CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2021-301 – Rezone R-1 to M-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 076-21: 7110 W. 20th St. - A request to remove from District R-1 (Single-family Residential) and include in District M-1 (Restricted Industrial) – James Pinjuv

BACKGROUND:
This request to rezone to M-1 is for future development of the property. It is compatible with the existing heavy industrial uses in the area. No buffers would be required in the instance as the abutting property is presently outside of the city limits and thus has no zoning.

PLANNING & ZONING COMMISSION TESTIMONY:
Jimmer Pinjuv, Wildwood Development. This is a portion of the 503-acre BSNF certified site that we went through the process with the city over the last couple of years. This is just a small project to get people interested in that side of the property. This is small lots to put small buildings in for startup businesses and small contractors. Mr. Pinjuv stated that he would like to answer any questions anyone may have.

PUBLIC COMMENT;
Danny Sluder, 6889 W 20th, Joplin, MO. I am not opposing this venture, I have questions. We were not deeply informed on what was going on that property. Specifically, addressing stormwater issues that are current and have escalated in the last few years. An engineering firm came out and rebuilt a whistle on the north part of Malang. We have a concern of changing the environment, water flow specifically. We have still had overflow on 20th Street.

Carrie Sluder, 6889 W 20th St., Joplin, MO. We just have some questions and concerns about the rezoning into industrial. She does have medical problems with her lungs and to have these corporations move across the street from her, she would like to know what that does to her health and the environment. Also, the traffic is already fierce out there and now that there is a cement factory out there, we are having so much trouble with the cement trucks going well over the speed limit and the semi's going well over the speed limit. At that pace and not covering their load it throws rocks everywhere. I am also concern because she has 5 teenagers and a lot of people come in and out of our driveway. What is that going to do to the traffic?

Mr. Pinjuv stated that the traffic is an issue, it has grown out there the last several years. He has been working with staff for several years to get 20th Street improved with the new industrial

factories. Our design for the north tract has always been industrial zoned. There are issues with the water issues, but we are in the process of building 38 acres of detention ponds immediate east of the site. Unfortunately, we were not done with the ponds when we had those big rains. What really cause the overflow was Empire. They had built a road through the property on their easement, bootlegged in there, it was about 5 foot tall and it back up 10 or 12 acres, which was supposed to hold water. The water over topped it and blew that road out and went straight into our ponds. Our engineers went and spoke to them, and that problem has been resolved.

Mr. Bolander stated M zoning is the heavy industrial zoning, that was the plan that was adopted for that area. It was a mixed-use development. We do have in Joplin stormwater detention requirements, not in the county. The requirement is whatever stormwater they generate they must detain it on site and release it slowly, so it doesn't cause any flooding downstream. As far as any emissions of any type of industrial use., they must follow the state regulations.

RECOMMENDATIONS:
Staff recommends approval for Case 076-21.
Planning & Zoning Commission recommends approval for Case 076-21 (5 Favor, 2 Absent)

ATTACHMENTS
CB 2021-301, Staff Planning Report, P&Z Commission Minutes

P & Z Case 076-21
James Pinjuv
(P & Z Recommended Approval)

COUNCIL BILL NO. 2021-301 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 (Single Family Residential) and including in District M-2 (Restricted Industrial) property as described below and located at 7110 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 M-2.

Part of a Tract of Land described in Book 1962, Page 1457 in the Recorder of Deeds Office in Jasper County, Missouri, being part of the Northeast Quarter of Section 14, Township 27 North, Range 34 West, Jasper County, Missouri, described as: Beginning at the Northwest Corner of the Northeast Quarter of Section 14, aforesaid, thence South 88°24'16" East along the North line thereof, 1208.00 feet; thence departing said section line, South 1°50'09" West, 30.00 feet to a point on the South right-of-way line of 20th Street; thence South 88°24'16" West, 586.00 feet; thence North 1°50'09" East, 470.00 feet to the Point of Beginning. Contains 6.33 acres more or less, subject to existing easements, restrictions, or reservations of record of fact.

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

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

STAFF PLANNING REPORT
Rezoning

CASE 076-21 A request to remove from District R-1 (Single-family Residential) and include in District M-1 (Restricted Industrial)

LOCATION 7110 W. 20th St.

APPLICANT James Pinjuv

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-1	Vacant	Approx. 6.18 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	Outside City Limits	R-1	Outside City Limits	Outside City Limits
Land Use	Single-family Residential	Vacant	Vacant	Industrial

FUTURE LAND USE

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

TRANSPORTATION

Streets with access	Classification	Right-of-way width
W. 20th St.	Arterial	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 residential/commercial opportunity area; however, the area-specific land use plan for Wildwood Ranch development calls for future commercial.

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

The current zoning of R-1 is unsuitable for the subject property. The existing nearby uses of industrial operations are not compatible with residential uses.

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 is in line with the existing land uses in the area.

DISCUSSION

This request to rezone to M-1 is for future development of the property. It is compatible with the existing heavy industrial uses in the area. No buffers would be required in the instance as the abutting property is presently outside of the city limits and thus has no zoning.

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

Staff recommends approval of Case 076-21.

