**CITY OF JOPLIN**
**COUNCIL AGENDA ITEM**

**ITEM:**
CB 2022-269 – Rezone C-O to C-3.

**MEETING DATE:**
June 6, 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 031-22: Rezoning 309 W. 20th St. – A request to remove from District C-O (Non-retail Commercial) and include in District C-3 (Commercial) for future commercial development – Business Investments, LLC.

**BACKGROUND:**
The change in zoning will not be detrimental to nearby property. This corridor is in transition to denser commercial zoning and uses, moving West from Main St. Buffer requirements will be required where this property abuts residential zoning.

This request to rezone to C-3 Commercial is appropriate for this property. The W. 20$^{th}$ St. corridor has been designated as a future Retail Commercial area by the Comprehensive Plan and Future Land Use Map.

**PLANNING & ZONING COMMISSION TESTIMONY:**
Dick Ruestman, 5562 Riverside Dr., this is a rezone from C-O to C-3, there is other C-3 in the area.

Ms. Phillips asked where the other C-3 were located.

Mr. Stanton stated that there are other C-3 properties to the east of the property.

**PUBLIC COMMENT:** None.

**RECOMMENDATIONS**:
Staff recommends approval for Case 031-22.
Planning & Zoning Commission recommends approval for Case 031-22 (6 Favor, 0 Nays, 1 Absent)

**ATTACHMENTS**
CB 2022-269, Staff Planning Report, P&Z Commission Minutes

CB 2022-269

Case 031-22: Rezoning -309 W. 20th St. – A request to remove from District C-O (Non-retail Commercial) and include in District C-3 (Commercial) for future commercial development – Business Investments, LLC.

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Ms. Phillips asked where the other C-3 were located.

Mr. Stanton stated that there are other C-3 properties to the east of the property.

Mr. Eastman asked if there were any other questions? There were not. He also asked if there was anyone in the audience to speak in favor and in opposition? There were not.

**MR. KIMBLE MOVED, SECONDED BY MR. MCCULLOUGH THAT CASE 031-22 BE FORWARDED TO THE CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL. MOTION CARRIED WITH MR. EASTMAN, MR. MCCULLOUGH, MS. STEELE, MR. KIMBLE, MS. WARREN, AND MS. PHILLIPS "AYE" (6 IN FAVOR, 0 NAYS, 1 ABSENT)**

Z&P Meeting: May 9, 2022
City Council Meeting: June 6, 2022

JOPLIN
PLANNING, DEVELOPMENT, & NEIGHBORHOOD SERVICES

# STAFF PLANNING REPORT
## Rezoning

**CASE 031-22** A request to remove from District C-O (Non-retail Commercial) and include in District C-3 (Commercial) for future commercial development

**LOCATION** 309 W. 20th St.

**APPLICANT** Business Investment, LLC

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### EXISTING CONDITIONS

| Zoning | Land Use | Property Size |
|---|---|---|
| C-O | Retail/Service | Approximately 0.25 acres |

### SITE CONTEXT

| | North | East | South | West |
|---|---|---|---|---|
| Existing Zoning | R-1 | R-1/C-1 | C-1 | R-1/C-1 |
| Land Use | Church | Parking Lot | 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 |
|---|---|---|
| W. 20th St. | Arterial | 75' |

### UTILITIES

Utilities in place.

**FLOOD PLAIN**

This property is not 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 C-O 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 denser commercial zoning and uses, moving West from Main St. 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 W. 20th 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 031-22.**

**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.: 031-22
Filing Fee: $550.00
Date Advertised: 4-23-22
Date Notices Sent 4-26-22
Public Hearing Date: 5-9-22

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APPLICANT: Business Investments LLC PHONE: 417-438-6300
ADDRESS: PO Box 2291 Joplin Mo. 64803 EMAIL:

OWNER: R.A. Ruestman member PHONE: Same
ADDRESS: 5037 Lake Tarcoye Grove, OK 74344 EMAIL:

LOCATION/ADDRESS OF PROPERTY: 309 w 20th Street
Joplin Mo. 64804

Present Zoning CO Requested Zoning: C3 Acreage:
Present Use of Property: Un occupied

SURROUNDING LAND USE AND ZONING:

| | Land Use | Zoning |
|---|---|---|
| North | R-1 | |
| South | C1 | |
| East | C1 | |
| West | C1 | |

Character of the Neighborhood: Mixed

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: NO

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: Yes
2. Classification of Street(s):
   Arterial ✓ Collector _____ 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 IN ORDER TO PROVIDE FOR:

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

UNIQUE CHARACTERISTIC OF PROPERTY AND/OR ADDITIONAL COMMENT:

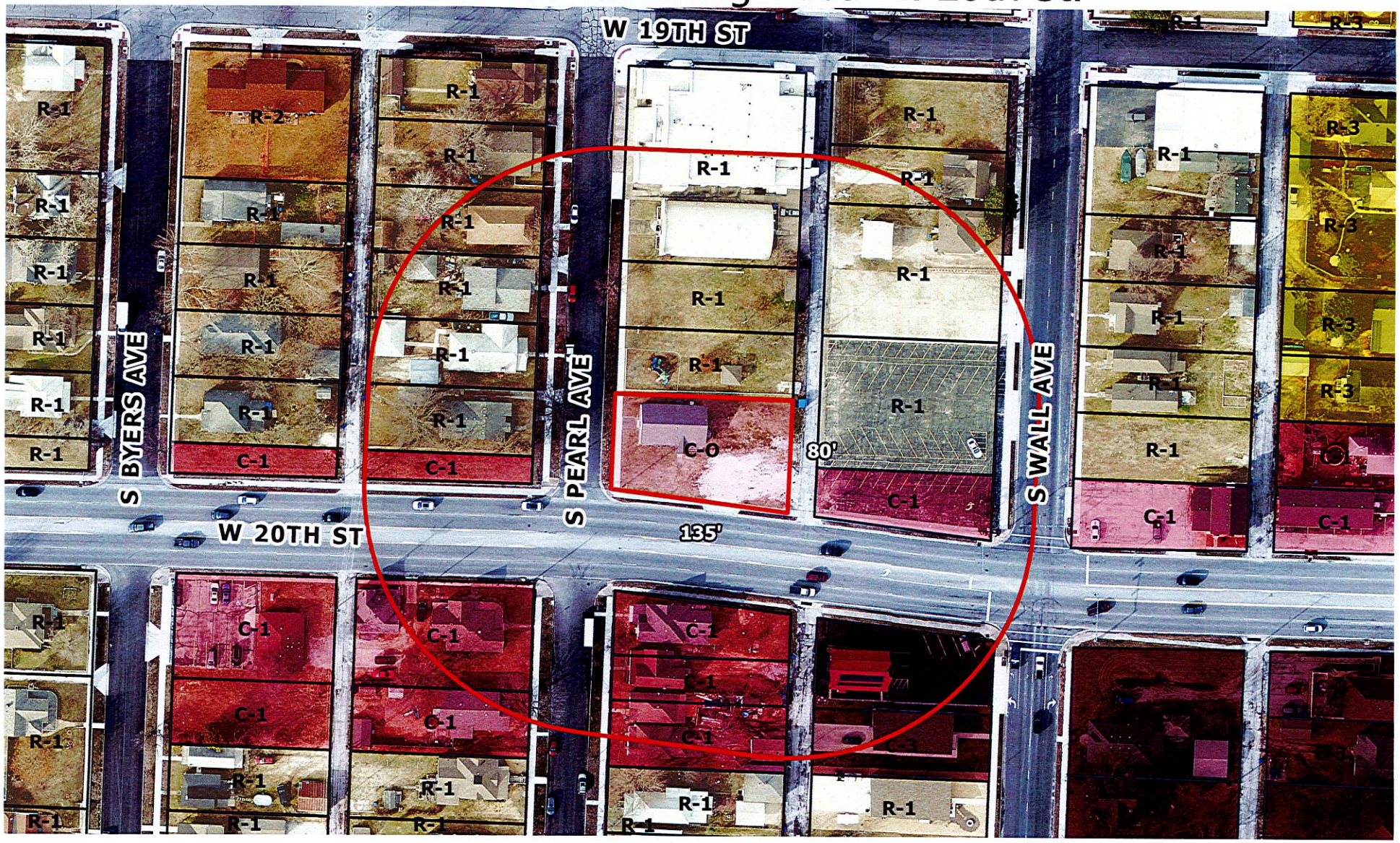
THE FOLLOWING **MUST** ACCOMPANY YOUR APPLICATION:

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: Business Investments LLC DATE: 3/25/22

TITLE: PA Rudstrom member

# Case 031-22: Rezoning - 309 W. 20th St.




A request to remove from District C-O (Non-retail Commercial) and include in District C-3 (Commercial) for future commercial development – Business Investments, LLC.

N

0 40 80 160 240 320 Feet

P & Z Case 031-22
Business Investments, LLC
(P & Z Recommended Approval)

COUNCIL BILL NO. 2022-269 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-O (Non-retail Commercial) and including in District C-3 (Commercial) property as described below and located at 309 W. 20th St., 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 Lot Numbered One Hundred Sixty (160) in Mitchell's Addition to the City of Joplin, Jasper County, Missouri, according to the recorded plat thereof, and All of Lot Numbered One Hundred Sixty-one (161) EXCEPT beginning at the Southwest corner, thence east, 133.0 feet to the Southeast (SE) corner of Lot 161; thence North along the East line of Lot 161, 18.47 feet; thence Northwest (NW) to a point on the West line of and 30.0 feet North of the Southwest (SW) corner of lot 161; thence South 30.0 feet, to the point of beginning in Mitchell's Addition to 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 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