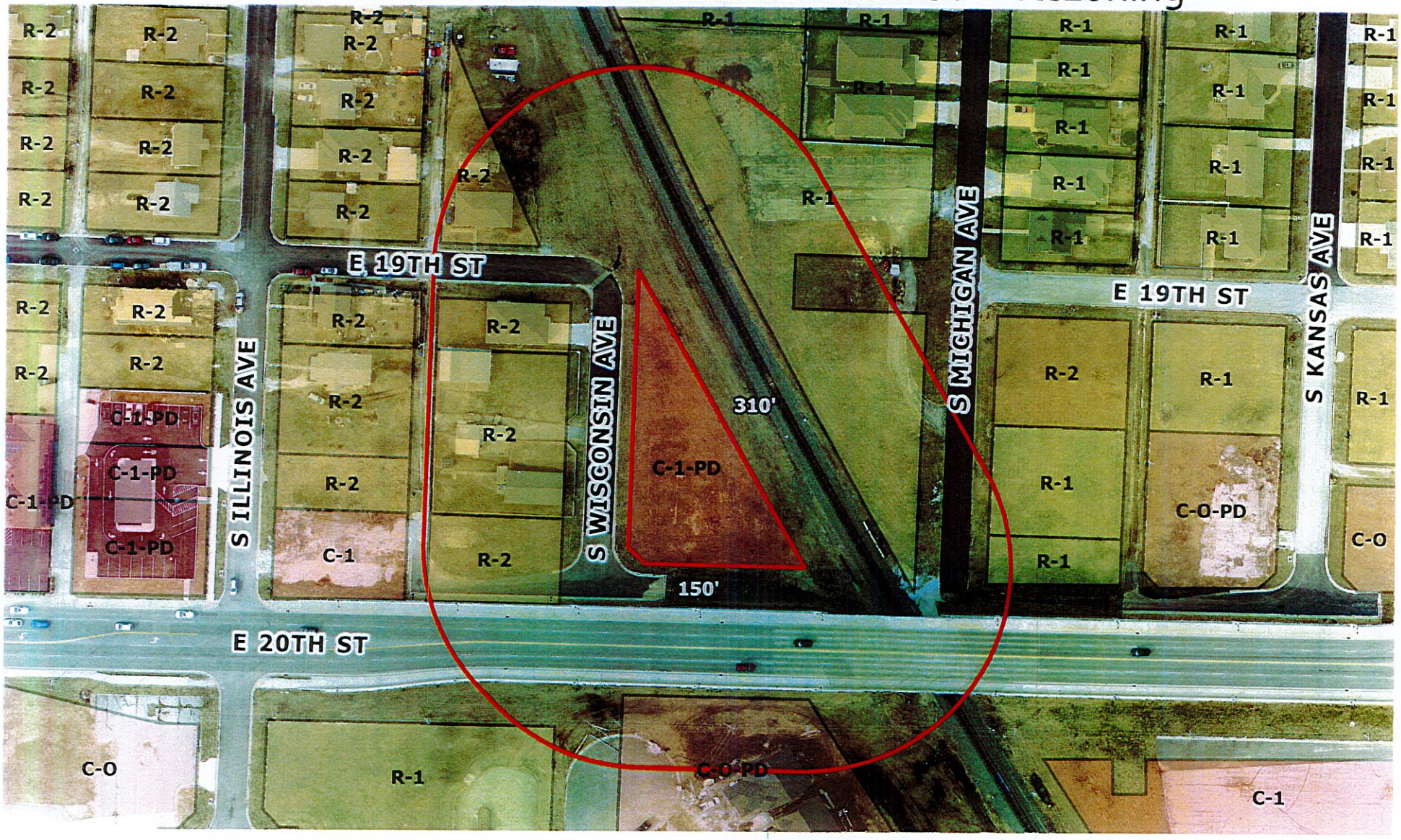
THE FOLLOWING MUST ACCOMPANY YOUR APPLICATION:

1. One copy of a legal description of the property proposed to be rezoned from a deed or certified survey. Must be legible.
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 and Agent Affidavit, if applicant applying for the rezoning is not the owner of the property be rezoned

SIGNATURE: ____ DATE: 12/8/21

TITLE: Planner.

# Case 072-21: 1201 and 1203 E. 20th St. - Rezoning

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N

0 50 100 200 300 400 Feet

P & Z Case 072-21
City of Joplin
(P & Z Recommended Approval)

COUNCIL BILL NO. 2021-297 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 C-1 (Neighborhood Commercial) and including in District R-2 (Two-family Residential) property as described below and located at 1201 and 1203 E 20th St., 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 R-2.

All of the following described tract in the Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) of Section 11, Township 27 North, Range 33 West, City of Joplin, Jasper County, Missouri: Commencing at the Southwest corner of said Southwest Quarter of the Southeast Quarter; thence S88°55'35"E, 795.84 feet along the South line of said Southwest Quarter of the Southeast Quarter; thence N02°01'01"E, 29.89 feet to a point on the current North right-of-way line of 20th Street, said point being the Southwest corner of said Lot 205; thence continuing N02°01'01"E, 53.51 feet along the East right-of-way of Wisconsin Avenue to the Point of Beginning; thence continuing N02°01'01"E, 234.46 feet along the East right-of-way of Wisconsin Avenue to a point on a non-tangent curve to the left having a radius of 5854.58 feet and a chord bearing and distance of S29°29'02"E, 268.90 feet; thence along said curve, being the East line of said Lot 205, and arc distance of 268.93 feet; thence N88°47'06"W, 134.99 feet to the point of beginning. Subject to any easements or restrictions of record. Containing 17530 square feet 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_____, 2022, by a vote of _____.

_____
Ryan D. Stanley, Mayor

ATTEST:

_____
Holly Nagy, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney