CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2024-266 – 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 011-25: 7 Acres between 12th St and 14th St, East of Iowa and West of the railroad track – Rezoning – A request to rezone from District M-2 (Heavy Industrial) to District MP (Manufactured Home Park & Small Format Home District) – James Whitford

BACKGROUND:

Watered Gardens wishes to develop a supportive housing community to assist those who are disabled and/or homeless. This request is consistent with the Comprehensive Plan, which encourages the integration of compatible land uses, including mixed uses. Small format housing developments place an emphasis on a communal style of development, including public spaces and walkability. The small format home use is less intensive than Heavy Industrial, while still more intensive than a single-family neighborhood. This walkable/communal style of development is the optimal way to create a nice transition to integrate mixed uses.

PLANNING & ZONING COMMISSION TESTIMONY:

Daid Glen presented the case. Commission asked about ADA accessibility, and environmental regulations. Mr. Bellairs explained that all development regulations regarding building codes, accessibility, and lead and environmental impacts would be part of the plan review for construction.

Mr. Bellairs explained that development regulations for the MP district would not allow for trailer parks that look like what is currently in the City. There are specific design requirements that any

new MP development would need to meet.

PUBLIC COMMENT;

Jason Latleen spoke in opposition to the case. Mr. Latleen was actually in attendance to speak on the MP rezoning request located at 1201 S Byers.

RECOMMENDATIONS:
Staff recommends approving Council Bill 2025-266
Planning & Zoning Commission recommends approving Case 011-25 (7 in Favor, 0 Opposed)

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

CASE 011-25: REZONING
A request to rezone from District M-2 (Heavy Industrial) to District MP (Manufactured Home Park and Small Format Home District)- 7 Acres between 12th and 14th Street, East of Iowa and West of the railroad track- James Whitford

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

David Glen of 531 Kentucky Ave, Joplin, Missouri represented Watered Gardens.

Mr. Glen stated the request to rezone is due to Watered Gardens hoping to construct a 3-phase tiny home village for the local disabled and homeless community.

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

Mr. Landis asked if the homes would remain the property of Water Gardens or if they would be sold to individuals.
Mr. Glen stated that the homes would stay as property of Water Gardens.

Ms. Phillips asked if there had been a plan to change the flow of the flood plain.
Mr. Glen stated that they are working to remove the property from the flood plain.

Mr. Kimble asked if there was any environmental work done on the property.
Mr. Bellairs stated that environmental tests are triggered if the property is in a smelter area and the owner would be required to test for lead if it is in a smelter area. Mr. Bellaris also stated that depending on the results remediation would also be required.
Mr. Glen stated that for the intended use of the property if there was lead to be found, there are no children that will be living in the area, and they would encapsulate the lead.
Mr. Bellairs reiterated that all environmental checks would be required to be performed as part of the building permit process as well as any remediation.

Mrs. Klue-Michael asked Mr. Glen if the tiny homes would be ADA accessible with at least a 7-foot bathroom.

Mr. Glen stated that the tiny homes would be constructed to current ADA standards.

Ms. Phillips asked if a person using a wheelchair would be able to navigate around the tiny home.
Mr. Glen stated that the final design of the homes has not been decided.

James Whitford of 215 Estate Street, Galena, Missouri stated that there will be a few of the homes that would be wheelchair accessible for those individuals in wheelchairs.

Mrs. Klue-Michael asked Mr. Whitford if he had an estimate on the number of wheelchair accessible homes there would be available.
Mr. Whitford stated that there is not an estimate at the moment.

Mrs. Klue-Michael asked Mr. Whitford if the entry to the homes would require an individual to use steps.
Mr. Whitford stated that it would depend on whether the area was required to be brought out of a flood plain.
Mr. Bellairs stated that the plans are in a preliminary stage and the applicants are securing zoning so they can continue plans.

Mr. Klue-Michael asked Mr. Bellairs if she approved the request for zoning today, could the applicants decide not to construct any ADA accessible housing.
Mr. Bellairs stated that this was not accurate, and the applicant would be required to meet ADA requirements, Building Codes, and Planning Codes. Mr. Bellairs also stated that depending on construction type, the applicant may be required to have a Planned and Development review and the request this evening was only for the zoning.

Ms. Phillips asked Mr. Whitford how the phasing for the construction of the homes would work.
Mr. Whitford explained that there would be three phases of homes built due to the size of the property and the first phase would consist of 26 tiny homes being constructed.

Ms. Warren asked Mr. Whitford how many acres the property was in total.
Mr. Whitford explained that the total property is seven acres.

Mr. Kimble asked Mr. Whitford if they had received any feedback from the surrounding property owners.
Mr. Whitford stated that he was not present, but one of his team members did speak to the surrounding property owners and there was no adverse response. Mr. Whitford also stated that their long-term recovery residential facility is located right next to this property and there have been no complaints from surrounding property owners.

Dr. Rosenberg asked Mr. Bellairs what would happen if the project fell through after the city had rezoned the property to District MP (Manufactured Home Park and Small Format Home District).
Mr. Bellairs stated there are building codes that restrict how a manufactured home park is constructed along with specific design requirements such as having a secure foundation and have a patio to create a courtyard pattern. Mr. Bellairs also stated that there must be communal improvements such as internal streets and community areas.

Dr. Rosenberg asked Mr. Bellairs if there were any opportunities for an individual to construct a manufactured home park if this project fell through.
Mr. Bellairs stated that if the project fell through and an applicant wished to construct a manufactured home park, they would be required to come before the Planning and Zoning Commission and complete a site plan review.

Mr. Kimble asked Mr. Bellairs if there was still a possibility that a manufactured home park could be constructed on the property if they followed the strict guidelines that are in place.
Mr. Bellairs stated that this was correct.

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

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

Jason Latleen of 1122 S Moffet asked to speak in opposition to this case.
Mr. Latleen stated he has lived at that address for thirteen years. Mr. Latleen

also stated concerns over the damage that he has incurred and concern about future damage. Mr. Latleen stated concerns over the decline in home values. Mr. Latleen explained he is against the construction of the tiny home village.

Ms. Phillips stated that she believes Mr. Latleen had meant to speak in opposition to the next case due to his address.

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

MR. SPRUCE MADE A MOTION TO APPROVE CASE 011-25. THIS MOTION WAS SECONDED BY DR. ROSENBERG. MOTION CARRIED. (7 IN FAVOR, 0 IN OPPOSITION)

JOPLIN
PLANNING, DEVELOPMENT, & NEIGHBORHOOD SERVICES

STAFF PLANNING REPORT
Rezoning

CASE 011-25 A request to rezone from District M-2 (Heavy Industrial) to District MP (Manufactured Home Park & Small Format Home District) – James Whitford

LOCATION 7 Acres between 12th St and 14th St, East of Iowa and West of the railroad track

APPLICANT James Whitford/Watered Gardens

EXISTING CONDITIONS

Zoning	Land Use	Property Size
M-2	Vacant	Approximately 7 Acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	M-2	M-2	R-3/C-1	R-3
Land Use	Vacant	Storage/Warehousing	Single-Family/Retail	Single-Family Homes

FUTURE LAND USE

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

TRANSPORTATION

Streets with access	Classification	Right-of-way width
E 12th St	Local	50′
E 14th St	Local	50′
S Iowa Ave	Local	50′
S Minnesota Ave	Local	50′
S Ohio Ave	Local	50′

UTILITIES

Utilities in place.

FLOOD PLAIN

The property is within the flood plain. The owner is aware they will have to work with Public Works and the developer's engineers in order to safely build in this area and not displace floodwater.

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

This request is consistent with the Comprehensive Plan, which encourages the integration of compatible land uses, including mixed uses. Small format housing developments place an emphasis on a communal style of development, including public spaces and walkability. The small format home use is less intensive than Heavy Industrial, while still more intensive than a single-family neighborhood. This walkable/communal style of development is the optimal way to create a nice transition to integrate mixed uses.

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

The property is located within the flood zone, which makes it difficult to develop this site. The added costs associated with this make it unsuitable for a new Industrial development. A Small Format Home District is less intensive than Industrial uses and will better integrate with the surrounding Residential and Neighborhood Commercial uses.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in use is less intensive. The proposed use will require the utilization of strategies that the Comprehensive Plan identifies as a means to integrating Mixed-Use areas.

DISCUSSION

Watered Gardens wishes to develop a supportive housing community to assist those who are disabled and/or homeless.

City Staff recommends approval of Case 011-25.

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.: 011-25
Filing Fee: $600.00
Received: 2/3/25
Date Advertised:
Proj. No.: 25-016
Public Hearing Date: 3/10/25

Applicant: JAMES WHITFORD / DAVID GLENN Phone No.: (417) 623-6030
TheGlenngroup@yahoo.com D.GLENN (417) 434-4845
Address: 531 KENTUCKY AVE Email: james@wateredgardens.org

Owner: WATERED GARDENS Phone No.: (417) 623-6030

Address: 531 KENTUCKY AVE Email: james@wateredgardens.org

Location of Property: SEE ATTACHED (7 ACRES BETWEEN 12th & 14th / IOWA & OHIO

Present Use of Property: VACANT LAND

Proposed Use of Property: TINY HOME DEVELOPMENT

Current Zoning: M-2 Requested Zoning: MP

Surrounding Land Use and Zoning:

	Land Use	Zoning
North	Office	M-2
South	Single-family/retail	R-3/C-1
East	Storage/Warehousing	M-2
West	Single-Family	R-3

Character of the Neighborhood: Commercial/Industrial/Residential (Mixed)

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: _____

_____

_____

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: MINNESOTA, OHIO, 12th & 14th

_____

Classification of Street(s):

Arterial ☐ Collector ☐ Local ■

Right-of-Way Width: _____

Subdivision Platting:

Yes	No	
☐	■	Is platting required?
☐	☐	Are lots appropriately sized? NA
☐	☐	Is street right-of-way appropriately sized? NA

☐ ■ Are drainage and utility easements adequately sized and provided?

Additional Platting Comments: TBD

Unique Characteristic of Property and/or Additional Comment:

PROPOSED "TINY HOME" DEVELOPMENT

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: _____ **Date:** 2/3/25

Statement on rezoning

From: James Whitford (james@wateredgardens.org)

To: theglenngroup@yahoo.com

Cc: travis@wateredgardens.org

Date: Sunday, February 2, 2025 at 06:32 PM CST

David,
Here's the statement you requested. Take a look and if you or Travis have any edits, go for it. Let me know if you need anything else.

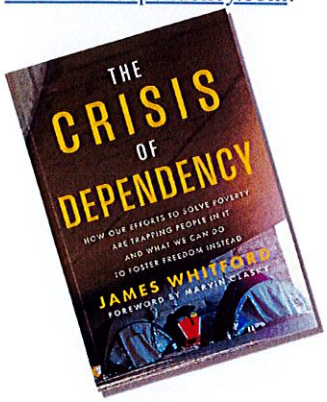
The request for rezoning is based on the need for a housing solution that will address a particular segment of our community who are disabled and chronically homeless. We expect no significant changes in traffic since most of the future residents do not drive and the site does not border a main thoroughfare. Currently, the site is wooded and has been a frequent place the homeless encamp. Once developed and in use, there will be less risk of fire, theft, and drug use. Across the U.S., Joplin included, a sharp rise has been noted in unsheltered homelessness over the last 10 years. Lack of affordable housing supply has been a significant part of that problem and, in part, the future development of a permanent supportive housing tiny home community answers it.

For Charity and Liberty,

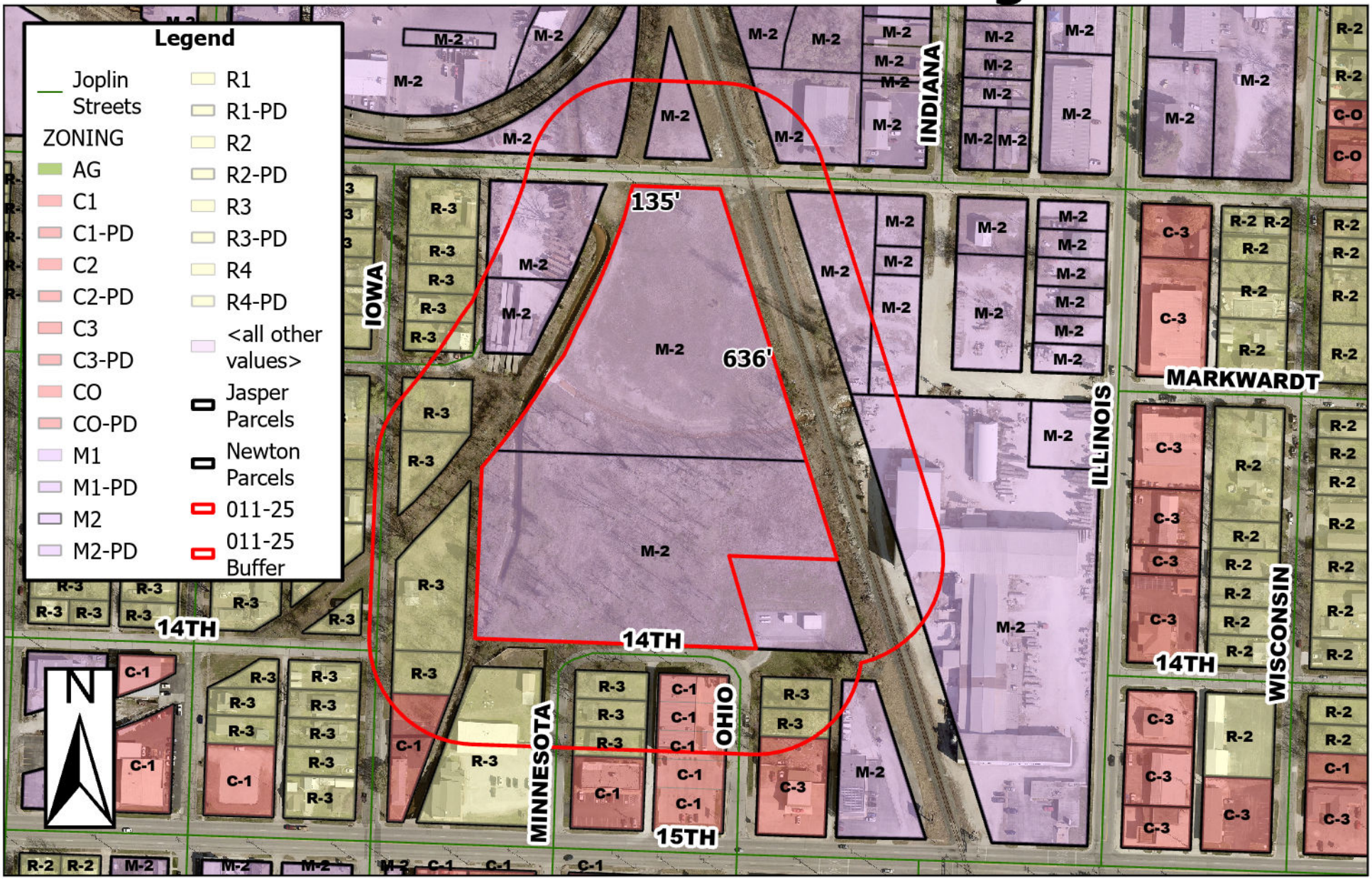
James C. Whitford
Co-founder, Executive Director

TRUE CHARITY®
Real compassion. Real results.

Learn more about my new book at
thecrisisofdependency.com!



Case 011-25: Rezoning



7 Acres between 12th St and 14th St, East of Iowa and West of the railroad track – Rezoning – A request to rezone from District M-2 (Heavy Industrial) to District MP (Manufactured Home Park & Small Format Home District) – James Whitford

0 85 170 340 510 680 Feet

P & Z Case 011-25
Watered Gardens – James Whitford
(P & Z Recommended to Approve)

COUNCIL BILL NO. 2025-266 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 MP (Manufactured Home Park & Small Format Home District) property as described below and generally known as approximately seven acres between E 12th St and E 14th St, East of Iowa Ave and West of the railroad track, 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 MP (Manufactured Home Park & Small Format Home District).

PART OF A TRACT DESCRIBED IN BOOK 2664, PAGE 114 IN THE RECORDER OF DEEDS OFFICE IN JASPER COUNTY, MISSOURI, BEING ALL OF PARCELS 415 AND 418 AND PART OF PARCEL 426 IN MISCELLANEOUS TRACT NUMBERED 46 BEING A PART OF SECTION 11, TOWNSHIP 27 NORTH, RANGE 33 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF JOPLIN, JASPER COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID MISCELLANEOUS LOT 46, SAID POINT BEING ON THE WEST RIGHT OF WAY OF KANSAS CITY SOUTHERN RAILROAD; THENCE ALONG SAID WEST RIGHT OF WAY NORTH 17°24'38" WEST, 210.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST RIGHT OF WAY NORTH 17°24'38" WEST, 636.94 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF 12TH STREET; THENCE ALONG SAID SOUTH RIGHT OF WAY NORTH 88°08'39" WEST, 135.82 FEET TO A POINT ON THE EAST RIGHT OF WAY OF A RAILROAD SPUR; THENCE 525.29 FEET ALONG SAID EAST RIGHT OF WAY ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 1433.00 FEET, A CHORD DIRECTION OF SOUTH 28°33'00" WEST, A CHORD LENGTH OF 522.35 FEET TO A POINT ON THE EAST RIGHT OF WAY OF AN ALLEY; THENCE ALONG SAID EAST RIGHT OF WAY SOUTH 02°08'48" WEST, 330.61 FEET TO A POINT ON THE AFORESAID NORTH RIGHT OF WAY OF 14TH STREET; THENCE ALONG SAID NORTH RIGHT OF WAY SOUTH 87°56'55" EAST, 442.12 FEET; THENCE LEAVING SAID NORTH RIGHT OF WAY NORTH 17°33'28" WEST, 210.00 FEET; THENCE SOUTH 87°59'52" EAST, 210.00 FEET TO THE POINT OF BEGINNING. CONTAINING 6.95 ACRES, MORE OR LESS. SUBJECT TO ANY AND ALL EASEMENTS OF RECORD. BEARINGS BASED ON GRID NORTH OF THE

MISSOURI STATE PLANE COORDINATE SYSTEM OF 1983, WEST ZONE.

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