CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2021-254-Rezone to District R-1

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 003-21: Approximately 375' West 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 R-1 (Single-family Residential) for future residential development – Dale Mitchell.

BACKGROUND:
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 along an extended W. 23rd St. that has single-family homes to the east and west.

PLANNING & ZONING COMMISSION TESTIMONY:
Dale Mitchell, 2222 W22nd Street, Joplin, MO. Mr. Mitchell stated that this is the second half, the housing side of the request. He is requesting going from R-2 to R-1 because it gives the neighborhood a sense of security. It will not be duplex, it will be residential house, a little upscale. It will all fit in.

Mr. Kimble mentions that when he looks at the R-1 lots to the west and then the R-2 lots to the east, it looks like the R-1 lots are bigger than the R-2 lots. What size will the lots be?

Mr. Mitchell stated the main reason of the discrepancy on the east that is where the water is going to be carried along with some ditching work, easement work and downsized those lots because of the work needing to be done, but they are still good lots for a comfortable size house.

PUBLIC COMMENT;
David Fryer, 2309 Walnut Ave, Joplin, MO. If 23rd Street is continued on, would the water situation be taken care of and addressed through stormwater?

Mr. Stanton stated that in the review process when it comes

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

RECOMMENDATIONS:
Staff recommends approval for Case 003-21.
Planning & Zoning Commission recommends approval for Case 003-21(7 Favor, 0 Nays).

ATTACHMENTS
CB 2021-254, Staff Planning Report, P&Z Commission Minutes

CB 2021-254

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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?

David Fryer, 2309 Walnut Ave, Joplin, MO. If 23rd Street is continued on, would the water situation be taken care of and addressed through stormwater?

Mr. Stanton stated that in the review process when it comes to platting this subdivision that will be addressed through the dedication of easements.

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 003-21 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 003-21 A request to rezone from R-2 (Two-family Residential) to R-1 (Single-family Residential)

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. 2.87 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 high-density residential.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
W. 23rd 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 high-density residential.

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 along an extended W. 23rd St. that has single-family homes to the east and west.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning to R-1 will not be detrimental to nearby property. The R-1 district is the most protected district in our code, meaning it has the fewest number of allowed uses. This would match the zoning and uses of properties to the east and west.

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 will not be affected by the change from a more-intense zoning to a less-intense zoning.

Staff recommends approval of Case 003-21.

ATTACHMENTS

- Application
- Map

R-1

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.: 003
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: South Part of Lot #5 in Cedar Grove Industrial Park

Present Zoning R-2 Requested Zoning: R-1 Acreage: 2.87
Present Use of Property: Unimproved

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	unimproved	R-2
South	unimproved	School Property
East	Housing	R-2
West	Housing	R-1

Character of the Neighborhood: Single family homes to the East and West, Storage to the North, school 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: Will connect 23rd Street together on the East and West, making 23rd a through street.
2. Classification of Street(s):
   Arterial _____ Collector _____ Local ✓
3. Right-of-Way Width: 50 FT
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: See proposed Plat
   - Electricity? yes
   - Gas? yes
   - Sewers? yes
   - Water? yes
5. Additional Comments: See attachment

UNIQUE CHARACTERISTIC OF PROPERTY AND/OR ADDITIONAL COMMENT:

unimproved

THE FOLLOWING MUST ACCOMPANY YOUR APPLICATION:

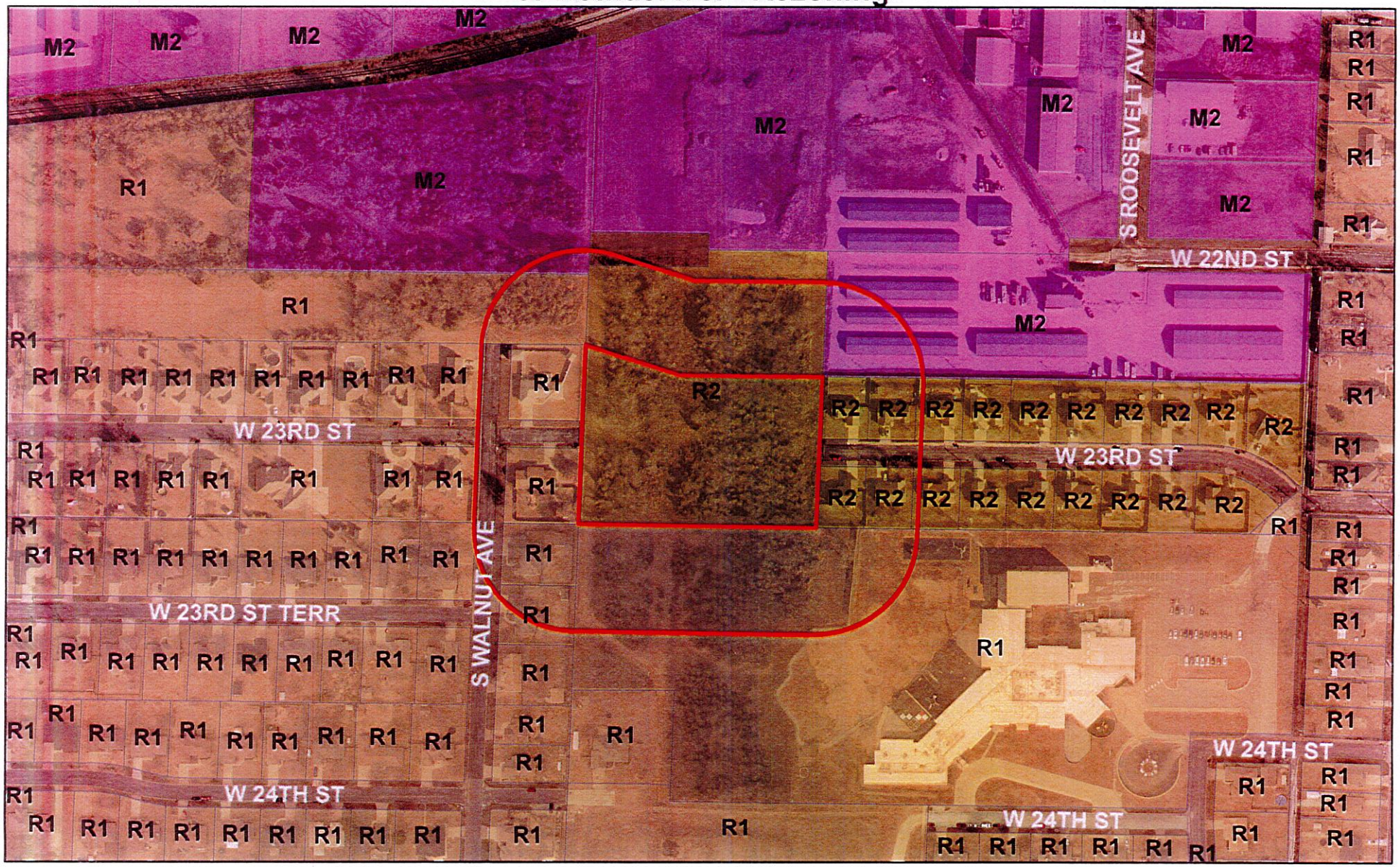
1. One copy of a legal description of the property proposed to be rezoned from a deed or certified survey.
2. One copy of a statement describing the reasoning for the rezoning, the impact of the proposed change, including any traffic conditions that may result; any danger from fire hazards; how the proposed 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 003-21: Approximately 375' West of the intersection of W. 23rd St. and S. Walnut Ave. - Rezoning



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Joplin City Limits

0 125 250 500 750 1,000 Feet

N

P & Z Case 003-21
Dale Mitchell
(P & Z Recommended Approval)

COUNCIL BILL NO. 2021-254 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 R-1 (Single Family Residential) property as described below and located Approximately 375' West 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 R-1:

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: Commencing 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 Edward's Schoolview Acres and the Point of Beginning, thence continuing along the West line of said Lot Five (5) South 02 Degrees, 01 Minutes, 28 Seconds West 277.64 feet to the Southeast Corner of said Lot Five (5), thence North 89 Degrees, 37 Minutes, 15 Seconds West along the South line of said Lot Five (5) 434.00 feet to the Southwest Corner of Lot Number Five (5), thence North 01 Degrees, 57 Minutes, 00 Seconds East along the West line of Lot Five (5) 331.19 feet to the Northeast Corner of Lot Number Seventeen (17) in West Village Estates Plat Number Two (2), thence South 72 Degrees, 28 Minutes, 42 Seconds East 181.64 feet, thence South 89 Degrees, 37 Minutes, 15 Seconds East 259.27 feet to the Point of Beginning, being subject to a 20.00 foot drainage easement along the East and West sides thereof and being subject to all other easements, rights-of-ways, and reservations of record. Containing 2.87 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