ATTACHMENTS

- Application
- Map

REZONING APPLICATION FORM

Left message 8:50 AM

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.: 076-21
Filing Fee: $550.00
Date Advertised: 11-27-21
Date Notices Sent 11-22-21
Public Hearing Date: 12-13-21

APPLICANT: James Pinjuv PHONE: 417-627-9675
ADDRESS: 1032 Antelope Rd. EMAIL: jimmerpinjuv@yahoo.com

OWNER: James Pinjuv PHONE: 417-529-6440
ADDRESS: 1032 Antelope Rd. EMAIL: jimmerpinjuv@yahoo.com

LOCATION/ADDRESS OF PROPERTY: 7110 W. 20th St. See attached legal description

Present Zoning R1 Requested Zoning: M1 Acreage: 6.18
Present Use of Property: Undeveloped land

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Residential, not in city limits	N/A
South	Undeveloped land not in city limits	N/A
East	Currently zoned R1 but is undeveloped	R1
West	Concrete Batch plant shares the road.	N/A

Character of the Neighborhood: This land sits mostly undeveloped with 4 houses that reside just across the street The only other activity around is a concrete batch plant.

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: Land is currently zoned R1 (due to being annexed in). It needs to be re-zoned M1 for manufacturing purposes.

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: 20th
2. Classification of Street(s):
   Arterial _____ Collector X _____ Local _____
3. Right-of-Way Width: 50ft
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? Yes
2. Properly Sized Street Right-of-Way? Yes
3. Drainage Easements? Yes
4. Utility Easements:
   - Electricity? Yes
   - Gas? Yes
   - Sewers? Yes
   - Water? Yes
5. Additional Comments: _____

UNIQUE CHARACTERISTIC OF PROPERTY AND/OR ADDITIONAL COMMENT:

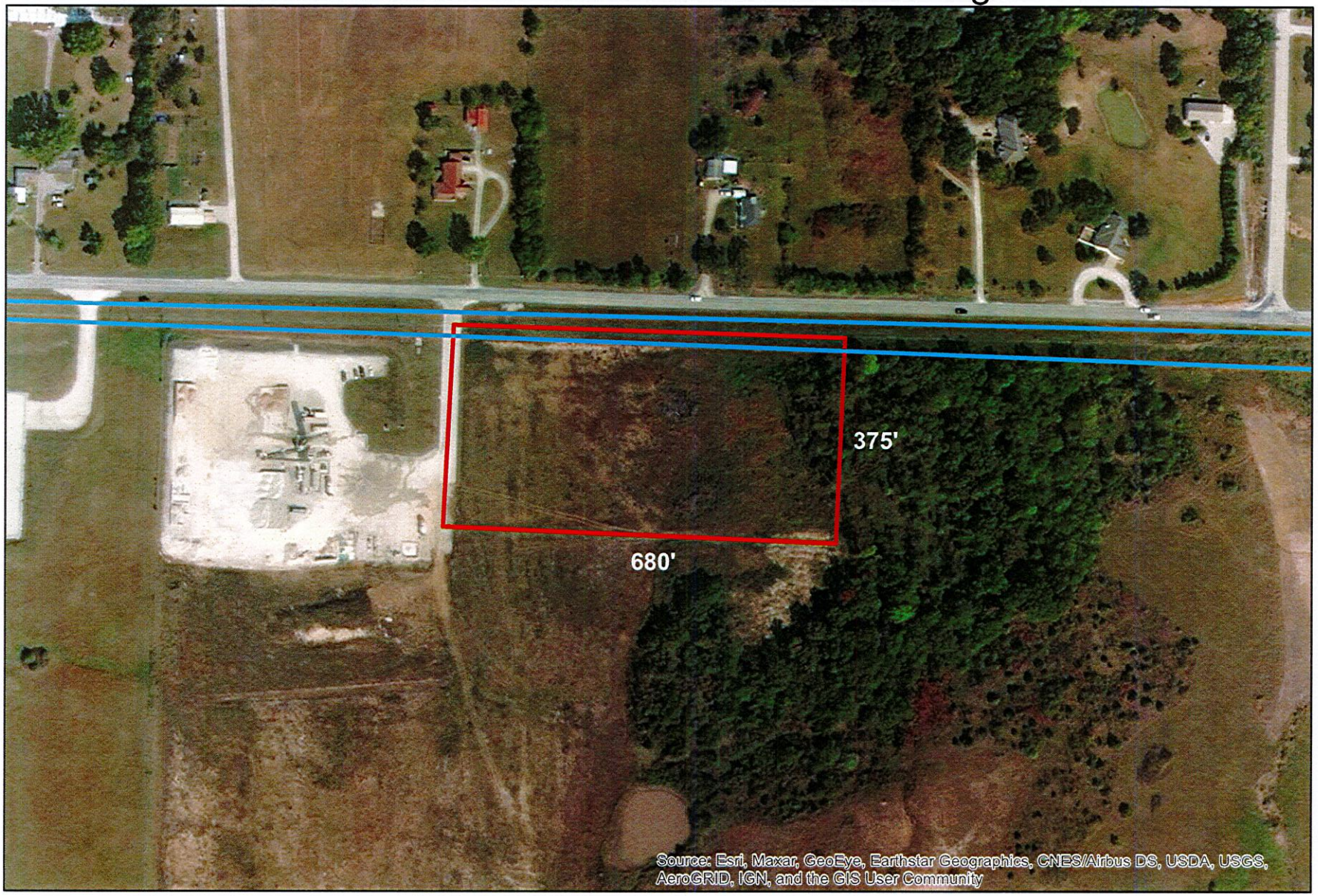
THE FOLLOWING **MUST** ACCOMPANY YOUR APPLICATION:

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: 11/16/21

TITLE: Manager

Case 076-21: 7110 W. 20th St. - Rezoning



Case 076-21: 7110 W. 20th St. - A request to remove from District R-1 (Single-family Residential) and include in District M-1 (Restricted Industrial) – James Pinjuv

Subject Property City Limit Line

0 105 210 420 630 840 Feet

N

P & Z Case 076-21
James Pinjuv
(P & Z Recommended Approval)

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_____
Ryan D. Stanley, Mayor

ATTEST:

_____
Holly Nagy, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney