Z&P Meeting: March 9, 2020
City Council Meeting: May 18, 2020

# STAFF PLANNING REPORT
## Rezoning

**CASE 040-19** A request to remove from District M-2-PD (Heavy Industrial District Planned Development) and include in District R-3 (Apartment House District) for the purpose of future residential development.

**LOCATION** 3110 E 13th St.

**APPLICANT** Phong Nguyen

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**EXISTING CONDITIONS**

| Zoning | Land Use | Property Size |
|---|---|---|
| M-2-PD | Vacant | 0.86 Acres |

**SITE CONTEXT**

| | North | East | South | West |
|---|---|---|---|---|
| Existing Zoning | R-3 | Outside City Limits | C-3 | C-3 |
| Land Use | Sing-family Residential | Single-family Residential | Retail | Retail |

**FUTURE LAND USE**

The City of Joplin's future land use map classifies this area as future low-density residential.

**TRANSPORTATION**

| Streets with access | Classification | Right-of-way width |
|---|---|---|
| E. 13th St. | Collector | 50' |

**UTILITIES** Utilities are provided to the site.

**FLOOD PLAIN** This property is not in the flood plain.

## STAFF ANALYSIS

### CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

Yes.

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

The site as zoned M-2-PD is suitable for future industrial development. The M-2-PD district does permit the most intense industrial development and prohibits few uses. However, this property is bounded on all sides by either commercial or residential uses, making most heavy industrial uses permitted in the M-2-PD district inappropriate in this place. While the property itself as an isolated parcel is suitable for industrial development, when taking the neighboring land uses into account, the parcel is no longer suitable for industrial development.

### THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

This zoning change should not detrimentally affect nearby property. The uses permitted in the R-3 zoning district will have negligent negative affect on nearby properties as well as restrict uses permitted in the M-2-PD district that would create nuisances.

### DISCUSSION

This case was tabled at the November 9, 2019 Planning & Zoning Commission meeting and the December 6, 2019 City Council meeting due to a potential issue with the legal description. Having been resolved, the case will be taken off the table.

This property was formerly a single-family residence which burned down within the last two years. In that time, the property has not been well-maintained and has sat vacant.

The applicant's request to rezone to a R-3 Apartment House District zone is not inappropriate for this property considering it is the intent of the developers to develop their site with dense multi-family units. The R-3 district provides the density to scale down the intensity of land use from the big-box retail to the West to the single-family homes to the East.

In addition, considering the property's frontage along E 13$^{th}$ St., a collector, a high-density residential use on this street is appropriate. Any access management providing ingress and egress will be addressed during site plan review.

This property is subject to the City of Joplin's Zoning Code requirements.

*Staff recommends approval of Case 040-19.*

### ATTACHMENTS

- Application

- Map

RECEIVED 10/28/19

# REZONING APPLICATION FORM

Return Form to:
Planning / Community Development Specialist.
Joplin City Hall
602 South Main Street
Joplin, Missouri 64801
417-624-0820 Ext. 511
FAX 417-625-4738

For Office Use Only

Case No.: 040-19
Filing Fee: $500.00
Date Advertised: 11-24-19
Date Notices Sent 11-22-19
Public Hearing Date: 12-9-19 / 3-9-20

APPLICANT: Phong Nguyen PHONE (417) 529-5158
ADDRESS: 2216 Pennsylvania Ave ZIP: 64804
OWNER: Same PHONE:
ADDRESS: ZIP:
LOCATION OF PROPERTY: 3110 E 13th
LEGAL DESCRIPTION: See attachment

Present Zoning M2-PD Requested Zoning: R3 Acreage:
Present Use of Property: Vacant Land

SURROUNDING LAND USE AND ZONING:

| | Land Use | Zoning |
|---|---|---|
| North | Residential | R-3 |
| South | Commercial | C-3 |
| East | Residential | Not in city limit |
| West | Commercial | C-3 |

CHARACTER OF THE NEIGHBORHOOD: Commercial to Residential

RELATIONSHIP TO EXISTING ZONING PATTERN:

1. Would proposed change create a small, isolated district unrelated to surrounding districts?
   NO
2. Are there substantial reasons why the property cannot be used in accord with existing zoning? ____
   If yes, explain: Difficult from M2-PD Wid to Residential

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. Consistent with Development Policies? Yes
2. Consistent with Future Land Use Map? NO

Will be there 10:15AM 3/9/20

THE FOLLOWING MUST ACCOMPANY YOUR APPLICATION:

1. One copy of a legal description of the property proposed to be rezoned.
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 effect the character of the surrounding properties; and how the proposed change will benefit the City of Joplin.
3. Owner Affidavit, if applicant applying for the rezoning is not the owner of the property be rezoned

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: 13th
2. Classification of Street(s):
   Arterial _____ Collector Primrose Local _____
3. Right-of-Way Width: —
4. Will turning movements caused by the proposed use create an undue traffic hazard?
   NO

IS PLATTING OR REPLATTING REQUIRED TO PROVIDE FOR:

1. Appropriately Sized Lots? _____
2. Properly Sized Street Right-of-Way? _____
3. Drainage Easements? _____
4. Utility Easements:
   - Electricity? _____
   - Gas? _____
   - Sewers? _____
   - Water? _____
5. Additional Comments: _____

UNIQUE CHARACTERISTIC OF PROPERTY AND ADDITIONAL COMMENT:

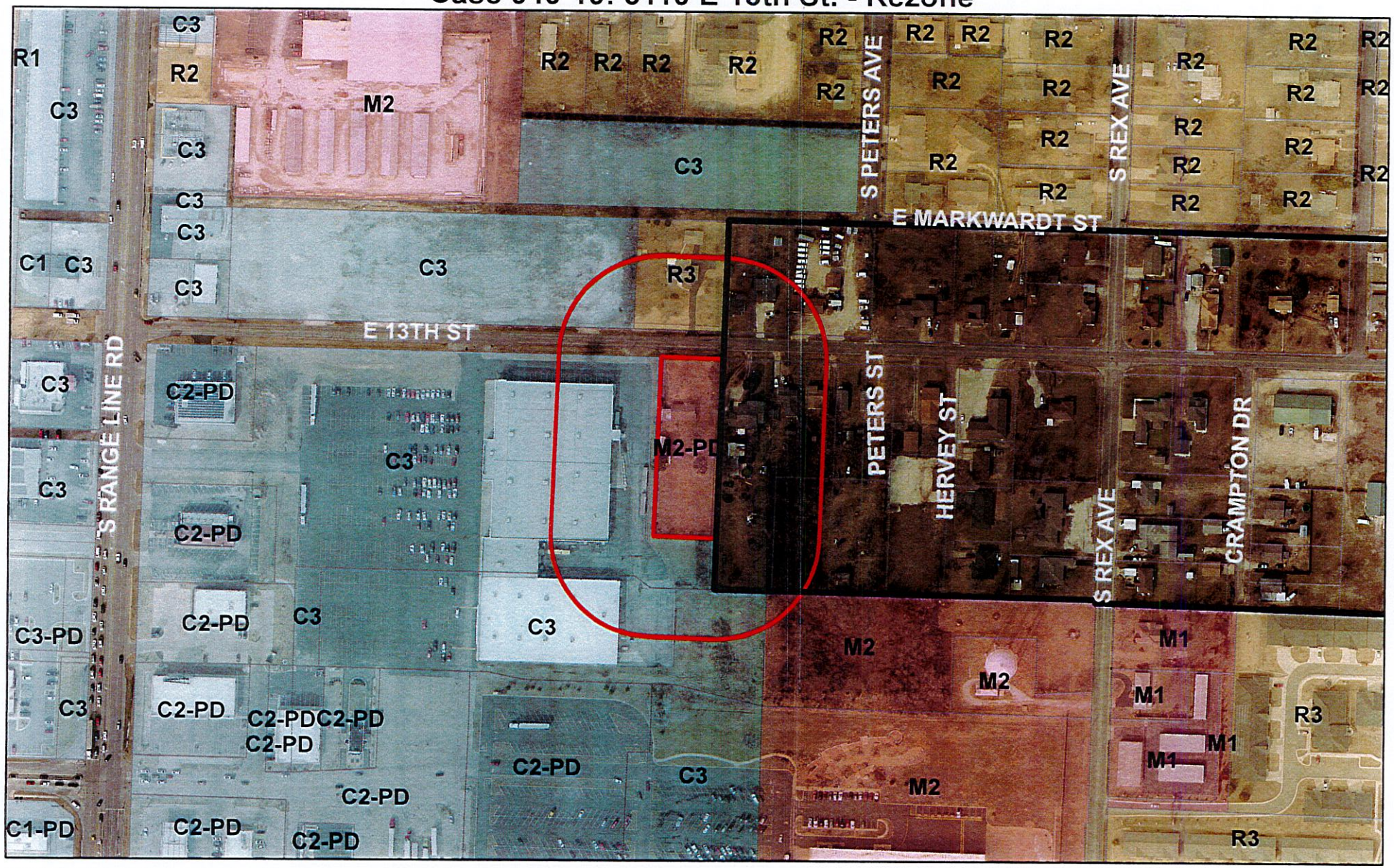
Rezone from M2-PD to R-3

SIGNATURE: _____ DATE: 10-14-19

BY: Phong Nguyen

TITLE: Owner

# Case 040-19: 3110 E 13th St. - Rezone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C3
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