CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2021-253-Rezone to District M-2

MEETING DATE:
February 1, 2021

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 002-21: Approximately 375' West and 200' North of the intersection of W. 23rd St. and S. Walnut Ave. – A request to remove from District R-2 (Two-family Residential) and include in District M-2 (Heavy Industrial) for future ministorage development – Dale Mitchell.

BACKGROUND:
The change in zoning to M-2 should not be detrimental to the nearby property. Residential districts that are to the West and South of the rezoned property will be protected by zoning code-required buffers of either a 20' berm, fence, and landscape combination or a 20' buffer of natural vegetation.

Stormwater requirements will be required to be met as well. Detention ponds are in place to the North, and runoff will be directed in a way that it will not flood nearby property. This can be accomplished through the use of improved channels and a comprehensive stormwater plan for the property.

PLANNING & ZONING COMMISSION TESTIMONY:
Dale Mitchell, 2222 W 22nd Street, Joplin, MO. He started the mini storage approximately 20 years ago. He developed the land around that property. We sold half of it off to the Joplin Housing Authority. We would like to connect 23rd Street on through with 5 lots on each side of that street. To the north, we are keeping some of that property for growth in the mini storage. It is a good plan, keeps the mini storage to the north, the 23rd street will be straight into the subdivision and finished up the residential. After this I will be rezoning the R-2 property on the tract to the South back to R-1 just trying to do what's best for the sub-division. In the mini storage he stated he would put pavement, privacy fence between the two. Whatever rules and regulations I need to follow I will. All traffic will exit out of the mini storage through the front gate, which closes at 9:00pm.
Ms. Phillips stated she saw some of the land has been cleared.

Mr. Mitchell stated that the surveyors could not see to survey, so they asked if he could make some holes where the street was going, and I put paths thru there.

Mr. Ramsour asked about the entrance being at 22nd Street and Roosevelt.

Mr. Mitchell stated that is correct. No traffic will be able to go to the subdivision from the mini storage.

Ms. Phillips was talking about the landscaping design that they were looking at. She stated there was Bradford Pear trees all over the place. Bradford Pears are on the NO list for Missouri!

Mr. Mitchell stated that this was just a preliminary so this commission could see an example of what I want to do. The Planning and Zoning and Building who approves this plat will give me input on it.

Mr. Ramsour asked if there were any other questions for Mr. Mitchell?

Mr. Kimble stated for his clarity the plan is to bring 23rd Street all the through and part of what you're going to do is develop on the north and south end and join housing that will bring those neighborhoods together. To the north of that neighborhood, you continue with some of the mini storage there.

Mr. Mitchell stated that was correct. The big thing that will help him to the north and why he purchased that property for was once 23rd Street goes in he will be able to rearrange the water lines and take them north into the mini storage.

PUBLIC COMMENT;
None.

FUNDING SOURCE:
These payments are included in the FY 2020-21 budget of the Community Planning Fund.

RECOMMENDATIONS:
Staff recommends approval for Case 002-21.
Planning & Zoning Commission recommends approval for Case 002-21 (7 Favors, 0 Nays)

ATTACHMENTS:
CB 2021-253, Staff Planning Report, P&Z Commission Minutes

CB 2021-253

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Ms. Phillips stated that while she was out there, she saw deer. Made me think about all the land disturbance and stormwater issues.

Mr. Ramsour asked if there were any other questions for Mr. Mitchell?

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purchased that property for was once 23rd Street goes in he will be able to rearrange the water lines and take them north into the mini storage.

Mr. Kimble wanted to know where the additional mini storage units will be built to the north of the new homes that are going to be built on 23rd Street. What kind of surface will it be?

Mr. Mitchell stated that it will be hard surface and probably black top.

Mr. Kimble stated that a flat surface and when it rains where will the water go to?

Mr. Mitchell stated that will all be addressed in the development meeting.

Mr. Stanton mention that he is correct, and the city requires it to be a hard surface, all-weather material usually concrete or asphalt. We are aware of the stormwater issues in that area. At a preliminary meeting with the Engineering Department, they did mention two drainage channels that would have to go in to accommodate run off. They do go through an extensive engineering review. It does get signed off by the stormwater engineer to make sure it is addressed appropriately.

Mr. Ramsour asked if there were any other questions from the Commissioners? There were not. Mr. Ramsour asked if there anyone in the audience who would like to speak in favor of this case? There was not. Mr. Ramsour asked if there anyone who would like to speak in opposition of the case? There was not.

MS. STEELE MOVED, SECONDED BY MR. EASTMAN THAT CASE 002-21 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MR. RAMSOUR, MS. STEELE, MR. EASTMAN, MR. MCCULLOUGH, MS. BRUCKNER-SEARS (ON PHONE), MR. KIMBLE, AND MS. PHILLIPS VOTING "AYE". (7 IN FAVOR)

Z&P Meeting: January 11, 2021
City Council Meeting: February 1, 2021

STAFF PLANNING REPORT
Rezoning

CASE 002-21 A request to rezone from R-2 (Two-family Residential) to M-2 (Heavy Industrial)

LOCATION Approximately 375' West and 200' North of the intersection of W. 23rd St. and S. Walnut Ave.

APPLICANT Dale Mitchell

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-2	Vacant	Approx. 2.19 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	M-2	M-2/R-2	R-1	R-1
Land Use	Vacant	Ministorage/Single-family Residential	School	Single-family Residential

FUTURE LAND USE

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

TRANSPORTATION

Streets with access	Classification	Right-of-way width
W. 22ND St.	Local	60'

UTILITIES

Sanitary sewer and stormwater facilities may need to be extended to this property for future development. Private utilities may also need to be extended.

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 industrial.

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

The current zoning of R-2 is somewhat suitable in this area. This property is on the edge of an industrial area and residential neighborhood. It would not be completely inappropriate for R-2 uses to locate on this property, however, the uses would be bounded on two sides by heavy industrial zoning. Typically, residential districts are buffered from industrial by other districts, such as commercial, or by street right-of-way.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning to M-2 should not be detrimental to the nearby property. Residential districts that are to the West and South of the rezoned property will be protected by zoning code-required buffers of either a 20' berm, fence, and landscape combination or a 20' buffer of natural vegetation.

Stormwater requirements will be required to be met as well. Detention ponds are in place to the North, and runoff will be directed in a way that it will not flood nearby property. This can be accomplished through the use of improved channels and a comprehensive stormwater plan for the property.

DISCUSSION

This request is compatible with the Comprehensive Plan, the Future Land Use Map, and the zoning requested is appropriate for the area. Nearby properties, especially residential, will be protected by buffer requirements, among other codes, and stormwater management.

Staff recommends approval of Case 002-21.

ATTACHMENTS

- Application
- Map

M-2

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.: 002
Filing Fee: $550.00
Date Advertised:
Date Notices Sent
Public Hearing Date:

APPLICANT: Dale E Mitchell PHONE: (417) 623-4765
ADDRESS: 2222 W 22nd St. Joplin Mo ZIP: 64804

OWNER: Dale E. Mitchell PHONE: (417) 623-4765
ADDRESS: 2222 W 22nd St. Joplin Mo ZIP: 64804

LOCATION/ADDRESS OF PROPERTY: North Part of Lot 5 Cedar Grove Industrial Park

Present Zoning R-2 Requested Zoning: M-2 Acreage: 2.19 Acres
Present Use of Property: Unimproved

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Storage	M-2
South	Unimproved	R-2
East	Storage	M-2
West	Unimproved	R-1

Character of the Neighborhood: Storage to North - Residential to South

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: No

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: In side storage, streets will be privately owned Fire Lanes.
2. Classification of Street(s):
   Arterial_____ Collector_____ Local _____
3. Right-of-Way Width: _____
4. Will turning movements caused by the proposed use create an undue traffic hazard?
   _____

IS PLATTING OR REPLATTING REQUIRED IN ORDER TO PROVIDE FOR:

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

UNIQUE CHARACTERISTIC OF PROPERTY AND/OR ADDITIONAL COMMENT:

unimproved
_____
_____

THE FOLLOWING MUST ACCOMPANY YOUR APPLICATION:

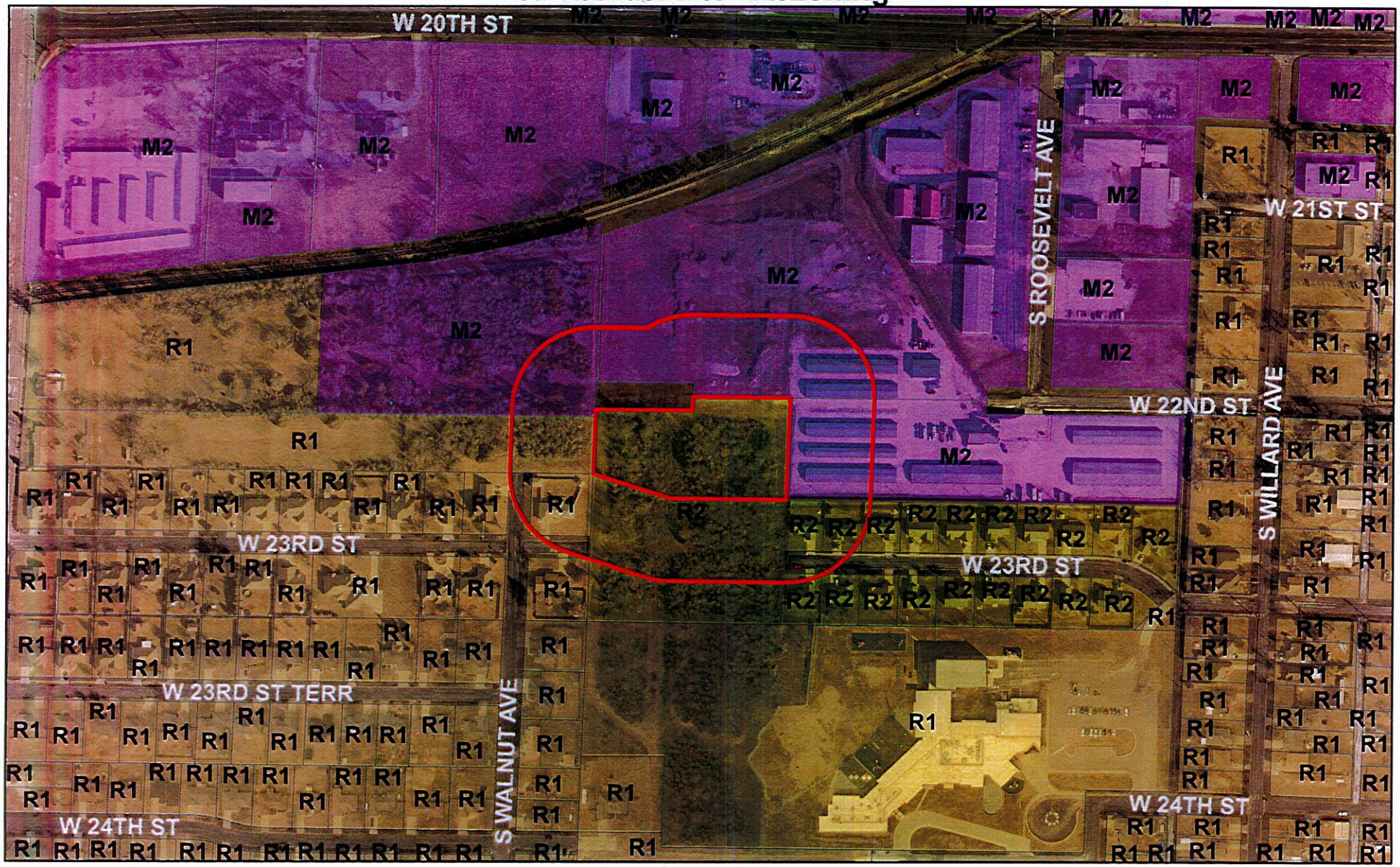
1. One copy of a legal description of the property proposed to be rezoned from a deed or certified survey.
2. One copy of a statement describing the reasoning for the rezoning, the impact of the proposed change, including any traffic conditions that may result; any danger from fire hazards; how the proposed 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: Dale E Mitchell DATE: 11/18/20

EMAIL: Dale5551@att.net

TITLE: Owner

Case 002-21: Approximately 375' West and 200' North of the intersection of W. 23rd St. and S. Walnut Ave. - Rezoning



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Joplin City Limits

0 155 310 620 930 1,240 Feet

N

P & Z Case 002-21
Dale Mitchell
(P & Z Recommended Approval)

COUNCIL BILL NO. 2021-253 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-2 (Two-family Residential) and include in District M-2 (Heavy Industrial) property as described below and located Approximately 375' West and 200' North of the intersection of W. 23rd St. and S. Walnut 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 M-2:

As a part of Lot Number Five (5) in Cedar Grove Industrial Park, in the City of Joplin, Jasper County, Missouri, being more particularly described as follows: Beginning at the Northeast Corner of said Lot Number Five (5), thence South 02 Degrees, 01 Minutes, 28 Seconds West along the East line of said Lot Number Five (5) 200.14 feet said point being the Northwest Corner of Lot Number Ten (10) in Edwards's Schoolview Acres, thence North 89 Degrees, 37 Minutes, 15 Seconds West 259.27 feet, thence North 72 Degrees, 28 Minutes, 42 Seconds West 181.64 feet to the West line of said Lot Number Five (5) said point being the Northeast Corner of Lot Number Seventeen (17) in West Village Estates Plat Number Two (2), thence along the West line of said Lot Number Five (5), thence South 89 Degrees, 27 Minutes, 32 Seconds East along the North line of said Lot Number Five (5), 434.00 feet to the Point of Beginning, and all of the South One-half (S1/2) of Vacated 22nd Street adjoining the North line of said Lot Number Five (5) in Cedar Grove Industrial Park in the City of Joplin, Jasper County, Missouri, being subject to all easements, rights-of-way, and reservations of record, containing 2.19 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_____, 2021, by a vote of _____.

_____
Ryan D. Stanley, Mayor

ATTEST:

_____
Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney