CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2024-257 – Rezoning

MEETING DATE:
March 4, 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 008-24: SW Corner of 20th and Prosperity Ave – Rezoning – A request to rezone from District C-3 (Commercial) to District M-2 (Heavy Industrial) – Joel Standeford

BACKGROUND:
The Future Land Use Map identifies this area as Retail Commercial. While Heavy Industrial is not compatible with Retail Commercial, City staff has also taken into consideration the existing characteristics of the area. South of I-44, the Future Land Use Map designates property along Prigmor as Future Industrial. Industrial traffic travels along I-44 and Prigmor to and from the Industrial Park and utilizes 20th St as an exit off the roundabout. This right-of-way along this property already collects some of that traffic. Furthermore, the existing uses are mixed both in and outside of the City. North of this site, there is a law office. Just north of this along prosperity, a contracting company utilizes this area for outdoor storage of building materials and equipment, along with metal storage buildings. Outdoor storage is the primary use of the property, which is a heavy industrial use. This property was annexed into the City and is still zoned as R-1 and continues as legally non-conforming.

While C-3 is a permitted commercial use, M-2 will allow for a higher utilization of the property. For instance, as a contractor's office, outdoor storage is permitted in C-3, but only as an accessory use. Rezoning to M-2 will allow more flexibility in terms of utilization of outdoor storage, similar to the site north of the law office on prosperity. The zoning district change will also allow for more flexibility in materials. Utilization of metal as a primary building material is consistent with the many of the buildings in the area now.

With the limited ROW width, Public Works has expressed concerns regarding potential truck traffic from more intensive, heavy industrial uses. The City Transportation Engineer has stated that the County and Duenweg will need to consent to truck traffic along 20th (East of Prosperity) when the developer proceeds with future projects. Furthermore, Public Works will want to see signs posted along the ROW directing truck traffic back East towards the Highway, so that they do not proceed West of the intersection of 20th and Prosperity.

The site is not within one hundred feet of an existing sanitary sewer main.

PLANNING & ZONING COMMISSION TESTIMONY:

Mr. Standeford represented the case. He stated that they are seeking to develop a contractor's office and storage units. Mr. Bellairs clarified that the "storage units" were in fact storage for semi-truck trailers and parking. Mr. Bellairs stated that the M-2 District would allow for greater utilization of the property. The applicant would be permitted to operate the stow and go truck storage, along with using more of the property for outdoor storage as a contractor's office. M-2 was also more permissive in regard to building materials.

Mr. Kimble asked Mr. Standeford if they would expect to store any vehicles besides semi-trucks. Mr. Standeford replied that they would anticipate storing 5th wheels and R.V.'s as well. Ms. Phillips asked if utilities were in place. Mr. Standeford stated that the sewer was 1000 feet East, and the sewer extension would cost about 1,000,000 dollars. Ms. Phillips asked if he needed a permit from DNR first. Mr. Bellairs responded that the decision of the commission should focus on the use, and that site development details exceed the scope of this case.

Ms. Warren asked if contractors would be able to access the units at any time. Mr. Standeford stated it would be gated and could only be accessed by a key code. Ms. Warren stated she wanted to know if it would be accessible at 2:00 a.m. Mr. Standeford they could if the clients wished to access their property, but that it would not be common.

PUBLIC COMMENT;

Mr. Max Myers stated that he was concerned with the M-2 zoning request, as that would allow manufacturing. Ms. Debbie Heitzman stated that she was concerned with how the request would affect her taxes on the property. Mr. Kimble asked Mr. Bellairs for a response. Mr. Bellairs stated that there are a lot of things that can affect that, like being in or out of the City. He stated he could not say how property assessments would be affected, as he was not a tax assessor. Mr. Bellairs stated that if someone has questions about how this would affect their tax assessment, they will need to speak to the Jasper County Assessor's Office.

Ms. Heitzman stated she was concerned with the development of the neighboring property affecting her well water. Mr. Bellairs stated that new development would have to utilize septic and well water, as utilities are not in place. He stated he did not think that the neighbor utilizing well, or septic would affect the Ms. Heitzman, but that she could reach out to DNR to be sure.

RECOMMENDATIONS:

Staff recommends approval for Council Bill 2024-257

Planning & Zoning Commission recommends approval for Case 008-24 (4 in Favor, 0 Opposed, 3 Absent)

ATTACHMENTS

Staff Planning Report
P&Z Commission Minutes
Applicant Materials
Map