CB 2018-255

Case 012-18: 210 S. Duquesne Road – A request to rezone from Single Family Residential District (R1) to Apartment Housel District (R3) – The Doris Carlin Team for RBC Enterprises Limited Inc.

Mr. Troy Bolander, City Staff, stated there had been a mistake on the advertising. This piece of property is in two tracts. The North tract was advertised and not the south tract. We did advertise as a public hearing and anyone can speak for or against this case. We will re-advertise and send letters out to the property owners to notify them when the next meeting will be. Staff does recommend that this case be stricken.

Mr. Duncan stated that since we have opened a public hearing people have the right to speak but we will not vote on the issue today and the case will come back to the Commission.

Nancy Morton, 2630 S. Everest, Rogers, Arkansas asked if it is continued for decision can a person request that the public hearing be continued?

Mr. Bolander stated there will be another public hearing. Everyone will have the opportunity to speak again.

Mr. Duncan stated that if we are continuing with the public hearing there are two Commissioners that need to abstain, Mrs. Bruckner-Sears and Mr. Dermott.

Mr. Duncan asked if there was anyone else to speak in favor of this case?

Doris Carlin, 3234 Westberry Square, Joplin, MO. Mr. Benson is under contract for this property contingent on it being rezoned. It is a good repurpose for this property and it is his preference to rezone all the property at the same time.

Mr. Duncan asked if there were any questions from the Commissioners?

Mr. Ramsour wanted to know if the existing house that is on the property will remain?

Mrs. Carlin stated that was correct. There will be no structures removed, it will be repurposed.

Mr. Ramsour asked about the solar panels in the field.

Mrs. Carlin stated they will come out but no structures will be removed.

Mr. Duncan asked if there was anyone to speak against this case?

Ann Patterson Doyle, 220 S. Duquesne Rd., Joplin, MO. Mrs. Doyle stated that she objected to the rezoning for three (3) reasons. 1. No necessity; 2. Negative impact on tax payers and land owners; 3. The need to preserve the unique value of the area. Mrs. Doyle explained that this proposal only profits the land developer. If this proposal is for the university and students, then

there are existing options that accomplish this purpose without the need of any change to existing zoning. She also stated that there is land for sale at 7th and Duquesne, 25 acres and 5-acre parcels. The negative impact includes tax payer costs, installation of infrastructure, city utilities, widening of Duquesne Road, decrease of property values, and increase insurance, traffic, noise and police presences. The third reason is to preserve the unique value of the area. Mrs. Doyle went over the history of the land, stating that the Great Western Spring was nearby.

Mr. Duncan asked the Commissioners if they had questions for Mrs. Doyle.

Mr. Ramsour asked where Mrs. Doyle reside.

Mrs. Doyle gave her address and lives to the west of discussed property.

Mr. Ramsour asked who own the property now?

Mrs. Doyle stated that the owner is Michael and Margo Patterson and has been vacant since November 9, 2017.

Mr. Duncan asked if there were any other questions? There were not. He also asked if there was anyone else that would like to speak against this case.

Rea Ross, 407 Noel Drive, Joplin, MO. Her property is to the south of 220 Duquesne. The history on 407 Noel Drive is the stables. Mrs. Ross is getting ready to remodel because it is a wonderful place to live. The apartments would be in their backyard.

Mr. Duncan wanted to know how she accessed her house?

Mrs. Ross stated that off Duquesne there is a little road called Noel that dead ends.

Steve Weldon, 1901 Quincy Street, Joplin, MO. He doesn't live near the property in question, but recently retired as the Director of the records research center in Carthage, MO. The Great Western Spring could be an important part of our district and important part of our area. The house as far as he knows is the oldest house in Joplin and one of the few remaining Ante Bellum homes in the area. He stated that rezoning the area for building could damage the area for any Archeological study, anything in the future could be impossible.

Mrs. Koelkebeck asked Mr. Weldon when he is speaking of the oldest home is he speaking of the 210 home. He stated no but the whole district is what is the concern.

Nancy Morton, 2630 S. Everest, Rogers, Arkansas. Mr. Weldon's reference to the Native Artifacts, in Historic Preservation you don't know what you have until you investigate it. Archeological study is most appropriate if we are given the opportunity.

Mr. Duncan asked Mrs. Morton if there had ever been any discussion of preserving this property?

Mrs. Morton stated there had not. This has triggered the discussion and we will consider it. Section 106 hearings for these types of issues or EPA, Native American issues and if Federal funds are involved the city always must be involved.

Mr. Duncan stated that the property hasn't sold yet, and the owners are not in attendance. We are here for rezoning and historic discussions are for another time.

Mr. Bolander stated that was correct. It is a separate issue from rezoning. When deciding on rezoning, the Commissioners look at several things; character of the neighborhood, zoning of properties nearby, and how this may negatively affect neighbor's property. There are no government funds used on this property. The private property owner does have rights on what they want to do with their property. If it wasn't rezoned and sold, the owner/developer could go in and demolish the home and build new homes on that property. The property owner could potentially replat and make 30 lots for 30 new single-family homes.

Mr. Duncan asked if there was anyone else to speak against this case? There were not. This case is closed.

Mr. Bolander recommended striking from the agenda.

MR. CORTEZ MOVED, SECONDED BY MR. RAMSOUR TO STRIKE CASE 012-18. MOTION CARRIED, WITH MR. DUNCAN, MR. CORTEZ, MR. RAMSOUR, MRS. KOELKEBECK, AND MRS. STEELE VOTING "AYE" AND MR. DERMOTT AND MRS. BRUECKNER-SEARS "ABSTAIN" (5 IN FAVOR, 0 NAYS, 2 ABSTAIN).