CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2022-256 – Rezone R-1 to R-2

MEETING DATE:
March 7, 2022

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 013-22: 2636 & 2642 E. 4th St. – A request to remove from District R-1 (Single-family Residential) and include in District R-2 (Two-family Residential) for future residential development. – Juston Mitchell

BACKGROUND:
This request is consistent with the Comprehensive Plan. The future land use map does indicate future low- density residential, R-2 zoning is appropriate to coincide with that designation. R-2 zoning permits single-family and two-family residential, both of which display characteristics of low-density residential uses. This request to rezone to R-2 is for future duplex development. Nearby property will not be detrimentally affected by this rezoning. 4th St.'s collector status is an appropriate context for R-2 zoning. Existing duplex and multi-family developments along this portion of 4th St. are indicative of the appropriateness of this zoning and use.

PLANNING & ZONING COMMISSION TESTIMONY:
Ryan Flanagan, 6 Emeral Way, Joplin, MO, requesting a zoning change for those two parcels, it is in compliance and there are R-2 zoning in the area.

PUBLIC COMMENT: None.

RECOMMENDATIONS:
Staff recommends approval for Case 013-22.
Planning & Zoning Commission recommends approval for Case 013-22 (5 Favor, 0 Nays, 1 Absent, 1 Abstain)

ATTACHMENTS
CB 2022-256, Staff Planning Report, P&Z Commission Minutes

Mr. Eastman abstained from this case.

Case 013-22: 2636 & 2642 E. 4th St. – A request to remove from District R-1 (Single-family Residential) and include in District R-2 (Two-family Residential) for future residential development. – Juston Mitchell

Ryan Flanagan, 6 Emeral Way, Joplin, MO, requesting a zoning change for those two parcels, it is in compliance and there are R-2 zoning in the area.

Mr. Kimble asked if there was anyone in the audience to speak in favor of this case? There was not. There was no one to speak in opposition.

MS. PHILLIPS MOVED, SECONDED BY MR. MCCULLOUGH THAT CASE 013-22 BE FORWARDED TO THE CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL. MOTION CARRIED WITH MR. MCCULLOUGH, MS. STEELE, MR. KIMBLE, MS. WARREN, AND MS. PHILLIPS "AYE" (5 IN FAVOR, 1 ABSENT, 1 ABSTAIN)

Z&P Meeting: February 14, 2022
City Council Meeting: March 7, 2022

STAFF PLANNING REPORT
Rezoning

CASE 013-22 A request to remove from District R-1 (Single-family Residential) and include in District R-2 (Two-family Residential)

LOCATION 2636 & 2642 E. 4th St.

APPLICANT Juston Mitchell

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-1	Vacant	Approx. 0.69 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	R-1	R-1	R-1	R-1
Land Use	Single-family residential	Two-family residential	Single-family Residential	Single-family Residential

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
S. Highview Ave.	Local	60'

UTILITIES

Utilities in place.

FLOOD PLAIN

This property is not in a flood plain.

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

This request is consistent with the Comprehensive Plan. The future land use map does indicate future low-density residential, R-2 zoning is appropriate to coincide with that designation. R-2 zoning permits single-family and two-family residential, both of which display characteristics of low-density residential uses. This request also meets the recommendation for infill development in the Comprehensive Plan.

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

The current zoning of R-1 is suitable for this property.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning will not be detrimental to nearby property. The requested zoning is in line with existing residential uses along this portion of E. 4th St. and with existing residential zoning. Buffer requirements will not be required.

DISCUSSION

This request to rezone to R-2 is for future duplex development. Nearby property will not be detrimentally affected by this rezoning. 4th St.'s collector status is an appropriate context for R-2 zoning. Existing duplex and multi-family developments along this portion of 4th St. are indicative of the appropriateness of this zoning and use.

The request is found to be consistent with the Comprehensive Plan and Future Lan Use Map, which shows Low-density Residential.

Staff recommends approval of Case 013-22.

ATTACHMENTS

- Application
- Map

CITY OF JOPLIN, MISSOURI
REZONING APPLICATION FORM

Return Form to:
Planning / Community Development Specialist
602 South Main Street
Joplin, Missouri 64801
417-624-0820 Ext. 511
FAX 417-625-4738

For Office Use Only
Case No.: 013-22
Filing Fee: 550.00
Date Advertised: 1-29-21
Date Notices Sent 1-24-21
Public Hearing Date: 2-14-22

APPLICANT: JUSTIN MITCHELL PHONE: 417 529 3666
ADDRESS: 1550 EAST 4TH AVE ZIP: 64801
OWNER: JIM + PAMELA KING PHONE: 417 624 3431
ADDRESS: 4314 LOST CANYON SARASOTA FL ZIP: 34235
LOCATION OF PROPERTY: 2636 + 2644 E 4TH
LEGAL DESCRIPTION: JT TUBBS LOT 4, 5 + 6

Present Zoning R-1 Requested Zoning: R-2 Acreage:
Present Use of Property: VACANT LOTS

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	MIXED	R-1
South	RESIDENTIAL	R-1
East	R-3	R-3
West	R-3	R-3

CHARACTER OF THE NEIGHBORHOOD: MOSTLY MULTI FAMILY AND OLDER HOUSES

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:

CONFORMANCE WITH COMPREHENSIVE PLAN:
1. Consistent with Development Policies? Yes
2. Consistent with Future Land Use Map? Yes

THE FOLLOWING MUST ACCOMPANY YOUR APPLICATION:

1. One copy of a legal description of the property proposed to be rezoned.
2. One copy of a statement describing the impact of the proposed change, including any traffic conditions that may result; any danger from fire hazards; how the proposed change may effect the character of the surrounding properties; and how the proposed change will benefit the City of Joplin.

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: 4TH
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?
   NO

IS PLATTING OR REPLATTING REQUIRED TO PROVIDE FOR:

1. Appropriately Sized Lots? YES
2. Properly Sized Street Right-of-Way? YES
3. Drainage Easements? NO
4. Utility Easements:
   Electricity? ON 4TH STREET
   Gas? AT STREET
   Sewers? ON PROPERTY
   Water? AT STREET
5. Additional Comments:
   LOTS ARE CLEARED + READY TO BUILD ON

UNIQUE CHARACTERISTIC OF PROPERTY AND ADDITIONAL COMMENT:

SUITABLE FOR DUPLEXES

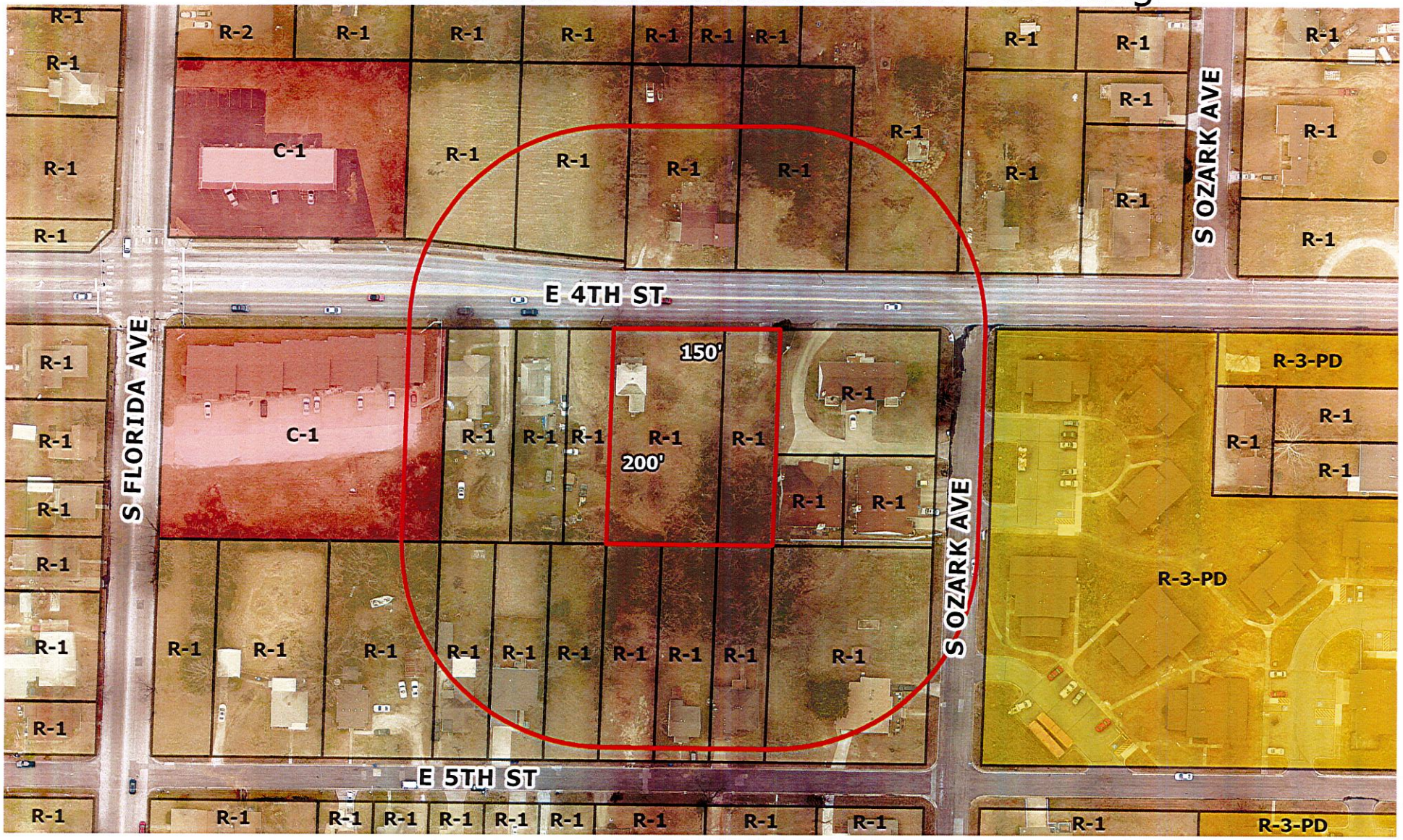
SIGNATURE: X Jim Anes DATE: 1-2-12

BY: JIM ANES

TITLE: OWNER

(Note: By signing this application you are signifying that you are either the legal owner of the subject property or are a legal representative of the owner or owners of the subject property.)

Case 013-22: 2636 & 2642 E. 4th St. - Rezoning



Case 013-22: 2636 & 2642 E. 4th St. – A request to remove from District R-1 (Single-family Residential) and include in District R-2 (Two-family Residential) for future residential development. – Juston Mitchell

N

0 50 100 200 300 400 Feet

P & Z Case 013-22
Justom Mitchell
(P & Z Recommended Approval)

COUNCIL BILL NO. 2022-256 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 (Single-Family Residential) and including in District R-2 (Two-family Residential) property as described below and located at 2636 &2642 E. 4th Street, 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-2.

All of Lot Numbered Four (4), all of Lot Numbered Five (5), and all of Lot Numbered Six (6) in J.T. Turk's Subdivision to the City of Joplin, Jasper County, Missouri,

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_____, 2022, by a vote of _____.

_____
Ryan D. Stanley, Mayor

ATTEST:

_____
Holly Nagy, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney