**CITY OF JOPLIN**
**COUNCIL AGENDA ITEM**

**ITEM:**
CB 2024-261 – Rezoning

**MEETING DATE:**
April 1, 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:**
Not applicable for this item.

**SUMMARY REQUEST:**
Case 011-24: 1921 S St Louis Ave – Rezoning – A request to rezone from District R-1 (Single-Family Residential) to District R-2 (Two-Family Residential) – Schuber Mitchell Homes

**BACKGROUND:**
This request is consistent with the development policies of the comprehensive plan. The surrounding area is low-density residential and low-intensity commercial. R-2 is a compatible zoning district for this pattern of development.

There are duplexes on an R-2 zoned property directly East of this location. The surrounding area will not be negatively impacted by this request.

Schuber Mitchell wants to build two single-family homes at this location. Single-family homes are typically constructed on a 65' wide lot with a minimum square footage of 7,800 square feet. The City's code allows for single-family homes to be built on 50' wide lots with a minimum density of 6,000 square feet in an R-2 zoning district. This density pattern is compatible with the existing density of the neighborhood.

**PLANNING & ZONING COMMISSION TESTIMONY:**
Oscar Sarceno, 2030 Mia Faith Place, Joplin, Missouri. He is a representative of Schuber Mitchell Homes. They were requesting a rezoning from R-1 to R-2 for this one property. Mr. Landis asked if they planned to put a duplex on that lot. Mr. Sarceno stated they intended on constructing two homes at this location. Mr. Bellairs explained to the Commission that the City had updated their code to allow a single family home and a duplex can both be built on a R-2 lot. The density pattern of a R-2 lot changes when you get into a two family residentials so it allows for smaller lot sizes to be created with an R-2 zoning district that you would not typically get with R-1.

**PUBLIC COMMENT;**
There was no comment in favor or in opposition of this request.

**RECOMMENDATIONS**:
Staff recommends Approval for Council Bill 2024-261
Planning & Zoning Commission recommends Approval for Case 011-24 (6 in Favor, 0 Opposed, 1 Absent)

**ATTACHMENTS**
Staff Planning Report
P&Z Commission Minutes
Applicant Materials
Map

**Case 011-24: Rezoning**

> 1921 S St. Louis Ave-Rezoning-A request to rezone from District R-1 (Single-Family Residential) to District R-2 (Two-Family Residential)-Schuber Mitchell Homes.

Oscar Sarceno, 2030 Mia Faith Place, Joplin, Missouri. He is a representative of Schuber Mitchell Homes. They were requesting a rezoning from R-1 to R-2 for this one property.

Mr. Landis asked if they planned to put a duplex on that lot.

Mr. Sarceno stated no, two homes on that lot.

Mr. Bellairs explained to the Commission that the City had updated their code to allow a single family home and a duplex can both be built on a R-2 lot. The density pattern of a R-2 lot changes when you get into a two family residentials so it allows for smaller lot sizes to be created with an R-2 zoning district that you would not typically get with R-1.

Ms. Phillips asked if there were any further questions from the Commission on Case 011-24.

There were none.

Ms. Phillips asked if there was any one to speak in favor of Case 011-24.

There were none.

Ms. Phillips asked if there was any one to speak in opposition of Case 011-24.

There were none.

**MR. ROSENBERG MOVED THAT CASE 011-24 BE APPROVED AND FORWARDED TO THE CITY COUNCIL FOR APPROVAL. MR. LANDIS SECONDED THE MOTION. MOTION CARRIED. (6 IN FAVOR, 0 NAY, 1 ABSENT)**

JOPLIN
PLANNING, DEVELOPMENT, & NEIGHBORHOOD SERVICES

# STAFF PLANNING REPORT
## Rezoning

**CASE 011-24** A request to rezone from District R-1 (Single-Family Residential) to District R-2 (Two-Family Residential)

**LOCATION** 1921 S St Louis Ave

**APPLICANT** Schuber Mitchell

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### EXISTING CONDITIONS

| Zoning | Land Use | Property Size |
|---|---|---|
| R-1 | Vacant | Approximately 0.30 Acres |

### SITE CONTEXT

| | North | East | South | West |
|---|---|---|---|---|
| Existing Zoning | R-1 | R-2 | C-1 | C-1 PD |
| Land Use | Single-Family Home | Duplexes | Office | Office |

### FUTURE LAND USE

The property is identified as Future Retail Commercial on the Future Land Use Map.

**TRANSPORTATION**

| Streets with access | Classification | Right-of-way width |
|---|---|---|
| S St Louis Ave | Local | 60′ |

**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?**

This request is consistent with the development policies of the comprehensive plan. The surrounding area is low-density residential and low-intensity commercial. R-2 is a compatible zoning district for this pattern of development.

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

R-1 restricts the utility of this property. Currently, only one single family home could be built. R-2 allows for the owner to construct a duplex, or two-single-family homes. Rezoning would allow for a greater utility of the property that is consistent with current development in the neighborhood.

**THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY**

There are duplexes on an R-2 zoned property directly East of this location. The surrounding area will not be negatively impacted by this request.

**DISCUSSION**

Schuber Mitchell wants to build two single-family homes at this location. Single-family homes are typically constructed on a 65′ wide lot with a minimum square footage of 7,800 square feet. The City′s code allows for single-family homes to be built on 50′ wide lots with a minimum density of 6,000 square feet in an R-2 zoning District.

**Staff recommends approval of Case 011-24.**

**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.: 011-24
Filing Fee: $600.00
Received: 1/31/24
Date Advertised:
Proj. No.: 24-038
Public Hearing Date: 3/11/24

Applicant: Oscar Sarceno Phone No.: 417-388-4010

Address: 2340 S Rangeline Rd. Joplin, MO 64804 Email: osarceno@schubermitchell.com

Owner: Schuber Mitchell Homes Phone No.:

Address: 2340 S Rangeline Rd. Joplin, MO 64804 Email: osarceno@schubermitchell.com

Location of Property: 1921 S. St. Louis Ave. Joplin, MO 64804

Present Use of Property: Vacant lot

Proposed Use of Property: 2 New Single-Family Homes

Current Zoning: R1 Requested Zoning: R2

**Surrounding Land Use and Zoning:**

| | Land Use | Zoning |
|---|---|---|
| North | Single Family Home | R1 |
| South | Business | C1 |
| East | Single Family Home | R2 |
| West | Business | C1-PD |

Character of the Neighborhood:

**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 are proposing to build two single-family homes. To do so, zoning would have to switch to R2 zoning.

**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: _____

_____

Classification of Street(s):

Arterial ☐ Collector ☐ Local ☐

Right-of-Way Width: _____

**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: _____

_____

_____

**Unique Characteristic of Property and/or Additional Comment:**

_____

_____

_____

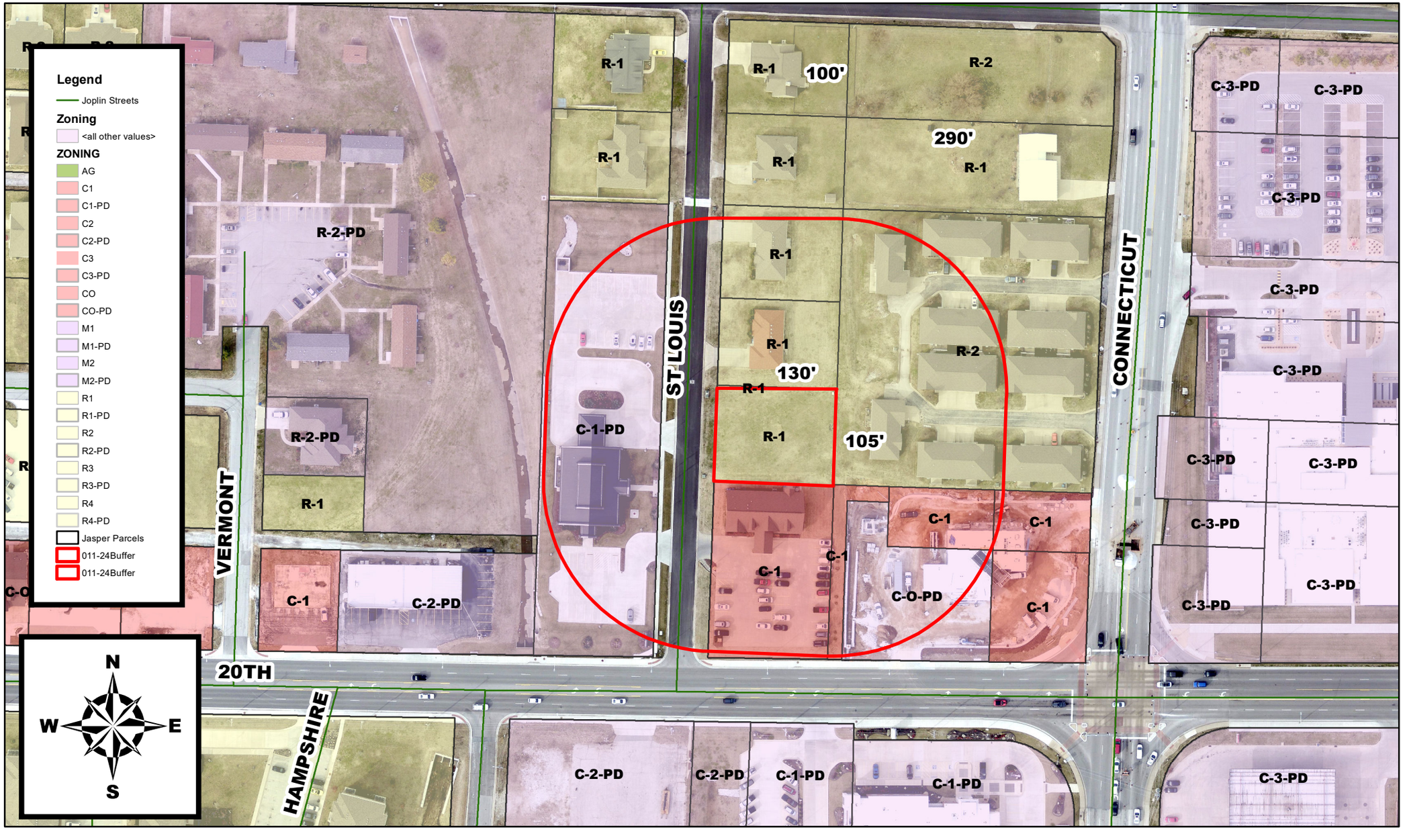
**Submission of Documents:** The following documents are **required** at time of submission.

| 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:** OSCAR SARCENO **Date:** 1/24/24

# Case 011-24: Rezoning




0 45 90 180 270 360 Feet

1921 S St Louis Ave – Rezoning – A request to rezone from District R-1 (Single-Family Residential) to District R-2 (Two-Family Residential) – Schuber Mitchell Homes

P & Z Case 011-24
Schuber Mitchell Homes
(P & Z Recommended Approval)

COUNCIL BILL NO. 2024-261 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 R-1 (Single-Family Residential) to District R-2 (Two-Family Residential) property as described below and located at 1921 S St Louis Ave.

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 R-1 (Single-Family Residential) the following described property and including in District R-2 (Two-Family Residential).

A part of Lot Numbered Twenty-eight (28) In Banker's Third Addition to the City of Joplin, Jasper County, Missouri, according to the Recorded plat thereof, being described as follows: Commencing at the Northeast Cornerof Lot Numbered Twenty-nine (29) in Banker's Third Addition to the City of Joplin, Jasper County, Missouri, Thence South 02 Degrees, 08 Minutes, 07 Seconds West 395.12 feet to the Point of Beginning, Thence South 02 Degrees, 08 Minutes, 07 Seconds West 104.38 feet, Thence North 88 Degrees, 15 Minutes, 31 Seconds West 129.78 feet to the East Right-of-way line of St Louis Avenue, Thence along said East Right-of-way North 02 Degrees, 06 Minutes, 16 Seconds East 104.28 feet, Thence South 88 Degrees, 18 Minutes, 19 Seconds East 129.83 feet to the Point of Beginning, Being subject to all easements, right-of-ways, and reservations of record.

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