CITY OF JOPLIN COUNCIL
AGENDA ITEM

ITEM:
CB 2022-265 – Rezone R-3 to C-3.

MEETING DATE:
May 2, 2022

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, City Manager-Nicholas Edwards.

SUMMARY REQUEST:
Case 026-22: 655 Lavender Ln. A request to remove from District R-3 (Apartment House) and include in District C -3 (Commercial) for future commercial development – Samantha Schneickert.

BACKGROUND:
This request is consistent with the Comprehensive Plan. The future land use map does indicate future retail commercial, and C-3 zoning is appropriate to coincide with that designation. This request to rezone to C-3 Commercial is appropriate for this property. The E. 7th St. corridor has been designated as a future Retail Commercial area.

PLANNING & ZONING COMMISSION TESTIMONY:
Samantha Schneickert, 5502 W. 34th Pl., Joplin, MO. We would like to purchase this lot and build storage facility, laundromat, and a home base for a diaper bank for the Central Christian Center.

PUBLIC COMMENT:
Lori Alburty, 100 Lavender Ln., the traffic is horrible to get in and out, especially at night. The back part of that lot is in a flood plain. To left there is a drainage ditch that will overflow into people's driveway/backyards.

Mr. Stanton stated that with any commercial development in the city limits, they are required to meet the stormwater regulations. Those include both Federal EPA and FEMA regulations, as well as our own city regulations. What they cannot do is create more of a problem.

Wendy Bruner, 4222 University Circle, Joplin, MO. The neighborhood that abuts to this property is a nice residential area. I am concerned about what we will be looking at in our back yards when this is built?

Mr. Stanton stated that there have not been any building plans received. The back third of this property is going to be in a flood zone.

RECOMMENDATIONS:
Staff recommends approval for Case 026-22.
Planning & Zoning Commission recommends approval for Case 026-22 (7 Favor, 0 Nays).

ATTACHMENTS
CB 2022-265, Staff Planning Report, P&Z Commission Minutes

CB 2022-265

Case 026-22 - 655 S. Lavender Ln. – A request to remove from District R-3 (Apartment House) and include in District C-3 (Commercial) for future commercial development – Samantha Schneickert.

Samantha Schneickert, 5502 W. 34th Pl., Joplin, MO. We would like to purchase this lot and build storage facility, laundromat, and a home base for a diaper bank for the Central Christian Center.

Ms. Phillips stated that there is a lot of commercial properties on 7th Street. Why was that zoned R-3? Just a holdover from years ago?

Mr. Stanton stated that he believed at one time there was a proposal for multi-family use there.

Ms. Brueckner-Sears asked if there was anyone else that would like to speak in favor of this request? There were none. Ms. Brueckner-Sears asked if there was anyone in opposition to this request?

Lori Alburty, 100 Lavender Ln., the traffic is horrible to get in and out, especially at night. The back part of that lot is in a flood plain. To left there is a drainage ditch that will overflow into people's driveway/backyards.

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Wendy Bruner, 4222 University Circle, Joplin, MO. The neighborhood that abuts to this property is a nice residential area. I am concerned about what we will be looking at in our back yards when this is built?

Mr. Stanton stated that there have not been any building plans received. The back third of this property is going to be in a flood zone. We do have buffer requirements in the city limits.

Ms. Brueckner-Sears asked if there was anyone else to speak against this request? There were not.

MR. KIMBLE MOVED, SECONDED BY MR. EASTMAN THAT CASE 026-22 BE FORWARDED TO THE CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL. MOTION CARRIED WITH MS. BRUECKNER-SEARS, MR. EASTMAN, MR. MCCULLOUGH, MS. STEELE, MR. KIMBLE, MS. WARREN, AND MS. PHILLIPS "AYE" (7 IN FAVOR, 0 NAYS)

Z&P Meeting: April 11, 2022
City Council Meeting: May 2, 2022

JOPLIN
PLANNING, DEVELOPMENT, & NEIGHBORHOOD SERVICES

STAFF PLANNING REPORT
Rezoning

CASE 026-22 A request to remove from District R-3 (Apartment House) and include in District C-3 (Commercial) for future commercial development

LOCATION 655 Lavender Ln.

APPLICANT Samantha Schneickert

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-3	Vacant	Approximately 8.6 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	Out of City Limits	Out of City Limits	Out of City Limits	R-1/Out of City Limits
Land Use	Single-family residential	Single-family residential	Single-family Residential	Single-family Residential

FUTURE LAND USE

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

TRANSPORTATION

Streets with access	Classification	Right-of-way width
S. Lavender Ln	Private	0'
E. 7th St.	Arterial	165'

UTILITIES

Utilities in place.

FLOOD PLAIN

The northern 1/3 of the property is in the flood plain.

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

This request is consistent with the Comprehensive Plan. The future land use map does indicate future retail commercial, and C-3 zoning is appropriate to coincide with that designation.

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

The current zoning of R-3 is suitable for this property.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning will not be detrimental to nearby property. This corridor is in transition to more dense commercial uses like those right on the corner of E. 7th St. and S. Duquesne Rd. Buffer requirements will be required where this property abuts residential zoning.

DISCUSSION

This request to rezone to C-3 Commercial is appropriate for this property. The E. 7th St. corridor has been designated as a future Retail Commercial area by the Comprehensive Plan and Future Land Use Map, and, as an arterial-level street, commercial uses, such as those permitted in C-3, would be appropriate.

Staff recommends approval of Case 026-22.

ENCLOSURES

- Map of property
- Application

REZONING APPLICATION FORM

Return Form to:
Planner
Joplin City Hall
602 S. Main Street
Joplin, Missouri 64801
417-624-0820 Ext. 1511
FAX 417-625-4738

For Office Use Only

Case No.: 026-22
Filing Fee: $550.00
Date Advertised: 3-26-22
Date Notices Sent 3-2822
Public Hearing Date: 4-11-22

APPLICANT: Samantha Schneickert PHONE: 573 999 4976
ADDRESS: 5502 W 34th Pl, Joplin MO 64804 EMAIL: Sbpotucek@yahoo.com

OWNER: Glen Davidson PHONE:
ADDRESS: 7 Deer Run Drive, Joplin MO 64804 EMAIL:

LOCATION/ADDRESS OF PROPERTY: 655 S Lavender Ln, Joplin MO ~~64804~~ 64801

Present Zoning R-3 Residential Requested Zoning: C3 Acreage: 8.6
Present Use of Property: none, empty lot

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Not in city limits	Agricultural
South	Not in city limits	Residential
East	Not in city limits	Agricultural
West		

Character of the Neighborhood: Mixture of residential and commercial businesses. Close to University Plaza, MSSU, and not far from 7th & Rangeline retail area.

RELATIONSHIP TO EXISTING ZONING PATTERN:

1. Would proposed change create a small, isolated district unrelated to surrounding districts?
   No, businesses located near by to East and West
2. Are there substantial reasons why the property cannot be used in accord with existing zoning? Yes
   If yes, explain: Plans to build a business on this lot that would not be allowed with residential zoning.

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. Consistent with Development Policies? yes
2. Consistent with Future Land Use Map? yes

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: 7th Street
2. Classification of Street(s):
   Arterial X Collector _____ Local _____
3. Right-of-Way Width: 160 ft
4. Will turning movements caused by the proposed use create an undue traffic hazard?
   No

IS PLATTING OR REPLATTING REQUIRED IN ORDER TO PROVIDE FOR:

1. Appropriately Sized Lots? No
2. Properly Sized Street Right-of-Way? No
3. Drainage Easements? No
4. Utility Easements:
   - Electricity? No
   - Gas? No
   - Sewers? No
   - Water? No
5. Additional Comments: _____

UNIQUE CHARACTERISTIC OF PROPERTY AND/OR ADDITIONAL COMMENT:

THE FOLLOWING **MUST** ACCOMPANY YOUR APPLICATION:

1. One copy of a legal description of the property proposed to be rezoned from a deed or certified survey. Must be legible.
2. 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.
3. Owner Affidavit and Agent Affidavit, if applicant applying for the rezoning is not the owner of the property be rezoned

SIGNATURE: Samantha Schneickert DATE: 3- -22

TITLE: Buyer

Derek and Samantha Schneickert
REASON FOR REZONING

Derek and Samantha Schneickert would like to purchase the lot at 655 S Lavender Ln, Joplin MO 64801 contingent on it being rezoned C3 for commercial use. They have future plans of building a large upscale storage facility and small upscale laundry mat. This storage facility will also be used to run a non-profit diaper bank for the Joplin and Carl Junction communities.

There will be no increased danger of fire hazards and 7th street has plenty of right of way to accommodate for any increased traffic in the area due to the construction of these businesses. The laundry mat will be a smaller facility that may accommodate 15-20 customers at a time max. Storage facilities are shown to not significantly increase traffic and usually only have a few customers pre sent at one time. The diaper bank will be operating out of this facility but will not increase traffic because distribution of diapers will occur at a local church or WIC office, not the facility itself.

This proposed change will increase the visual appeal of the area leading into University Plaza and the Rangeline shopping district for anyone entering the city on 7th street off of Hwy 249. The Schneickerts' plan to design the front of the businesses upscale to match and improve the character of this entrance into the city. They plan to have an appealing landscape all around the fenced-in facility with video surveillance to maintain the safety of the area. They also plan to use solar energy to minimize fossil fuel emissions and decrease costs. There is already a significant number of established trees on the west side of Lavendar lane to shield residential homes from any light or unappealing looks created by the facility. These homes are located towards the back half of the lot and expansion to this area is not anticipated for years if at all due to the Turkey Creek flood plain. If the storage facility expands to the back half of this lot the owners plan to extend the visual appeal of the front of the business down Lavendar Ln in order to not cause an eye sore to the residents from their back yards when the trees are not in full bloom.

Storage facilities and laundry mats contribute a sizable amount of property taxes to the local government due to commercial tax rates. In order for this benefit to be possible for the City of Joplin this land would need to be rezoned to C3. Derek is a Joplin Native and local dentist who wants to help improve his community any way possible. Samantha has a passion to help low-income families in the local school districts.

They believe this facility will be a great business opportunity for the Joplin area. Most storage facilities around have waiting lists for the most common sizes plus the laundry facility would be close to MSSU. It will be a family business that is run by a Joplin native and a family dedicated to improving their community. The more they succeed in this business adventure the more Joplin will benefit.

STATE OF _____)
) ss.
COUNTY OF _____)

OWNERSHIP AFFIDAVIT AND CONSENT

Comes now Glen R. Davidson (Property Owner) who, being duly sworn upon his/her oath, does state that he/she is the owner of the property described as (see below) _____ (legal description) more commonly known as 655 Lavender Lane. I am unable to attend the Joplin Planning and Zoning meeting but would like my comments to be heard by the Commission. I hereby nominate and give consent for Derek Schneichert and/or Samantha Schneichert to speak on my behalf and act as my Agent at the meeting in Case Number _____.

Date: 3/4/22

Signature of Owner

Glen R. Davidson
Printed Name

In witness whereof I have hereunto subscribed my name and affixed my official seal this 4th day of March, 2022.

Notary

My commission expires: _____

Shelby Elaine Arehart
Notary Public-Notary Seal
State of Missouri, Jasper County
Commission #21453992
My Commission Expires: 9/14/2025

Note: The local legislative body reserves the right to rezone property without the owner's consent for the purpose of promoting health, safety, morals, or the general welfare of the community. The Missouri Revised Statutes Chapter 89 (Zoning and Planning) authorizes this power to the legislative body.)

LEGAL DESCRIPTION:
All of a tract of land described as follows; Beginning 25 ft E of the SW corner of the SE 1/4 of the SW 1/4 of Section 5, Tnp 27, Range 32, Jasper County, Missouri, thence E 300 ft, thence N 1,320 ft, thence W 300 ft, thence S 1,320 ft to the point of beginning.

STATE OF _____)
) ss.
COUNTY OF _____)

AGENT AFFIDAVIT AND CONSENT

Comes now Samantha Schneickert (Agent) who, being duly sworn upon his/her oath, does state that he/she is the representative speaking on behalf of the owner Glen Davidson (Owner) of the property located at 655 S. Lavender Ln, for Case Number _____.

Date: 3-4-22

Samantha Schneickert
Signature of Agent

Samantha Schneickert
Printed Name

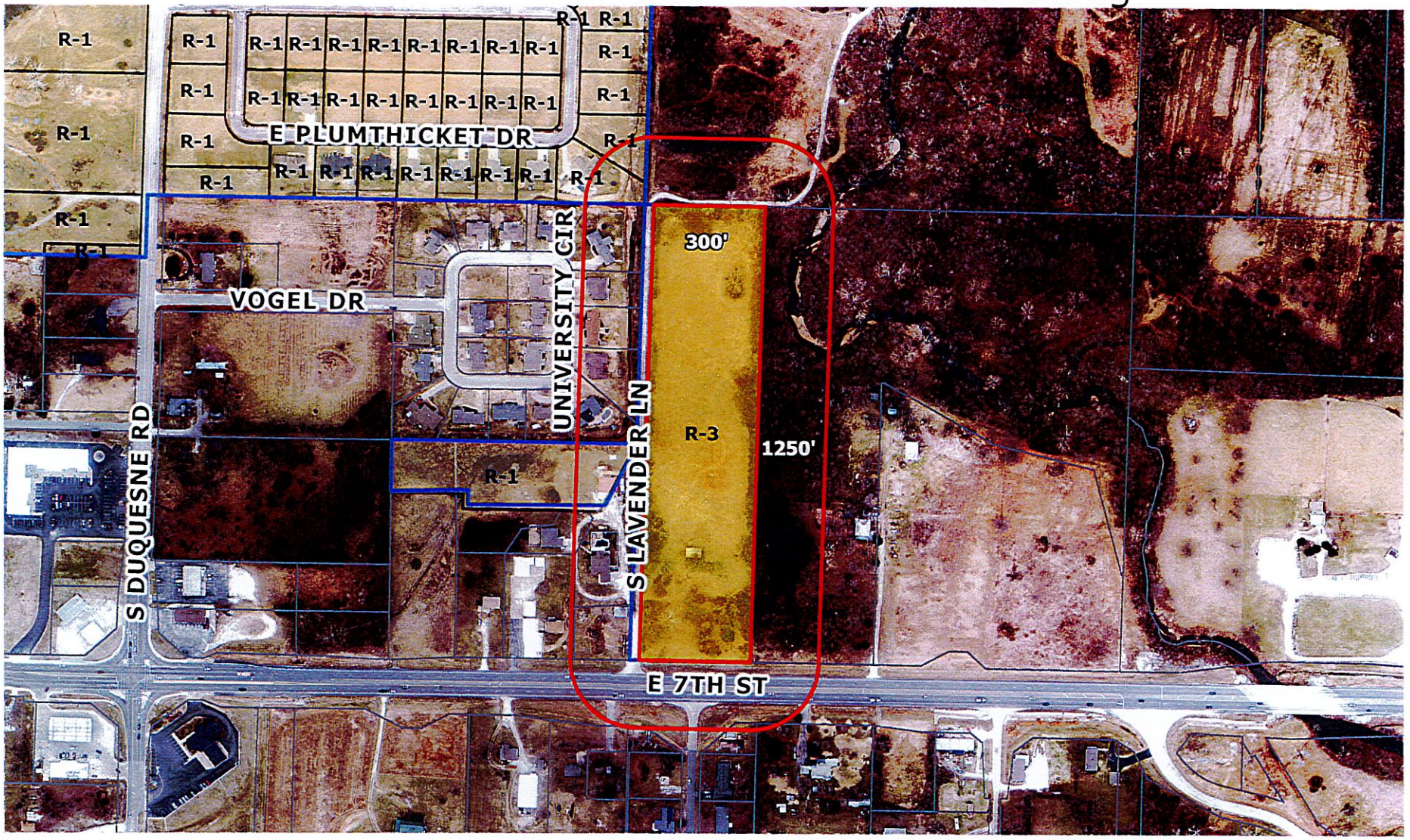
In witness whereof I have hereunto subscribed my name and affixed my official seal this 4th day of March, 2022.

Shelby Elaine Arehart
Notary

My commission expires: 09/14/2025

Shelby Elaine Arehart
Notary Public-Notary Seal
State of Missouri, Jasper County
Commission #21453992
My Commission Expires: 9/14/2025

Case 026-22: 655 S. Lavender Ln. - Rezoning



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Joplin City Limits

0 150 300 600 900 1,200 Feet

N

P & Z Case 026-22
Samantha Schneickert
(P & Z Recommended Approval)

COUNCIL BILL NO. 2022-265 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-3 (Apartment House) and including in District C-3 (Commercial) property as described below and located at 655 S. Lavender Ln.., 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 the following described property and including in District C-3.

All of a tract of land described as follows: Beginning 25 feet East of the Southwest corner of the Southeast Quarter of the Southwest Quarter of Section 5, Township 27, Range 32, Jasper County, Missouri, thence East 300 feet, thence North 1320 feet, thence West 300 feet, thence South 1320 feet to the point of beginning.

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_____, 2022, by a vote of _____.

_____
Douglas W. Lawson , Mayor

ATTEST:

_____
Holly Nagy, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney