City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: May 7, 2018

Item: COUNCIL BILL NO. 2018-256
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Copy of Council Bill 2018-256
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 approval by a vote of "7 in Favor, 0 Nay."

SUMMARY/REQUEST:
Case 013-18: Adjacent and South of I-44 at Exit 1 – A request to rezone from Single Family Residential District (R1) to Commercial District (C3) – Bill Richert.

STAFF SUMMARY:
This property was recently annexed into the city and was automatically given the zoning of R-1. The property owner's current plan is to put a gas station there, and possibly a hotel later. This property is near I-44 and makes it appropriate for commercial use. The property directly to the East will be impacted by the rezoning. That property is rural residential and is not part of the City of Joplin. The adjacent property, which is low-density residential may be affected by this change.

PLANNING & ZONING COMMISSION TESTIMONY:
Bill Richert, 6033 S Quebec Ave., Tulsa Oklahoma. He is one of the principals in this property and we are requesting rezoning from R-1 to C-3 zoning. This property was previously used as a restaurant, Nickerson Farms. It is a 14-acre tract with two (2) access points from the outer road.

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

Mrs. Koelkebeck wanted to ask staff if there was an error on the staff planning report it states street access off Duquesne Road?

Mr. Bolander stated that was probably a cut and paste error, that property would not have access from Duquesne Road. Some of you might remember it was Nickerson Farms, a travel stop a long time ago.

Mr. Cortez asked if this rezoning was for construction of a gas station?

Mr. Richert stated that was not correct. We don't have plans right now to develop it ourselves. We have had inquiries from convenient store users and hotel users. We think this location would be great for hotel, for a restaurant or a C-Store.

PUBLIC COMMENT:
Nick and Tamara Breelove, 1645 Outer Road, Joplin, MO. They are against this rezoning because of the crime rate. Since the casino went in, the crime rate has gone up significantly. Should they put a gas station, there is the possibility of fouling the water supply. Mrs. Breelove stated with the casino, and all the security, we have people walking up to our daughter's house.

Mr. Ramsour asked if Mr. and Mrs. Breelove lives in the city limits?

Mrs. Breelove stated that at the end of the driveway is the city limits.

Mr. Ramsour asked how long they have lived there?

Mrs. Breelove stated her great-grandfather owned the land and the whole family lives on the 15 acres.