City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: June 6, 2016

Item: COUNCIL BILL NO. 2016-265
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: 5/9/2016

Recommended Action: Planning and Zoning Commission recommended approval by a vote of "7 in favor, 0 absent"

SUMMARY/REQUEST:
Case 017-16: 1401 East Central Street – A request to rezone from C-1 (Neighborhood Commercial) to R-2 (Two-Family Residential) for the construction of residential duplexes – Joplin Area Habitat for Humanity.

STAFF SUMMARY:
This property is located in the East Town neighborhood of Joplin at the intersection of Central Street or Comingo Avenue. Habitat for Humanity would like to rezone this property in order to build two single-family residences. It is being rezoned to R-2 (Two-Family Residential) to match adjacent zoning within the neighborhood.

Staff recommends approval of Case 017-16.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Scott Clayton, Executive Director of Joplin Area Habitat for Humanity, requested the rezoning of the property in Case 017-16. They have done a lot of work in this part of Joplin and plan to continue that. The property in this request was commercial, but he would like it to be residential. Habitat for Humanity builds houses with partner families and then sells them at no-interest loans, providing the opportunity for home ownership through their program.

Mr. Duncan asked about the City ordinance on the width of a residential lot. Ms. Cunningham replied if new lots are being platted, or a new section is being subdivided, the requirement is for width of a residential lot to be at least 65 feet. Original lots that have already been platted are grandfathered in as long as a developer is constructing with the original use.

PUBLIC COMMENT: None.

Z&P Meeting: May 9, 2016
City Council Meeting: June 6, 2016

STAFF PLANNING REPORT
Rezoning

CASE 017-16 A request to rezone from C-1 (Neighborhood Commercial) to R-2 (Two-Family Residential) for the construction of residential duplexes

LOCATION 1401 Central Street

APPLICANT Joplin Area Habitat for Humanity

EXISTING CONDITIONS

Zoning	Land Use	Property Size
C-1 Neighborhood Commercial	Undeveloped	19,200 sq ft

SITE CONTEXT

	North	East	South	West
Existing Zoning	C-1	R-2	R-2	R-2
Land Use	Commercial	Residential	Residential	Residential

FUTURE LAND USE
The City of Joplin's future land use map classifies this area as Moderate-Density Residential.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
Central Street	Secondary	50'
Comingo Avenue	Secondary	50'

UTILITIES Yes – sewer line running along Central.

FLOOD PLAIN N/A

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
Currently, this site is zoned C-1 (Neighborhood Commercial). Single-family homes are not permitted in any commercial zoning designation.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY
This zoning change would not detrimentally affect nearby property.

DISCUSSION
This property is located in the East Town neighborhood of Joplin at the intersection of Central Street or Comingo Avenue. Habitat for Humanity would like to rezone this property in order to build two single-family residences. It is being rezoned to R-2 (Two-Family Residential) to match adjacent zoning within the neighborhood.

Staff recommends approval of Case 017-16.

ENCLOSURES
Map
Application

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.: 017-16
Filing Fee. $450.00 - waived
Date Advertised:
Date Notices Sent:
P&Z Date: 5-9-16
City Council Date: 6-6-16

APPLICANT: Joplin Area Habitat for Humanity PHONE: 782-6533
ADDRESS: 5201 N. Main Street ZIP: 64801
EMAIL: sclayton@joplinhabitat.org
OWNER: Joplin Area Habitat for Humanity PHONE: 782-6533
ADDRESS: 5201 N. Main Street ZIP: 64801
EMAIL: sclayton@joplinhabitat.org
LOCATION OF PROPERTY: 1401 E. Central
LEGAL DESCRIPTION: All of the South 55 feet of Lots numbered One (1), Two (2), Three (3) and Four (4), and all of the south 55 feet of the West 20 feet of lot numbered Five (5) in Block 26 in the 1st addition to east Joplin City, now a part of the City of Joplin, Jasper Co, MO, according to the recorded plat thereof, together with the East one-half (1/2) of vacated Camingo Ave. lying west of an adjoining the sd 55 Feet of Lot
Present Zoning commercial Requested Zoning: residential Acreage: .217
Present Use of Property: empty lot
Proposed Use of Property: 2 Habitat houses

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	parking lot for closed business	commercial
South	houses	residential
East	house	residential
West	house	residential

CHARACTER OF THE NEIGHBORHOOD: similar housing

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: lots would be perfect to build 2 houses facing Central St.

CONFORMANCE WITH COMPREHENSIVE PLAN:

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

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 ✗
4. For Planned Developments the following must be submitted and reviewed before the rezoning can be advertised for public hearing:
   ___ Site Plan ___ Landscape Plan ___ Building Elevations

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: Central St.
2. Classification of Street(s):
   Arterial_____ Collector_____ Local ___x___
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? yes
2. Properly Sized Street Right-of-Way? yes
3. Drainage Easements? no
4. Utility Easements:
   Electricity?_____
   Gas?_____
   Sewers?_____
   Water?_____
5. Additional Comments:_____

UNIQUE CHARACTERISTIC OF PROPERTY AND ADDITIONAL COMMENT:

SIGNATURE: _____ DATE: 4-18-16

BY: Scott Clayton

TITLE: Executive Director

Joplin Area Habitat for Humanity®

4-18-16

City of Joplin
Community Development
602 S. Main Street
Joplin, MO 64801

To the Community Development Department,

We are request that 1401 East Central Street in Joplin be rezoned from commercial to residential. The houses will face Central Street and will be of like housing to the neighborhood. Behind the property (to the north) is a parking lot that was once Lumpy's Restaurant. Joplin Area Habitat for Humanity and several other organizations have built or repaired many houses in this area of Joplin. Every time a new house is built, a neighborhood continues to improve. This continues to bring positive change to the neighborhood. There will not be any adverse effect to traffic as it is not a high traffic street. There will be no danger from fire hazards and will improve the character of the surrounding properties and improves Joplin's housing stock. If approved we will be constructing 2 – 3 bedroom houses for partner families in need of better housing. This project has been in discussion with the Community Development Department since 2015 and correlates well it's desire to continue to develop and improve the neighborhood.

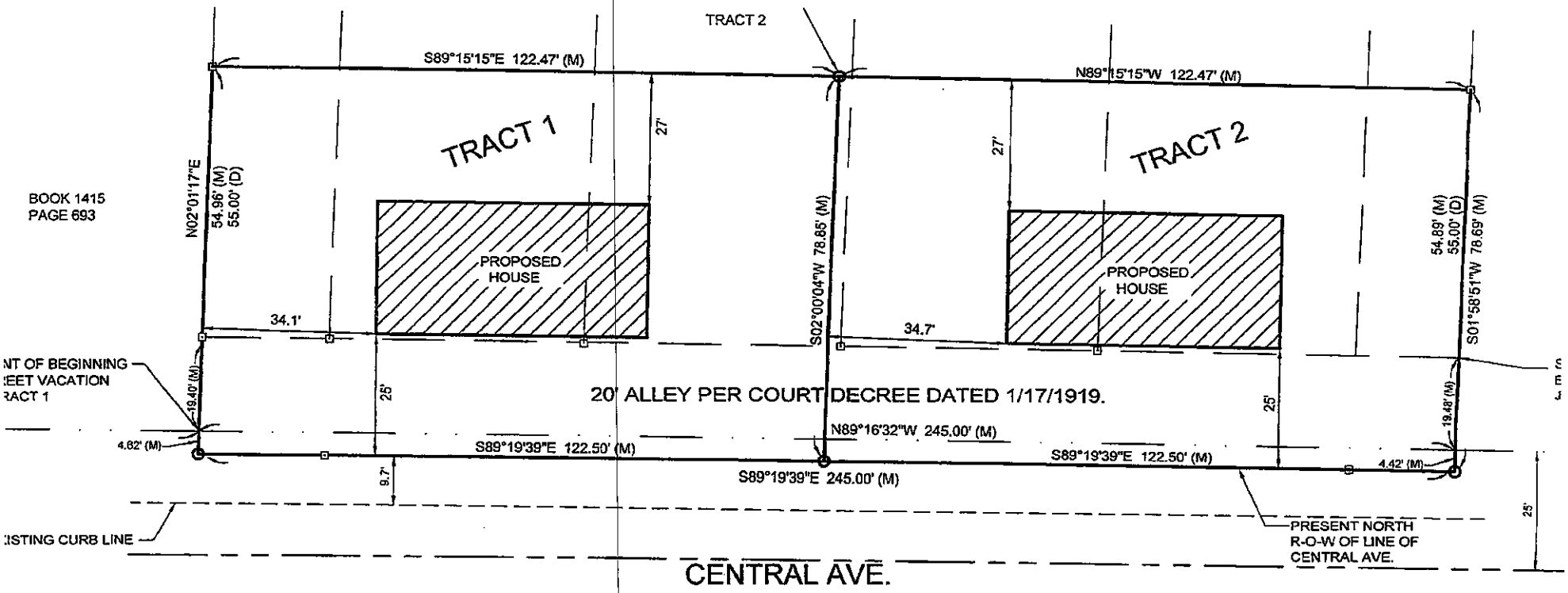
Please contact with any questions or items I did not cover sufficiently.

Sincerely,

Scott Clayton
Executive Director

5201 North Main Street, Joplin, Missouri 64801

Phone: (417) 782-6533 Fax: (417) 781-4553 www.joplinhabitat.org


TRACT 2
S89°15'15"E 122.47' (M)
N89°15'15"W 122.47' (M)
TRACT 1
TRACT 2
27'
27'
BOOK 1415
PAGE 693
N02°01'17"E
54.96' (M)
55.00' (D)
PROPOSED HOUSE
PROPOSED HOUSE
S02°00'04"W 78.85' (M)
54.89' (M)
55.00' (D)
S01°58'51"W 78.69' (M)
34.1'
34.7'
NT OF BEGINNING
EET VACATION
RACT 1
19.40' (M)
25'
20' ALLEY PER COURT DECREE DATED 1/17/1919.
25'
19.48' (M)
N89°16'32"W 245.00' (M)
4.62' (M)
S89°19'39"E 122.50' (M)
S89°19'39"E 122.50' (M)
4.42' (M)
9.7'
S89°19'39"E 245.00' (M)
ISTING CURB LINE
PRESENT NORTH
R-O-W OF LINE OF
CENTRAL AVE.
25'
CENTRAL AVE.



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Mr. Eastman opened the public hearing for Case 017-16.

Mr. Scott Clayton, Executive Director of Joplin Area Habitat for Humanity, appeared to request the rezoning of the property in Case 017-16. They have done a lot of work in this part of Joplin and plan to continue that. The property in this request was commercial, but he would like it to be residential. Habitat for Humanity builds houses with partner families and then sells them at no-interest loans, providing the opportunity for home ownership through their program.

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Mr. Eastman asked for comments from the commissioners and the audience, and none were received. He then closed the public hearing for Case 017-16.

MR. CORTEZ MOVED, SECONDED BY MR. DERMOTT, THAT CASE 017-16 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL, BASED UPON THE COMMENTS RECEIVED IN THE PLANNING REPORT AND DURING THE PUBLIC HEARING. THE MOTION CARRIED, WITH MR. BROWN, MR. CORTEZ, MR. DERMOTT, MR. DUNCAN, MR. EASTMAN, MR. RAMSOUR, AND MR. SMITH VOTING "AYE" (7 IN FAVOR, 0 ABSENT).

P & Z Case 017-16
Joplin Area Habitat for Humanity
(P & Z Recommended Approval)

COUNCIL BILL NO. 2016-265 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 C-1 and including in District R-2 property as described below and located at 1401 East Central 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 C-1 and including same in District R-2:

ALL OF THE SOUTH 55 FEET OF LOTS NUMBERED ONE (1), TWO (2), THREE (3) AND FOUR (4) AND ALL OF THE SOUTH 55 FEET OF THE WEST 20 FEET OF LOT NUMBERED FIVE (5) IN BLOCK 26 IN THE FIRST ADDITION TO EAST JOPLIN CITY, NOW A PART OF THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF, TOGETHER WITH THE EAST ONE-HALF (E1/2) OF VACATED COMINGO AVENUE LYING WEST OF AND ADJOINING THE SOUTH 55 FEET OF LOT 1.

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 _____, 2016, by a vote of _____.

_____
Michael L. Seibert, Mayor

ATTEST:

_____
Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney