City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: April 16, 2018

Item: COUNCIL BILL NO. 2018-253
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

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

Planning/Community Development Manager: Troy Bolander
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 "6 in favor, 1 Abstained."

SUMMARY/REQUEST:
Case 015-18: 7414 E. 32th Street – A request to rezone from Single Family Residential District (R1) to Neighborhood Commercial District (C1) – Thomas Christensen.

STAFF SUMMARY:
The applicant wishes to rezone this property to Neighborhood Commercial (C-1) for the intended use of light retail development. There is currently a house on the property, but no adjacent properties are zoned residential. Based on the Comprehensive Plan, this property is appropriate for the requested zoning.

Staff recommends approval of Case 015-18.

PLANNING & ZONING COMMISSION TESTIMONY:
Thomas Christensen, 7414 E 32nd Street, Joplin, MO. He is the owner of the property and his own agent representing a contract for purchase of this property. The intension of the purchaser is not clear, but they thought C-1 zoning would be appropriate. They had mentioned retail or possibly an event center. It will be low impact compare to the rest of the neighborhood.

Mr. Duncan asked Mr. Bolander if C-1 zoning covers an event center or something in that category?

Mr. Bolander stated typically not an event center. He would recommend a C-3 zoning for that. C-1 does allow light retail, it is neighborhood smaller operations. If the new owners want an event center they will have to come back and rezone to C-3. There is a lot of mix zoning out in that area. Our plan does show heavy commercial and heavy industrial. This case does fit within the plan.

PUBLIC COMMENT: None.

CB 2018-253

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Mr. Seth Dermott abstained himself from Case 015-18 for the fact that he works with Mr. Tom Christensen.

Thomas Christensen, 7414 E 32nd Street, Joplin, MO. He is the owner of the property and he is acting as the owner/agent representing a buyer for the purchase of this property. The intension of the purchaser is not clear, but they thought C-1 zoning would be an appropriate zoning. They had mentioned retail or possibly an event center. It will be low impact compare to the rest of the neighborhood.

Mr. Duncan asked Mr. Bolander if C-1 zoning covers an event center or something in that category?

Mr. Bolander stated typically not an event center. He would recommend a C-3 zoning for that use. C-1 does allow light retail, the C-1 district is a less intensive commercial district that permits less intensive commercial operations. If the new owners wants an event center, they will have to come back and rezone to C-3. There is currently many mixed zoning districts in this area. Our plan does show heavy commercial and heavy industrial. The proposal does fit within the plan.

Mr. Ramsour asked if Jasper Products building was empty?

Mr. Christensen stated it was not. Mr. Christensen mentioned the gentleman that owns Protein Solutions leases it to Jasper Products and the lease is up in August.

Mr. Ramsour stated it didn't look like it was open.

Mr. Duncan asked if there were any other questions for Mr. Christensen.

Mrs. Steele wanted to verify the zoning request. On the application it shows C-?, but there were discussion for C-1 and C-3 zoning districts.

Mr. Duncan stated that it will be for C-1 zoning.

MRS KOELKEBECK MOVED, SECONDED BY MRS. BRUCKNER-SEARS TO APPROVE CASE 015-18, BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MR. DUNCAN, MR. CORTEZ, MR. RAMSOUR, MRS. BRUCKNER-SEARS, MRS. KOELKEBECK, AND MRS. STEELE VOTING "AYE" AND MR. DERMOTT "ABSTAIN". (6 IN FAVOR, 0 NAYS, 1 ABSTAIN).

Z&P Meeting: April 9, 2018
City Council Meeting: April 16, 2018

STAFF PLANNING REPORT
Rezoning

CASE 015-18 A request to rezone from R-1 (Single Family Residential) to C-1 (Neighborhood Commercial District)

LOCATION 7414 E. 32nd Street

APPLICANT Thomas Christensen

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-1	Residential	5 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	C-3	M-2	N/A	N/A
Land Use	Commercial	Industrial	Vacant	Vacant

FUTURE LAND USE

Joplin's Future Land Use Map shows this lot as Retail Commercial.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
East 32nd Street	Arterial	50'

UTILITIES Utilities need to be extended to this property.

FLOOD PLAIN N/A

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

Rezoning this property to Neighborhood Commercial would be consistent with surrounding uses, because there is a mix of zoning districts in this vicinity.

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

Rezoning this property to commercial would be consistent with surrounding uses.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

Rezoning will minimally impact surrounding properties.

DISCUSSION

The applicant wishes to rezone this property to Neighborhood Commercial (C-1) for the intended use of light retail development. There is currently a house on the property, but no adjacent properties are zoned residential. Based on the Comprehensive Plan, this property is appropriate for the requested zoning.

Staff recommends approval of Case 015-18.

ATTACHMENTS

- Application



0 145 290 580 870 1,160 Feet

Case 015-18: 7414 E. 32nd Street -- A request to rezone from Single Family Residential District (R1) to Neighborhood Commercial District (C1) -- Thomas Christensen

N

P & Z Case 015-18
Thomas Christensen
(P & Z Recommended Approval)

COUNCIL BILL NO. 2018-253 ORDINANCE NO.

AN ORDINANCE amending Ordinance No. 2004-256, passed by the Council of the City of Joplin, Missouri, November 15, 2004, by removing from District R-1 and including in District C-1 property as described below and located 7414 East 32nd Street in the City of 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. 2004-256 is hereby amended by removing the following described property from District R-1 and including same in District C-1:

BEG 358.17' W & 41.83' S NE COR NW1/4 NE1/4 S 490' W 418' N 490' E 418' TO POB of SECTION 22, TOWNSHIP 27, RANGE 32, LOCATED IN THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI

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 for thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of _____, 2018, by a vote of _____.

_____
Gary L. Shaw, Mayor

ATTEST:

_____
Barbara Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney

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zoning out in that area. Our plan does show heavy commercial and heavy industrial. This case does fit within the plan.

PUBLIC COMMENT: None.
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Staff recommends approval *of* Case

015-18. ATTACHMENTS

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Feet

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P & Z Case 015-18
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Gary L. Shaw, Mayor

ATTEST:

Barbara Gollhofer, City

Clerk APPROVED AS TO

FORM:

Peter C. Edwards, City Attorney