CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2021-257-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 006-21: 4330 & 4400 Swede Ln. - A request to remove from District M-1-PD (Restricted Industrial Planned Development) and include in District R-1 (Single-family Residential) for future residential development – Alan Bemo.

BACKGROUND:
The change in zoning to R-1 will not be detrimental to nearby property. The R-1 district is the most protected districted with the fewest allowable uses. Rezoning to a district that allows for much less intense developments will not have a detrimental affect on nearby property.

PLANNING & ZONING COMMISSION TESTIMONY:
Alan Bemo, 4409 Swede Ln., Joplin, MO. Mr. Bemo stated there is a residence there on the property, which is a rental and a family is living there. There is the old Joplin Humane Society building. Demolition of the two (2) kennels, which is attached to the front and the back has been done. Now it is the main office building. He wants to renovate that building into a residential home. Facing the street Swede Ln., eventually he will build residential homes

PUBLIC COMMENT;
None.

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

RECOMMENDATIONS:
Staff recommends approval for case 006-21.
Planning & Zoning Commission recommends approval for Case 006-21 (7 Favor, 0 Nays).

ATTACHMENTS
CB 2021-257, Staff Planning Report, P&Z Commission Minutes

CB 2021-257

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Mr. Ramsour asked if the Commissioners had any questions? There were none. 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.

MR. KIMBLE MOVED, SECONDED BY MR. EASTMAN THAT CASE 006-21 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 006-21 A request to rezone from M-1-PD (Restricted Industrial Planned Development) to R-1 (Single-family Residential)

LOCATION 4330 & 4400 Swede Ln.

APPLICANT Alan Bemo

EXISTING CONDITIONS

Zoning	Land Use	Property Size
M-1-PD	Single-family Residential	Approx. 9.32 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	M-1-PD	M-1-PD	R-1	Out of City Limits
Land Use	Single-family Residential	Single-family Residential	Single-family Residential	Vacant

FUTURE LAND USE

Joplin's Future Land Use Map shows this property as future low-density residential.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
N. Swede Ln.	Local	50'

UTILITIES

Utilities in place.

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 low-density residential.

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

The current zoning of M-1-PD is not suitable in this area. At one time the plan was for this area to develop with industrial uses, given is proximity to the airport. However, pressure for residential development led to single-family zoning and uses occupying this area. Industrial uses are still in this area, however they are to be located to the North of Logan Dr., as shown in the Future Land Use Map.

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 districted with the fewest allowable uses. Rezoning to a district that allows for much less intense developments will not have a detrimental affect on nearby 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 will not be affected by the change to a less intense zoning district.

Staff recommends approval of Case 006-21.

ATTACHMENTS

- Application
- Map

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.: 33L
Filing Fee: $550.00
Date Advertised:
Date Notices Sent
Public Hearing Date:

APPLICANT: Alan Bemo PHONE: 417 499 5083
ADDRESS: 4409 SWEDE LN. JOPLIN, MO ZIP: 64801

OWNER: Jonathan Bemo PHONE:
ADDRESS: 2083 67th Ave. S., St. Petersburg, FL ZIP: 33712

LOCATION/ADDRESS OF PROPERTY: 4330 & 4400 Swede Ln, Joplin, 64801

Present Zoning M1-PD Requested Zoning: R1 Acreage: 9.32
Present Use of Property: residence, Storage Building, pasture

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	residence + pasture	M1-PD
South	residence + pasture	
East		M1-PD currently changing to R1 ?
West	undeveloped woods - Airport Drive	

Character of the Neighborhood: In the past it ~~was~~ was all M1-PD with only 5 residences on Swede Lane. It has been changing to R1. a quiet rural setting with Deer, & turkeys.

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: I want to improve property to residence but cannot as zoned.

CONFORMANCE WITH COMPREHENSIVE PLAN:

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

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: Swede Ln.
2. Classification of Street(s):
   Arterial_____ Collector_____ Local ✓
3. Right-of-Way Width: Paved street 25' wide with 7' right of-way
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:

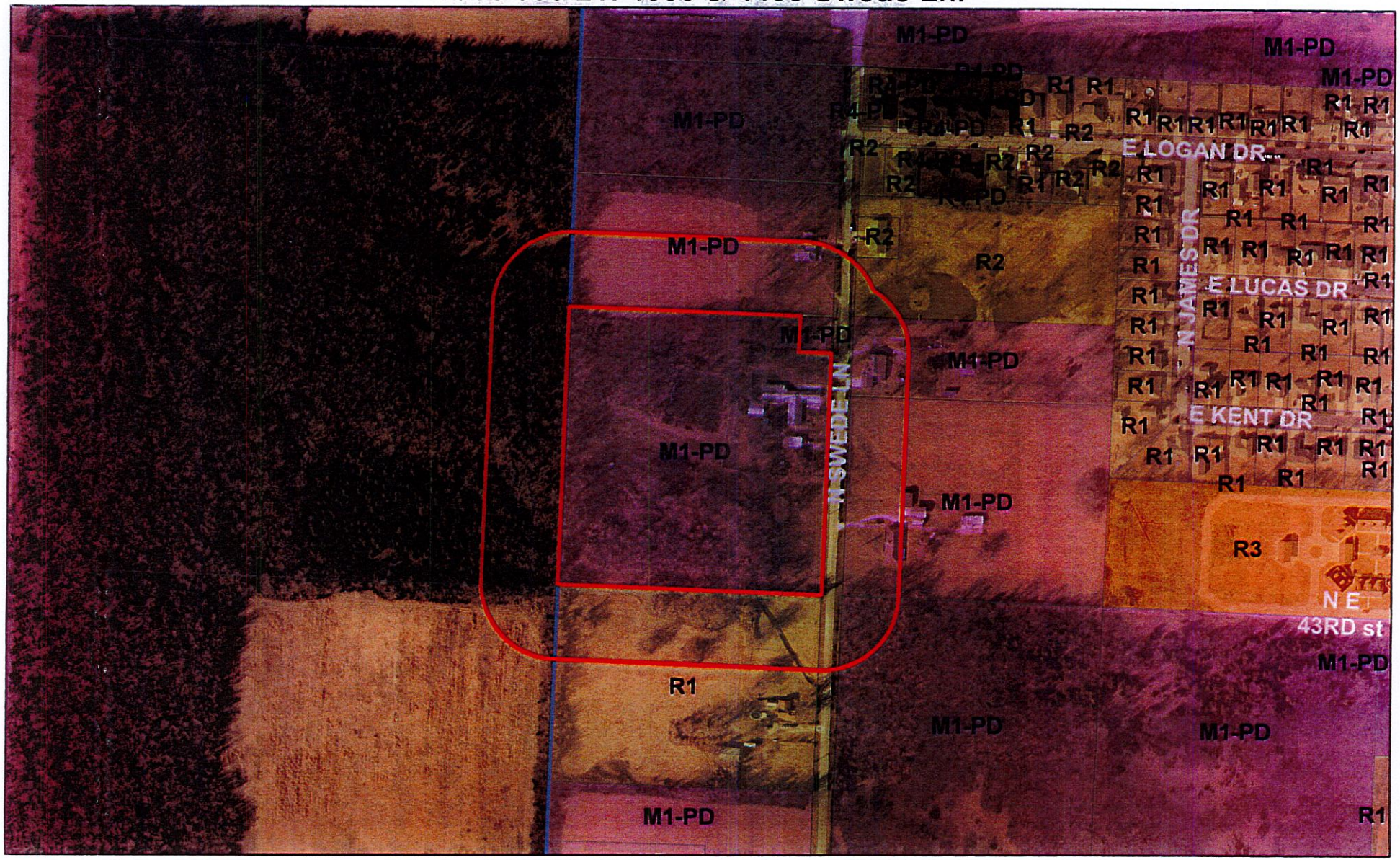
1. One copy of a legal description of the property proposed to be rezoned from a deed or certified survey.
2. One copy of a statement describing the reasoning for the rezoning, the impact of the proposed change, including any traffic conditions that may result; any danger from fire hazards; how the proposed 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: [signature] DATE: 12/16/2020

EMAIL: alienonearth@psmail.net

TITLE: _____

Case 006-21: 4330 & 4400 Swede Ln.



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Joplin City Limits

0 170 340 680 1,020 1,360 Feet

N

P & Z Case 006-21
Alan Bemo
(P & Z Recommended Approval)

COUNCIL BILL NO. 2021-257 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 M-1-PD (Restricted Industrial Planned Development) and include in District R-1 (Single-family Residential) property as described below and located 4330 & 4400 Swede Ln., 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:

Lots 13 & 14 of Midway Gardens except the North 90' of the East 75'

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