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

**ITEM:**
CB 2024-262 – Rezoning

**MEETING DATE:**
April 7, 2025

**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 009-25: 1517 W A St – Rezoning – A request to rezone from District M-2 (Heavy Industrial) to District R-2 (Two-Family Residential) – Schuber Mitchell Homes

**BACKGROUND:**

Schuber Mitchell Homes owns the subject property and wishes to develop a single-family home. The property must be rezoned before they can proceed.

The subject property is too small for Heavy Industrial development. Furthermore, developing this property for a highly intensive use would conflict with the adjacent uses on the block. Everything across the alley from the subject property is zoned R-1, with single-family homes. The property directly north is zoned M-2 but contains a legally non-conforming residential home. The highest and best use for the subject property is R-2.

**PLANNING & ZONING COMMISSION TESTIMONY:**

Oscar Sarceno of 2340 S Range Line, Joplin, Missouri represented Schuber Mitchell Homes. Mr. Sarceno stated the request to rezone was due to Schuber Mitchell looking to build a single-family home on the property.

Dr. Rosenberg asked if they planned on only building one home on the lot. Mr. Sarceno responded that was correct.

Dr. Rosenberg asked why R-2 was the requested zoning. Mr. Bellairs responded that R-2 is compatible with the surrounding area, and that this neighborhood was platted as smaller lots. The R-2 zoning district allows single-family homes at a higher density.

**PUBLIC COMMENT;**

There was none.

**RECOMMENDATIONS**:
Staff recommends approving Council Bill 2025-262
Planning & Zoning Commission recommends approving Case 009-25 (7 in Favor, 0 Opposed)

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

**CASE 009-25: REZONING**

A request to rezone from District M-2 (Heavy Industrial) to District R-2 (Two-Family Residential)- 1517 W A Street- Schuber Mitchell Homes

Mr. Kimble asked if the representative would step forward and state their name and address for the record.

Oscar Sarceno of 2340 S Range Line, Joplin, Missouri represented Schuber Mitchell Homes.
Mr. Sarceno stated the request to rezone was due to Schuber Mitchell looking to build a single-family home on the property.

Mr. Kimble asked if there were any questions from the commission.

Mr. Landis asked Mr. Sarceno what the size of the site would be once developed.
Mr. Sarceno stated that the site would be a single home.

Dr. Rosenberg asked Mr. Sarceno if only one home would be built on the site.
Mr. Sarceno stated that was correct.

Ms. Phillips asked Mr. Sarceno why he was requesting an R-2 zoning if there were plans to only build one home.
Mr. Sarceno stated that the request is due to the lot size only being 50 feet and oddly shaped.
Mr. Bellairs explained that the R-2 zoning is compatible with surrounding zoning due to the lot size only being 50 feet and older neighborhoods having smaller lot sizes, so they are upzoned to allow higher density residential.

Dr. Rosenberg asked Mr. Bellairs why the R-2 was still being requested if the lot was over 50 feet big.
Mr. Bellairs explained that this lot has been platted as 2 separate lots but will be used as a single lot to construct the home. Mr. Bellairs also explained that with the R-2 zoning it makes the lot compatible with other lots in the area.

Dr. Rosenberg asked Mr. Bellairs if the lot is zoned as R-2, could someone bring a case before the Board of Adjustments and ask for a variance to build two homes on the lot.

Mr. Bellairs stated that this could also be done with the R-1 zoning due to how the lots are platted but it is not practical due to the small size of the lots and part of the right-of-way railroad being acquired.

Mr. Kimble asked if there has been any environmental work done due to the lots proximity to Eagle Picher.
Mr. Sarceno stated that there is no lead present and it has been vacated since Shuber Mitchell obtained the property approximately two years prior.

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

Mr. Kimble asked if there was anyone present that would like to speak in opposition to this case.

**MR. LANDIS MADE A MOTION TO APPROVE CASE 009-25. THIS MOTION WAS SECONDED BY MR. SPRUCE. MOTION CARRIED. (7 IN FAVOR, 0 IN OPPOSITON)**

Z&P Meeting: March 10, 2025
City Council Meeting: April 7, 2025

JOPLIN
PLANNING, DEVELOPMENT, & NEIGHBORHOOD SERVICES

# STAFF PLANNING REPORT
## Rezoning

**CASE 009-25** A request to rezone from District M-2 (Heavy Industrial) to District R-2 (Two-Family Residential)

**LOCATION** 1517 W A St

**APPLICANT** Schuber Mitchell Homes

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### EXISTING CONDITIONS

| Zoning | Land Use | Property Size |
|---|---|---|
| M-2 | Vacant | Approximately 0.15 Acres |

### SITE CONTEXT

| | North | East | South | West |
|---|---|---|---|---|
| Existing Zoning | M-2 | R-2 | M-2/R-2 | R-2 |
| Land Use | Single-Family Home | Single-Family Home | Public Works Center/Utility | Vacant |

### FUTURE LAND USE

Joplin's Future Land Use Map shows this property as future Industrial.

### TRANSPORTATION

| Streets with access | Classification | Right-of-way width |
|---|---|---|
| W A St | Local | 50′ |

## UTILITIES

Utilities 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 Comprehensive Plan.

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

The subject property is too small for Heavy Industrial development. Furthermore, developing this property for a highly intensive use would conflict with the adjacent uses on the block. Everything across the alley from the subject property is zoned R-1, with single-family homes. The property directly north is zoned M-2 but contains a legally non-conforming residential home. The highest and best use for the subject property is R-2.

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

The change in use is less intensive and is more compatible with the surrounding neighborhood. There would be no detrimental effect on the nearby property.

## DISCUSSION

Schuber Mitchell Homes owns the subject property and wishes to develop a single-family home. The property must be rezoned before they can proceed.

**City Staff recommends approval of Case 009-25.**

## ENCLOSURES

- Map of property
- Application

# Rezoning Procedures

**Applicability.** The rezoning process provides review of changes to the boundary of zoning districts (map amendment) that may be necessary to implement the comprehensive plan, to account for changed conditions in the general area, or to reflect a change in public policies with respect to future development. Application for a rezoning may be initiated by the property owner, the City Council, or the Planning Commission.

**Review Criteria**. A rezoning shall be reviewed according to the following criteria:

1. The application is consistent with the comprehensive plan, and any official plan or program developed under the guidance of that plan.
2. The application supports the character of the neighborhood, considering the design of streets, civic spaces, and other open spaces; the scale, pattern, and format of buildings; the zoning of property and intent of other zoning districts in the vicinity; and the compatibility, transitions, and integration of existing and potential future uses.
3. The suitability of the subject property for the uses to which it has been restricted.
4. The application furthers the intent of the proposed zoning district and the general purposes of these regulations.
5. The application demonstrates compliance with all substantive standards and guidance of the proposed zoning district; or, where no proposed development application is associated with the application, there is a likelihood of development that complies with all substantive standards can be demonstrated.
6. The ability of the City or other government agencies to provide any services, facilities or programs that may be necessary if the application is approved.
7. The effect of approval on surrounding property, including the likelihood that surrounding areas may be developed in accordance with current zoning or future plans.
8. The recommendations of professional staff or other reviews associated with the application.

**Review Procedures.** In addition to the general requirements in Table 2-1 and Section 2.01, the following requirements are specific to zoning map amendment applications.

1. Applications may be accompanied by one of the following complementary applications: a Site Plan, a Special Use Permit, or a Concept Plan of a similar nature to that required in Section 2.04 for Planned Developments.
2. Applications may be accompanied by any plat that is necessary for the project.
3. The City Council may recommend the application be returned to Planning Commission for further study or additional information at its next regular meeting. Failure by the Planning Commission to consider or revise its recommendation shall be considered a resubmission of its original recommendation.
4. The Planning Commission may recommend, or City Council may approve a lessor change than was proposed in the notice, whether in extent of property or project area, or in the scale, intensity, or other substantive standards for proposed project and zoning change.

**Effect of Decision.** Rezoning shall be approved by the City Council in the form of an ordinance. Approved changes shall be indicated on the Official Zoning Map by the Director within 30 days following approval. Any application that includes a required site plans or other similar applications

(except Concept Plans), may proceed to building permits after the effective date of the ordinance and upon satisfying all other conditions of the approval. If the applicant fails to obtain a building permit within one year of the effective date of the ordinance approving the change, the Director may schedule a hearing to reconsider and revert the zoning to the previous classification, subject to all procedures and criteria of the original change.

# 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.: 009-25
Filing Fee: $600.00
Received: 1/28/25
Date Advertised: _____
Proj. No.: 25-014
Public Hearing Date: 3/10/25 (P+Z)

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: 1517 W. A St. Joplin, MO 64804

Present Use of Property: Vacant lot

Proposed Use of Property: Single-Family Home

Current Zoning: M-2 Requested Zoning: R-2

**Surrounding Land Use and Zoning:**

| | Land Use | Zoning |
|---|---|---|
| North | Single Family Home | M-2 |
| South | Vacant | M-2 |
| East | Single Family Home | R2 |
| West | Vacant | R-2 |

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 a single-family home. 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:**

_____

_____

_____

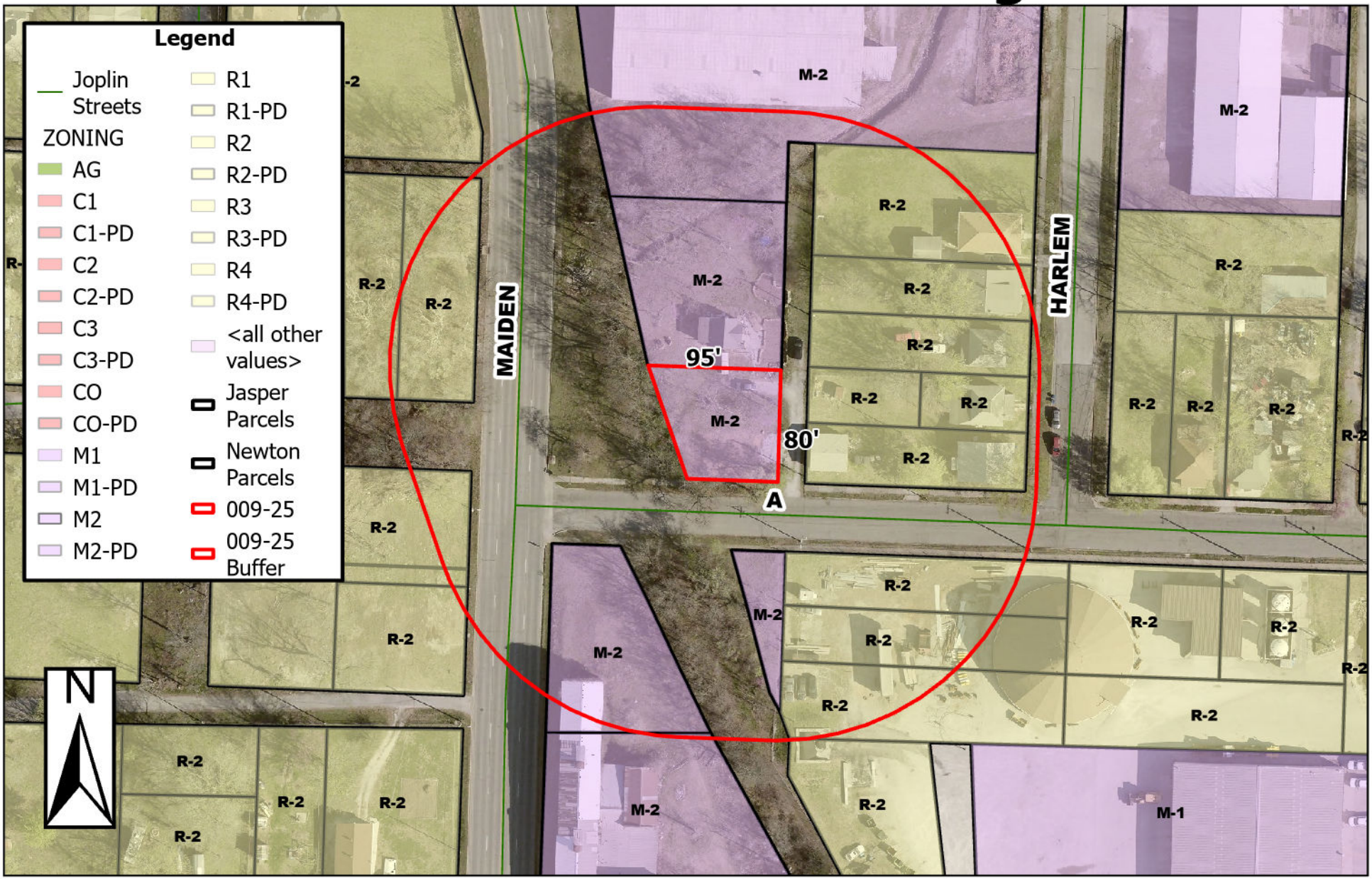
**Submission of Documents:** The following documents are **required** at time of submission.

| 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:** 1/24/25

# Case 009-25: Rezoning




1517 W A St – Rezoning – A request to rezone from District M-2 (Heavy Industrial) to District R-2 (Two-Family Residential) – Schuber Mitchell Homes

0 35 70 140 210 280 Feet

P & Z Case 009-25
Schuber Mitchell Homes
(P & Z Recommended to Approve)

COUNCIL BILL NO. 2025-262 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 M-2 (Heavy Industrial) and include in District R-2 (Two-Family Residential) property as described below and located at 1517 W A St, 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. 2022-274 is hereby amended by removing from District M-2 (Heavy Industrial) the following described property and including in District R-2 (Two-Family Residential).

**ALL THAT PART OF LOTS NUMBERED TWO-HUNDRED AND TWENTY-SIX (226) AND TWO-HUNDRED AND TWENTY-SEVEN (227), LYING EAST OF RAILROAD RIGHT-OF-WAY IN WILSON AND HUTTON REALTY COMPANY'S ADDITION TO THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF, 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_____, 2025, by a vote of _____.

_____
Keenan T. Cortez, Mayor

ATTEST:

_____
Holly Nagy, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney