CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2020-252 Rezone from R-1 to C-O

MEETING DATE:
February 18, 2020

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, Interim City Manager- Daniel Pekarek.

SUMMARY REQUEST:
Case 006-20: 2307 Connecticut Ave. – A request to remove from District R-1 (Single-family Residential) and include in District C-O (Commercial Office) for the purpose of future commercial development. – Charles & Connie Brewer.

BACKGROUND:
The applicant recently applied for a rezoning on this property a few months ago but withdrew their application and had their case stricken. The applicant is now reapplying and including all of their property on Connecticut.

This part of Connecticut Ave. in particular is in transition to more office and medical service type uses. Rezoning to C-O would be compatible with nearby properties

PLANNING & ZONING COMMISSION TESTIMONY:
Andrew Bright, 602 Fountain Rd., Webb City, MO. He is representing Charles & Connie Brewer. The property is in the process of being sold. Mr. & Mrs. Brewer are selling all lots together.

Mr. Ramsour stated he drove by and on the Connecticut side there are two driveways that go up to two houses that combine and are shared. How will the residents get to their house?

Mr. Bright stated the future owners would be able to answer that but from his understanding the driveways will be rerouted to one side of the property in order to make the frontage parcels larger.

Mr. Eastman asked if they were planning on tearing down the homes?

Mr. Bright stated not to his knowledge.

Mrs. Koelkebeck wanted to know if the individual lots were going to sell as a block?

PUBLIC COMMENT;
Mr. Dave Coleman and this is my son Jeff Coleman. Dave Coleman, 1030 SE Murphy Blvd, Joplin, MO Jeff Colman is 727 E 12th Street, Baxter Springs, KS. We are the future owners of the property so we would like to have the property rezoned.

FUNDING SOURCE:
These payments are included in the FY 2018-19 budget of the Community Planning Fund.

RECOMMENDATIONS:
Planning & Zoning Commission recommends be approved for Case 006-20, 6 in favor, 0 Nays, 1 Absent.

ATTACHMENTS
CB 2019-252, Staff Planning Report, P&Z Commission Minutes

CB 2020-252

Case 006-20: 2307 Connecticut Ave. – A request to remove from District R-1 (Single-family Residential) and include in District C-O (Commercial Office) for the purpose of future commercial development. – Charles & Connie Brewer

Andrew Bright, 602 Fountain Rd., Webb City, MO. He is representing Charles & Connie Brewer. The property is in the process of being sold. The future owners are here and willing answer questions for you.

Mr. Ramsour stated he drove by and on the Connecticut side there are two driveways that go up to two houses that combine and are shared. How will the residents get to their house?

Mr. Bright stated the future owners would be able to answer that but from his understanding the driveways will be rerouted to one side of the property in order to make the frontage parcels larger.

Mr. Eastman asked if they were planning on tearing down the homes?

Mr. Bright stated not to his knowledge.

Mrs. Koelkebeck wanted to know if the individual lots were going to sell as a block?

Mr. Bright stated they were selling them all together.

Mr. Ramsour asked if there anyone in favor of this request?

Mr. Dave Coleman and this is my son Jeff Coleman. Dave Coleman, 1030 SE Murphy Blvd, Joplin, MO Jeff Colman is 727 E 12th Street, Baxter Springs, KS. We are the future owners of the property so we would like to have the property rezoned. There is vegetation in the back on the proposed plan, and we need to find out the regulations on that, whether we needed a fence or what we needed. We plan to do low impact lighting and we are not a practice that stays open late.

Mr. Ramsour asked if there was anyone who would like to speak in opposition to this case? There was not.

MR. DERMOTT MOVED, SECONDED BY MR. EASTMAN FOR CASE 006-20 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATIONFOR APPROVAL. MOTION CARRIED, WITH MR. RAMSOUR, MR. DERMOTT, MRS. KOELKEBECK, MRS. STEELE, MR. MCCULLOUGH, AND MR. EASTMAN VOTING "AYE". (6 IN FAVOR, 0 NAYS, 1 ABSENT).

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Z&P Meeting: February 10, 2020
City Council Meeting: February 18, 2020

STAFF PLANNING REPORT
Rezoning

CASE 006-20 A request to rezone from R-1 (Single-family Residential) to C-O (Commercial Office)

LOCATION 2307, 2315, 2321, & 2329 Connecticut Ave.

APPLICANT Andrew Bright

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-1	Single-family Residential/Vacant	2.24 Acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	R-1	R-1	R-1	C-O
Land Use	Church	Single-family Residential	Single-family Residential	Medical Office

FUTURE LAND USE

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

TRANSPORTATION

Streets with access	Classification	Right-of-way width
Connecticut Ave.	Collector	Approximately 100'

UTILITIES

Utilities do not need to be extended to this property. Utilities are currently 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 shows this property is in an area designated as a commercial opportunity area. Development here will need to conform to the Connecticut Ave. corridor requirements.

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

The current zoning of R-1 is somewhat consistent with nearby parcels, however, many of nearby uses are of a medical or office variety as opposed to single-family residential, particularly those with frontage along Connecticut Ave.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning to C-O should not be detrimental to the nearby property. Much of the area along Connecticut is transitioning to office and medical uses. These uses often do not generate large amounts of traffic throughout the day nor do they often emit or employ nuisances on the property.

DISCUSSION

The applicant recently applied for a rezoning on this property a few months ago but withdrew their application and had their case stricken. The applicant is now reapplying and including all of their property on Connecticut for the rezoning.

This part of Connecticut Ave. in particular is in transition to more office and medical service type uses. Rezoning to C-O would be compatible with nearby properties along the corridor and comply with the Future Land Use Map. In addition, as Connecticut is an arterial, the C-O district is appropriate for a street of this classification

Staff recommends approval of Case 006-20.

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.: 006-20
Filing Fee: $500.00
Date Advertised: 1-26-20
Date Notices Sent 1-23-20
Public Hearing Date: 2-10-20

APPLICANT: Andrew Bright PHONE: 620-313-0127
ADDRESS: 2300 E 7th Joplin, MO ZIP: 64801

OWNER: Charles & Connie Brewer PHONE: 918-964-0595
ADDRESS: 2307 Connecticut Ave. Joplin, Mo ZIP: 64801

LOCATION/ADDRESS OF PROPERTY: 2307 Connecticut Ave Joplin, MO 64801
2315 Connecticut, 2321 Connecticut Ave, 2329 Connecticut Ave (All Frontage owned by Charles & Connie Brewer

Present Zoning R1 Requested Zoning: CO Acreage:
Present Use of Property: Vacant / Residential

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Church	R-1
South	Residential	R-2-PD
East	Residential	R-1
West	Commercial	CO

Character of the Neighborhood: Commercial Growth

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:

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: Connecticut
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? _____
2. Properly Sized Street Right-of-Way? _____
3. Drainage Easements? _____
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:

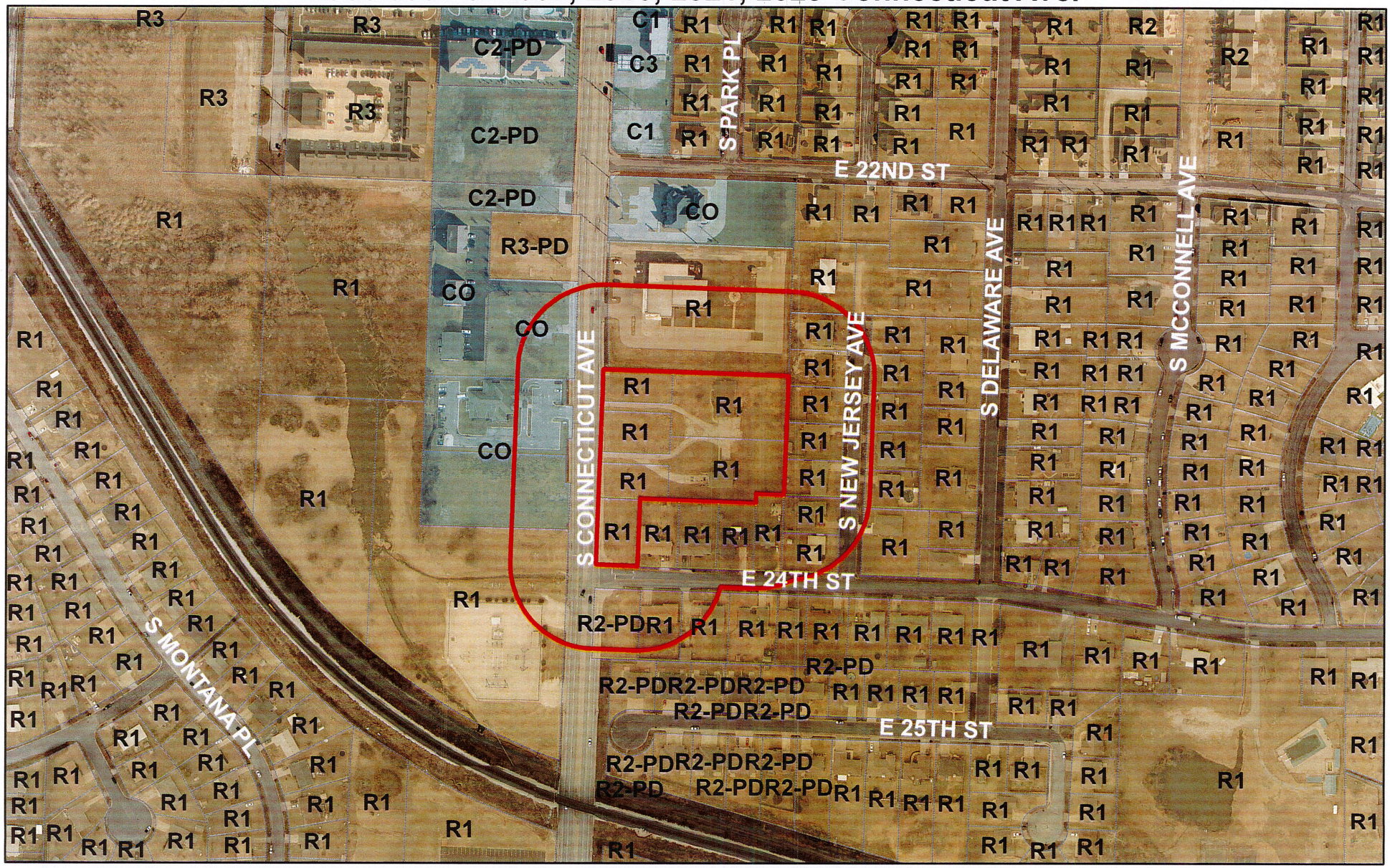
1. One copy of a legal description of the property proposed to be rezoned from a deed or certified survey.
2. One copy of a statement describing the reasoning for the rezoning, the impact of the proposed change, including any traffic conditions that may result; any danger from fire hazards; how the proposed 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: Charles J. Brewer JR. Connie J. Brewer DATE: 12/4/19

EMAIL: cjbrewer@sbcglobal.net

TITLE: Owners

Case 006-20: 2307, 2315, 2321, 2329 Connecticut Ave.



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P & Z Case 006-20
(P & Z Recommended Approval)
Andrew Bright

COUNCIL BILL NO. 2020-252 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 and including in District C-O property as described below and located 2307, 2315, 2321, & 2329 Connecticut, 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 C-O:

> Property described as a part of Lot Number Twenty-one (21), Twenty-two (22), and Twenty-five (25) in Southmorland Acres Subdivision, in the City of Joplin, Jasper County, Missouri, being more particularly described as follows: Beginning at the Northeast Corner of said Lot Number Twenty-one (21), thence S02°04'27"W along the East line of said Lot Twenty-one (21) and Twenty-two (22), 259.74 feet to a point 20.00 feet North of the Southwest Corner of said Lot Number Twenty-two (22), thence N87°57'34"W parallel to the South line of said lot number Twenty-two (22), 60.00 feet, thence S02°04'27"W parallel to the East line of said Lot number Twenty-two (22), 20.00 feet to the South line of said Lot number Twenty-two (22), thence along said South line N87°57'34"W, 249.46 feet to a point that is 90.00 feet East of the Southwest corner of Lot Number Twenty-two (22) , thence S02°04'03"W, 130.30 feet to a point that is 90.00 feet East and 20.00 feet North of the Southwest corner of said Lot Numbered Twenty-five (25) said point being on the North Right-of-Way line of 24th Street, thence along said Right-of-Way line N87°57'34"W, 20.00 feet to the Easterly Right-of-Way of Connecticut Avenue, thence along said Easterly Right-of-Way N42°58'05"W, 42.40 feet, thence continuing along said Right-of-Way N02°04'03"E, 379.90 feet to a point on the North line of said Lot Number Twenty-one (21) that is 40.00 feet East of the Northwest Corner of said Lot Number Twenty-one (21), thence along the North line of said Lot Number Twenty-one (21) S87°58'24"E, 359.86 feet to the Point of Beginning, being subject to all easements, rights-of-way, and reservations of record, containing 2.42 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_____, 2020, by a vote of _____.

_____
Gary L. Shaw, Mayor

ATTEST:

_____

Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____

Peter C. Edwards, City Attorney