CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2024-251 – Rezoning

MEETING DATE:
February 5, 2024

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
Assistant City Manager – Tony Robyn
City Manager – Nicholas Edwards

FUNDING SOURCE:
These payments are included in the FY2024 budget of the Community Planning Fund.

SUMMARY REQUEST:
Case 001-24: 1012 W 2nd St – Rezoning – A request to rezone from M-2 (Heavy Industrial) to R-3 (Multi-family Residential) – Land Scout, LLC

BACKGROUND:
The Future Land Use Map identifies the area as Moderate Density Residential. Under Article 4 of the Joplin Development Code, R-3 is a compatible district with a Moderate Density Residential Neighborhood. Moderate Density Residential Neighborhoods allow for a variety of housing types. These neighborhoods typically connect to walkable community centers and planned corridors. The property is located on a Collector Street (W 2nd St). This type of neighborhood designation is most compatible in moderately trafficked areas that connect to more use intensive districts.

While there is existing Industrial zoned property and uses adjacent to the subject property, Industrial is not the best use for this property. The Industrial property that exists now is left over from before the Industrial Park pattern of development, that is typically more isolated. The fraternal police lodge that is adjacent is zoned M-2, but it is a legally non-conforming use. The Industrial uses that are present in the neighborhood are much older sites that have been around for some time, which is not consistent with the modern pattern of development. Now, Industrial zones are seen in more isolated or remote neighborhoods formed into a campus-style pattern of development.

PLANNING & ZONING COMMISSION TESTIMONY:

Brit Hale represented the case. He stated that they plan on developing either a multi-family project or single-family homes or duplexes that front 2nd Street. Mr. Rosenberg asked why they were requesting R-3. Mr. Bellairs stated that R-3 gave them more options for development. Ms. Phillips asked about the number of units being proposed. Mr. Bellairs stated that because no plans have been presented yet, we do not know. Mr. Hale split the lots to leave a dense enough area to keep their options open, but that no plans have been reviewed or proposed at this time. Mr. Bellairs stated that the density regulations would determine how many units they could provide.

PUBLIC COMMENT;

There was no comment in favor or opposition of this case.

RECOMMENDATIONS:

Staff recommends approval for Council Bill 2024-251

Planning & Zoning Commission recommends approval for Case 001-24 (5 in Favor, 1 Opposed, 1 Absent)

ATTACHMENTS

Staff Planning Report
P&Z Commission Minutes
Applicant Materials
Map

Case 001-24: Rezoning

2012 W. 2nd St.-Rezoning-A request to rezone from M-2 (Heavy Industrial) to R-3 (Multi-Family Residential)- Land Scout, LLC.

Brit Hale, 2431 Stinnet Dr. Joplin, Missouri represented Land Scout, LLC. They proposed to put single family homes or duplexes facing 2nd street and potentially multi-family apartments along Oliver. They would retain access from 2nd street and Oliver. This would allow people to go in and out that way. This would support the additional housing that was across the street.

Mr. Kimble asked if there were any questions from the Commission on Case 001-24.

Mr. Rosenberg stated Mr. Hale had mentioned houses and apartments. Mr. Rosenberg asked why they were going for R-3 instead of R-2.

Mr. Bellairs stated they had requested R-3 because to do the multi-family development they had requested. He stated that duplexes on a multi-family development they need multi-family zoning to do that.

Mr. Rosenberg stated okay.

Ms. Phillips stated she knew this was premature because they were not looking at site plans or anything, but can you guess at how many living units will be in there or stand-alone structures.

Mr. Hale stated they way they have it platted they have three lots that face 2nd street that would support in his opinion either single family residences or a duplex. Then the larger tract would have access from both streets. He stated he was uncertain the number of units that would potentially go in there with the R-3 zoning being flexible to build either small to medium apartments or a certain number of duplexes. He did not have the number of duplexes that would fit on that square footage planned out just yet.

Ms. Phillips directed a question to Mr. Bellairs. She asked based on the square footage was there a maximum.

Mr. Bellairs stated they had discussed this during the plan review area of this project, and they had not really received any plans like Mr. Hale said. Mr. Bellairs said what they had discussed was whatever they propose, if they are going to do duplexes you must have a minimum of 7800 square feet per duplex. And depending on what type of housing style or apartment or building Mr. Hale proposed to put on the lots. The square

footage density changes depending on what you are trying to do. So, it comes down to when they get to that stage that is when they will look at whether it fits or not.

Mr. Jackson asked if this was the existing side of the F.O.P. Lodge or would this be around it.

Mr. Hale stated he believed it was both. They currently sit on a 4.4-acre parcel, and they would retain 1.2 acre there on the corner. Mr. Hale said they would then own the remaining approximate 3 acres.

Mr. Jackson said so the F.O.P. Lodge would remain in existence.

Mr. Hale stated correct they would stay there, and they wanted to retain parking to support their events to the west. They own all the way to that corner.

Mr. Jackson stated ok.

Mr. Kimble asked if there was any one to speak in favor of Case 001-24.

There were none.

Mr. Kimble asked if there was any one to speak in opposition of Case 001-24.

There were none.

MR. ROSENBERG MOVED THAT CASE 001-24 BE APPROVED AND FORWARDED TO THE CITY COUNCIL FOR APPROVAL. MS. PHILLIPS SECONDED THE MOTION. MOTION CARRIED. (5 IN FAVOR, 1 NAY, 1 ABSENT) MS. WARREN VOTED NAY.

Z&P Meeting: January 8, 2024
City Council Meeting: February 5, 2024

JOPLIN
PLANNING, DEVELOPMENT, & NEIGHBORHOOD SERVICES

STAFF PLANNING REPORT
Rezoning

CASE 001-24 A request to rezone from District M-2 (Heavy Industrial) to District R-3 (Multi-Family Residential)

LOCATION 2012 W 2nd St

APPLICANT Land Scout, LLC

EXISTING CONDITIONS

Zoning	Land Use	Property Size
M-2	Vacant	Approximately 3.15 Acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	M-2/R-2	M-2	M-2	R-2 PD/R-1
Land Use	Service/Single-Family Residential	Manufacturing	Manufacturing/ Storage & Warehousing	Single-Family Residential

FUTURE LAND USE

The property is identified as Future Moderate Density Residential on the Future Land Use Map.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
S Oliver Ave	Local	60′
W 2nd St	Collector	40′

UTILITIES

City utilities are in place.

FLOOD PLAIN

This property is not in the flood plain.

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

The Future Land Use Map identifies the area as Moderate Density Residential. Under Article 4 of the Joplin Development Code, R-3 is a compatible district with a Moderate Density Residential Neighborhood. Moderate Density Residential Neighborhoods allow for a variety of housing types. These neighborhoods typically connect to walkable community centers and planned corridors. The property is located on a Collector Street (W 2nd St). This type of neighborhood designation is most compatible in moderately trafficked areas that connect to more intensive districts.

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

While there is existing Industrial zoned property and uses adjacent to the subject property, Industrial is not the best use for this property. The Industrial property that exists now is left over from before the Industrial Park pattern of development, that is typically more isolated. The fraternal police lodge that is adjacent is zoned M-2, but it is a legally non-conforming use. The Industrial uses that are present in the neighborhood are much older sites that have been around for some time, which is not consistent with the modern pattern of development. Now, Industrial zones are seen in more isolated or remote neighborhoods formed into a campus-style pattern of development.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

This property is consistent with the City's development patterns, which is discussed in the Comprehensive Plan section of this staff report. Due to this, and the fact that the requested zoning will be a less intensive zoning district than M-2, the requested change will not detrimentally affect nearby property.

DISCUSSION

The applicant/owner requested the zoning change after they purchased and split the subject property from the SW Missouri Regional Fraternal Order Police Lodge. The applicant plans to sell the property for future multi-family development.

Staff recommends approval of Case 001-24.

ENCLOSURES

- Map of property
- Application

Rezoning Application

Return Form to:
Planner
Joplin City Hall
602 S. Main Street
Joplin, Missouri 64801
417-624-0820 Ext. 1511
Zoning-Planning@JoplinMO.org

Office Use Only
Case No.: 001-24
Filing Fee: $550.00
Received: 11/30/23
Date Advertised:
Proj. No.: 24-009
Public Hearing Date: 1/8/23

Applicant: Land Scout, LLC (Caden Pennick) Phone No.: 417-622-8208
Address: 2507 Rolla Joplin MO 64801 Email: cmpennick@gmail.com
Owner: Land Scout, LLC (Brit Hale) Phone No.: 417-388-1446
Address: 2431 Stinnet Dr Joplin MO 64804 Email: brit@carlinteam.com
Location of Property: 2012 W 2nd St Joplin MO 64801
Present Use of Property: meeting/gathering hall + vacant land
Proposed Use of Property: small multi family
Current Zoning: M-2 Requested Zoning: R-3

Surrounding Land Use and Zoning:

	Land Use	Zoning
North	Residential	R2
South	Comm/Industrial	M2
East	Comm/Industrial	M2
West	Residential+	R1,R2-PD

Character of the Neighborhood: mixed use, "newer" homes to the North
older homes and churches, other mixed uses to West

Relationship to Existing Zoning Pattern:

Yes	No	
○	◉	Would proposed change create a small, isolated district unrelated to surrounding districts?
◉	○	Are there substantial reasons why the property cannot be used in accord with existing zoning?

If yes, explain: We cannot build residences whether single family or small multi family in comm/industrial zoned districts. We believe highest and best use is small multi family.

Conformance with Comprehensive Plan:

Yes	No	
◉	○	Consistent with Development Policies?
◉	○	Consistent with Future Land Use Map?

Traffic Conditions:

Yes	No	
○	◉	Will turning movements caused by the proposed use create an undue traffic hazard?

Street(s) with Access to Property: W 2nd St, Oliver.

Classification of Street(s):

Arterial ☐ Collector ☐ Local ☑

Right-of-Way Width: unknown

Subdivision Platting:

Yes	No	
◉	○	Is platting required?
◉	○	Are lots appropriately sized?
◉	○	Is street right-of-way appropriately sized?

◉ ○ Are drainage and utility easements adequately sized and provided?

Additional Platting Comments: Sewer Easement through the middle of property accomodates existing structure and future plans. Sloped drainage to South also supports future plans.

Unique Characteristic of Property and/or Additional Comment:
Our plan will provide additional housing on otherwise unused land, this plan supports and promotes the City's future use map and planning as well.

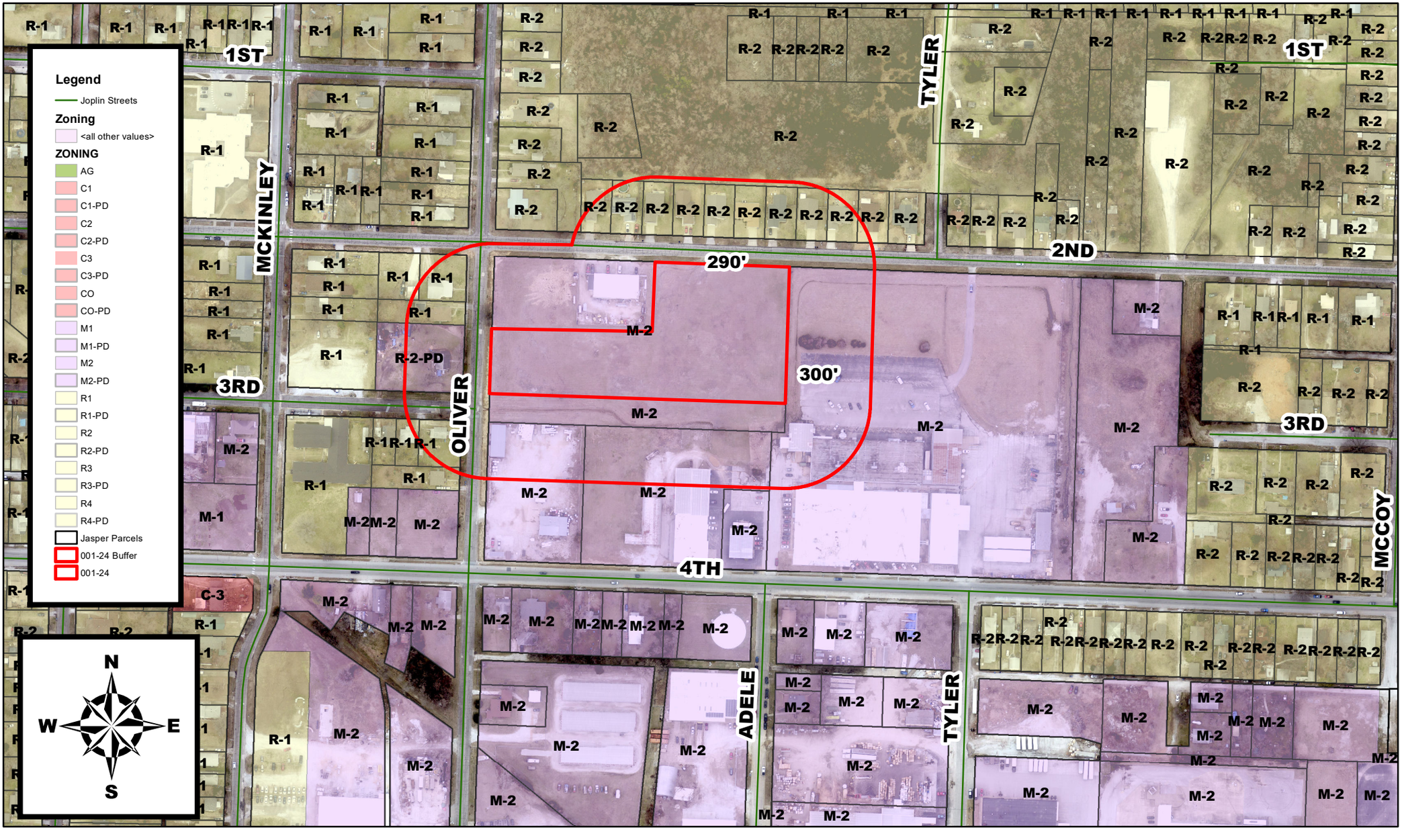
Submission of Documents: The following documents are **required** at time of submission.

Yes	No	
◉	○	Completed and signed application.
◉	○	One copy of a legal description of the property proposed to be rezoned from a deed or certified survey. Must be legible.
◉	○	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.
◉	○	Owner Affidavit and Agent Affidavit, if applicant applying for the rezoning is not the owner of the property be rezoned.

Applications that are incomplete or missing required documents will not be processed or scheduled on an agenda to the Planning & Zoning Commission until corrected and resubmitted.

Signature: _____ **Date:** 11/27/2023

Case 001-24: Rezoning



2012 W 2nd St – Rezoning – A request to rezone from M-2 (Heavy Industrial) to R-3 (Multi-family Residential) – Land Scout, LLC

0 90 180 360 540 720 Feet

P & Z Case 001-24
Land Scout, LLC
(P & Z Recommended Approval)

COUNCIL BILL NO. 2024-251 ORDINANCE NO.

AN ORDINANCE amending Ordinance No. 2022-274, passed by the Council of the City of Joplin, Missouri, August 1, 2022, by removing from District M-2 (Heavy Industrial) to District R-3 (Multi-Family Residential) property as described below and located at 2012 W 2nd St.

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. 2022-274 is hereby amended by removing from District M-2 (Heavy Industrial) the following described property and including in District R-3 (Multi-Family Residential).

ALL THAT PART OF MISCELLANEOUS TRACT 15 LYING IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 27, RANGE 33, IN THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI DESCRIBED AS FOLLOWS: BEGINNING AT A FOUND IRON PIN AT THE SOUTHEAST CORNER OF SECOND STREET AND OLIVER AVENUE; THENCE S87°55'16"E ALONG THE SOUTH RIGHT-OF-WAY LINE OF 2ND STREET A DISTANCE OF 641.93 FEET; THENCE S02°08'17"W A DISTANCE OF 300.33 FEET; THENCE N87°56'12"W A DISTANCE OF 641.28 FEET TO THE EAST RIGHT-OF-WAY LINE OF OLIVER AVENUE; THENCE N02°00'52"E ALONG SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 300.50 FEET TO THE POINT OF BEGINNING.

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_____, 2024, by a vote of _____.

_____
Douglas W. Lawson, Mayor

ATTEST:

_____
Holly Nagy, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney