City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: May 7, 2018

Item: COUNCIL BILL NO. 2018-255
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Copy of Council Bill 2018-255
2) Planning Report
3) Commission Minutes

Planning/Community Development Manager: Troy Bolander
Finance Director: Leslie Haase
City Attorney: Peter C. Edwards
City Manager: Samuel L. Anselm
Board or Commission: Planning and Zoning Commission Date: 04/9/18

Recommended Action: Planning and Zoning Commission recommended to strike by a vote of "5 in Favor, 0 Nay, 2 Abstain."

SUMMARY/REQUEST:
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.

STAFF SUMMARY:
RBC Enterprises Limited, Inc. wishes to rezone the subject property with the intention to someday develop high-quality moderately-priced apartments for MSSU students. Other than living on campus, there are very few options for safe, affordable housing within walking distance of MSSU. With over 6,200 students enrolled, this development would provide much-needed housing for students that might not have transportation.

Staff recommends approval of Case 012-18.

PLANNING & ZONING COMMISSION TESTIMONY:
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.

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.

PUBLIC COMMENT:
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, 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 resides.

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

Mr. Ramsour asked who owns the property now?

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

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 Road 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 antebellum 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.

Nancy Morton, 2630 S. Everest, Rogers, Arkansas. In reference to Mr. Weldon's comment about 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. This has triggered the discussions of Historic Preservation for this property and we will consider it. Section 106 states that for Historical Preservation, hearings for these types of issues or EPA, Native American issues and if Federal funds are involved, then the city must always be involved.