City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: June 4, 2018

Item: COUNCIL BILL NO. 2018-258
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Copy of Council Bill 2018-258
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: 05/14/18

Recommended Action: Planning and Zoning Commission recommended approval by a vote of "5 in Favor, 0 Nay, 1 Absent, 1 Abstain"

SUMMARY/REQUEST:
Case 018-18: A tract of land located 200 feet south of W. 26th Street, between S. Picher Avenue and S. Bird Avenue – A request to Rezone from Apartment House District (R3) to Non-Retail District (CO) – The Kansas City University of Medicine and Biosciences.

STAFF SUMMARY:
In November 2017 this property was rezoned from C-O to R-3 for the owner to construct a multi-family development. However, the apartment project did not come to fruition and the property was sold to a new owner. The new property owner is the Kansas City University of Medicine and Biosciences who owns much of the nearby property and is located directly to the South. The University is seeking to rezone to the previous zoning district (C-O) to use the property in a way consistent with surrounding uses property and with Joplin's Future Zoning Map.

Staff recommends approval of Case 018-18.

PLANNING & ZONING COMMISSION TESTIMONY:
Chris Mattox, White Doss Law Firm, 4510 Bellevue Avenue, Suite 300, Kansas City, MO 64111. The applicant is requesting to rezone from R-3 to C-O. This property was zoned as C-O as recently as November 2017. There was an alternative development plan that fell through. We have a contract to purchase this land, which we have not closed yet due to the outcome of this and City Council's meetings.

Mrs. Steele wanted to know if there were specific plans for this property?

Mr. Mattox stated that he has not seen plans, but he does know that there are plans in the works.

PUBLIC COMMENT:
None.

CB 2018-258

Case 018-18: A tract of land located 200 feet south of W. 26th Street, between S. Picher Avenue and S. Bird Avenue – A request to Rezone from Apartment House District (R3) to Non-Retail District (CO) – The Kansas City University of Medicine and Biosciences.

Mr. Ramsour excused himself from this case due to affiliation.

Chris Mattox, White Doss Law Firm, 4510 Bellevue Avenue, Suite 300, Kansas City, MO 64111. The applicant is requesting to rezone from R-3 to C-O. This property was zoned as C-O as recently as November 2017. There was an alternative development plan that fell through. We have a contract to purchase this land, which we have not closed yet due to the outcome of this and City Council's meetings.

Mr. Cortez had a question for Staff. The apartment complex is not proceeding is that correct?

Mr. Whitmore stated that was correct and there is going to be a new owner.

Mrs. Steele wanted to know if there were specific plans for this property?

Mr. Mattox stated that he has not seen plans, but he does know that there are plans in the works.

MRS. BRUCKNER-SEARS MOVED, SECONDED BY MR. CORTEZ THAT CASE 018-18, BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MR. DUNCAN, MR. CORTEZ, MRS. KOELKEBECK, MRS. STEELE, AND MRS. BRUCKNER-SEARS VOTING "AYE". (5 IN FAVOR, 0 NAYS, 1 ABSENT, 1 ABSTAIN).

Z&P Meeting: May 14, 2018
City Council Meeting: June 4, 2018

STAFF PLANNING REPORT
Rezoning

CASE 018-18 A request to rezone from R-3 (Apartment House District) to C-O (Non-Retail Commercial District) to enable future expansion of the medical school.

LOCATION A tract of land, located 200 feet south of W 26th Street, between S. Picher Avenue and S. Bird Avenue.

APPLICANT Kansas City University of Medicine and Biosciences

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-3	Undeveloped/Parking Lot	Approx. 6 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	R-1 & R-2	C-O & R-1	C-O	CO-PD & C-O
Land Use	Duplex & Single-Family Homes	Offices	Apartments & Parking Lot for Medical School	Offices

FUTURE LAND USE

The City of Joplin's Future Land Use Map designates this area as appropriate for office and institutional land uses, which fits with a C-O zoning designation.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
Picher Avenue	Local	65'
28th Street	Local	60'
Bird Avenue	Local	60'

UTILITIES Utilities do not need to be extended to the property.

FLOOD PLAIN N/A

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

Yes. Rezoning would make this property more consistent with the Comprehensive Plan's development policies.

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

Currently, this site is zoned R-3. Rezoning to C-O would be more consistent with Joplin's Future Zoning map.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

There will be minimal effect on surrounding properties. Many of these surrounding properties are vacant. For the few residential properties nearby, the property is simply returning to its previous zoning prior to November 2017.

DISCUSSION

In November 2017 this property was rezoned from C-O to R-3 for the owner to construct a multi-family development. However, the apartment project did not come to fruition and the property was sold to a new owner. The new property owner is the Kansas City University of Medicine and Biosciences who owns much of the nearby property and is located directly to the South. The University is seeking to rezone to the previous zoning district (C-O) to use the property in a way consistent with surrounding uses.

The current zoning allows for apartment houses. The new zoning of C-O permits multi-family uses if the tract is greater than 2 acres and the tract in this request is over 6 acres. The applicant can currently only construct multi-family housing on the property without being rezoned. But changing the zoning to C-O would allow more options for the property, including options more consistent with the Comprehensive Plan.

The majority of surrounding properties are already zoned C-O (Non-Retail District). Rezoning these parcels would allow for uses that are consistent with surrounding property and with Joplin's Future Zoning Map.

Staff recommends approval of Case 018-18.

ATTACHMENTS

- Application
- Map



Case 018-18: Eight parcels located South of 26th Street and East of Picher Avenue -- A request to rezone from Apartment House District (R-3) to Non-Retail District (C-O) -- The Kansas City University of Medicine and Biosciences

P & Z Case 018-18

The Kansas City University
of Medicine and Biosciences
(P & Z Recommended Approval)

COUNCIL BILL NO. 2018-258 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 and including in District C-0 property as described below and located 200 feet south of West 26th Street, between South Picher Avenue and South Bird Avenue.

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-3 and including same in District C-0:

ALL OF LOTS NUMBERED FORTY-FIVE (45) THROUGH SIXTY-TWO (62), BOTH INCLUSIVE, IN BRIARCLIFF ADDITION TO THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF, TOGETHER WITH ALL OF VACATED 27TH STREET LYING SOUTH OF LOTS 45, 46, 47, 48 AND 52 AND NORTH OF LOTS 53, 54, 55, 56, AND 57. ALSO ALL OF LOT NUMBERED TWO (2) IN BRIARCLIFF THIRD ADDITION TO THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF, AS AMENDED BY AFFIDAVIT FILED JUNE 10, 1975 AT 8:13 AM IN BOOK 1181 AT PAGE 2260.

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.

_____
Gary L. Shaw, Mayor

ATTEST:

_____
Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney