CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2020-253 - Rezone from R-1 to C-3

MEETING DATE:
March 2, 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 005-20: 5703 W. Wildwood Ranch Parkway - A request to remove from District R-1 (Single-family Residential) and include in C-3 (Commercial) for the purpose of operating office space – Peace Church, LLC.

BACKGROUND:
Recently annexed into the city, and with that came a default zoning designation of R-1. The change in zoning to C-3 will not be detrimental to the nearby property. Much of the area along Wildwood Ranch Parkway and John Duffy Drive North of 32nd Street is more appropriate for uses not permitted in R-1.

Given that the use is more appropriate for the C-3 zoning district, as well as the nearby recent developments of office and medical uses, this area along W. Wildwood Parkway and John Duffy Blvd. is developing into commercial uses rather than residential.

PLANNING & ZONING COMMISSION TESTIMONY:
Cindy Smith, 1620 Mandlin Lane, Webb City, MO. There is a commercial building on the property, and it needs to be rezoned now that it has been annexed. Mr. Ramsour stated that he drove by and saw the new nice building.

PUBLIC COMMENT;
Jennifer Weldon, 1848 Waldo Hatler Memorial Dr., Neosho, MO. She stated that she works with Cindy and she would like the property rezoned.

Mrs. Steele wanted to know if it operates as a church now?

Ms. Weldon stated that it is not an actual church. It was a name of a road and the owner likes to name his companies after the road. It is literally a business that owns properties.

Mrs. Koelkebeck just wanted to make sure that it is just office space?

Ms. Weldon stated it is just for offices, but we do have a little section for activities for the individuals. No one lives there or stays there.

FUNDING SOURCE:
These payments are included in the FY 2019-20 budget of the Community Planning Fund.

RECOMMENDATIONS:
Staff recommends approval for Case 005-20.
Planning & Zoning Commission recommends approval for Case 005-20, 6 in favor, 0 Nays, 1 Absent.

ATTACHMENTS
CB 2020-253, Staff Planning Report, P&Z Commission Minutes

CB 2020-253

Case 005-20: 5703 W. Wildwood Ranch Parkway - A request to remove from District R-1 (Single-family Residential) and include in C-3 (Commercial) for the purpose of operating office space – Peace Church, LLC.

Cindy Smith, 1620 Mandlin Lane, Webb City, MO. There is a commercial building on the property, and it needs to be rezoned. It was annexed in as R-1 and never changed.

Mr. Ramsour stated that he drove by and saw the new nice building.

Mr. Ramsour asked if there was anyone that would like to speak in favor of this case?

Jennifer Weldon, 1848 Waldo Hatler Memorial Dr., Neosho, MO. She stated that she works with Cindy and she would like the property rezoned.

Mrs. Steele wanted to know if it operates as a church now?

Ms. Weldon stated that it is not an actual church. It was a name of a road and the owner likes to name his companies after the road. It is literally a business that owns properties.

Mrs. Koelkebeck just wanted to make sure that it is just office space?

Ms. Weldon stated it is just for offices, but we do have a little section for activities for the individuals. No one lives there or stays there.

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

MRS. STEELE MOVED, SECONDED BY MR. MCCULLOUGH FOR CASE 005-20 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR 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).

Z&P Meeting: February 10, 2020
City Council Meeting: March 2, 2020

STAFF PLANNING REPORT
Rezoning

CASE 005-20 A request to rezone from R-1 (Single-family Residential) to C-3 (Commercial)

LOCATION 5703 W Wildwood Parkway

APPLICANT Peace Church, LLC

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-1	Healthcare office	10 Acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	Out of City Limits	Out of City Limits	R-1/C-3	Out of City Limits
Land Use	Vacant	Vacant	Healthcare	Vacant

FUTURE LAND USE

Joplin's Future Land Use Map shows this property is in a Residential/Commercial Opportunity Area.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
W Wildwood Ranch Parkway	Local	60'

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 residential/commercial opportunity area.

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, the majority of nearby uses are of a medical, office, and multifamily variety as opposed to single-family residential.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning to C-3 will not be detrimental to the nearby property. Much of the area along Wildwood Ranch Parkway and John Duffy Drive north of 32nd Street is more appropriate for uses not permitted in R-1.

DISCUSSION

The applicant recently annexed into the city, and with that came a default zone designation of R-1. Given that the use is more appropriate for the C-3 zoning district, as well as the nearby recent developments of office and medical uses, this area along W Wildwood Parkway and John Duffy Blvd. is developing into commercial uses rather than residential. While residential uses will still be numerous in the Wildwood Ranch area, buffer requirements between C-3 districts and residential zoning districts will be able to address conflicts between the district types.

Staff recommends approval of Case 005-20.

ATTACHMENTS

- Application
- Map

RECEIVED
1-15-20

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.: 005-20
Filing Fee: ~~$500.00~~ Waived - Voluntary
Date Advertised: 1-26-20 annexation
Date Notices Sent 1-23-20
Public Hearing Date: 2-10-20

APPLICANT: Peace Church, LLC PHONE: 417-626-2600
ADDRESS: 5703 W. Wildwood Ranch Parkway ZIP: 64804

OWNER: Peace Church, LLC PHONE: 417-626-2600
ADDRESS: 5703 W. Wildwood Ranch Parkway ZIP: 64804

LOCATION/ADDRESS OF PROPERTY: 5703 & 5705 W. Wildwood Ranch Parkway, Joplin, MO 64804

Present Zoning R-1 Requested Zoning: ~~Commercial~~ C-3 Acreage: 10
Present Use of Property: Administrative Offices and Activity Center

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Railroad & Field	
South	Offices	R-1
East	Rural Ag. Vacant	R-1
West	Rural Ag. Vacant	R-1

Character of the Neighborhood: the area of Wildwood Ranch is being commercialized.

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, we may still operate as is, rezoning was recommended by the City.

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: Wildwood Ranch Parkway & John Duffy Dr.
2. Classification of Street(s):
   Arterial_____ Collector_____ Local Wildwood Ranch Parkway & John Duffy Dr.
3. Right-of-Way Width: _____
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? no
2. Properly Sized Street Right-of-Way? no
3. Drainage Easements? no
4. Utility Easements:
   - Electricity? no
   - Gas? no
   - Sewers? no
   - Water? no
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: Cynthia J. Smith DATE: 1/15/2020

EMAIL: cindysmith@easylivinginc.org

TITLE: Vice President

Case 005-20: 5703 W. Wildwood Ranch Parkway



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0 187.5 375 750 1,125 1,500 Feet

N

P & Z Case 005-20
(P & Z Recommended Approval)
Peace Church, LLC

COUNCIL BILL NO. 2020-253 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-3 property as described below and located 5703 & 5705 W. Wildwood Ranch Parkway 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-3:

All that part of the Southeast Quarter (SE1/4) of Section 13, Township 27 North, Range 34 West, Jasper County, Missouri, described as follows: commencing at the Southeast Corner of said Southeast Quarter of Section 13, thence North 01°48'09"E, along the East line of said Southeast Quarter, 30.81 feet, thence North 01°49'48"E, along the East line of said Southeast Quarter, 1848.60 feet, thence N88°39'24"W, 30.00 feet to the intersection of the West Right-of-Way line of Central City Road and the North Right-of-Way line of Wildwood Ranch Parkway, thence continuing along said North Right-of-Way line the following courses and distances, thence continuing N88°39'24"W 714.23 feet to a curve to the left having a radius of 2030.00 feet, thence along said curve an arc distance of 137.17 feet to the Point of Beginning, thence continuing along said curve an arc distance of 404.07 feet, thence S76°04'01"W, 153.64 feet, thence N01°49'48"E, away from said North Right-of-Way line, 864.27 feet, thence S88°30'36"E, 545.07 feet, thence S01°49'48"W, 755.30 feet to the Point of Beginning, except any part taken or deeded for road purposes.

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