CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2022-270 – Rezone C-3 to R-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 032-22: Rezoning 7415 E. 32nd St. – A request to remove from District C-3 (Commercial) and include in District R-3 (Apartment House) for future residential development – Naomi Ruth Devore-Manes.

BACKGROUND:
This request to rezone to R-3 Apartment House District is appropriate for this property. This rezoning also has the potential to see future multi-family development near one of Joplin's largest job centers.

PLANNING & ZONING COMMISSION TESTIMONY:
Naomi Ruth Devore-Manes, 7415 E 32nd St., Joplin, MO. She stated that she would like to have her residence zoned back to residential.

Mr. Kimble wanted to confirm your just wanting to get it rezoned to sell, correct?

Ms. Devore-Manes stated that was correct.

PUBLIC COMMENT: None.

RECOMMENDATIONS:
Staff recommends approval for Case 032-22.
Planning & Zoning Commission recommends approval for Case 032-22 (6 Favor, 0 Nays, 1 Absent)

ATTACHMENTS
CB 2022-270, Staff Planning Report, P&Z Commission Minutes

CB 2022-270

Case 032-22: Rezoning -7415 E. 32nd St. – A request to remove from District C-3 (Commercial) and include in District R-3 (Apartment House) for future residential development – Naomi Ruth Devore-Manes.

Naomi Ruth Devore-Manes, 7415 E 32nd St., Joplin, MO. She stated that she would like to have her residence zoned back to residential.

Mr. Kimble wanted to confirm your just wanting to get it rezoned to sell, correct?

Ms. Devore-Manes stated that was correct.

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.

MS. STEELE MOVED, SECONDED BY MR. KIMBLE THAT CASE 032-22 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 032-22 A request to remove from District C-3 (Commercial) and include in District R-3 (Apartment House) for future residential development

LOCATION 7415 E. 32nd St.

APPLICANT Naomi Ruth Devore-Manes

EXISTING CONDITIONS

Zoning	Land Use	Property Size
C-3	Single Family Residential	Approximately 10 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	M-2-PD	C-3	C-3	C-3
Land Use	Distribution Center	Vacant	Single-family Residential	Vacant

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
E. 32nd St.	Arterial	80'

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, though high-density residential uses are not inappropriate as a mix within commercial.

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

The current zoning of C-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. All surrounding property have a zoning designation that allows more intense uses than R-3.

DISCUSSION

This request to rezone to R-3 Apartment House District is appropriate for this property. Residential uses are not inappropriate as a mix among commercial zoning. This rezoning also has the potential to see future multi-family development near one of Joplin's largest job centers.

This rezoning will also permit the continuance of the existing single-family use, and allow it to be sold and transferred, as well as insured into the future.

Staff recommends approval of Case 032-22.

ENCLOSURES

- Map of property
- Application

Rezoning Application

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

Office Use Only
Case No.: 032-22
Filing Fee: $550.00
Received:
Date Advertised: 4-23-22
Date Notice Sent: 4-26-22
Public Hearing Date: 5-9-22

Applicant: Naomi Ruth Devore-Manes Phone No.: (417) 825-7936
Address: 7415 E. 32nd Street Email: Manes@Joplin.com
Owner: Naomi Ruth Devore-Manes (Trust) Phone No.: (417) 396-1351
Address: 7415 E. 32nd Street Email:
Location of Property: 7415 E. 32nd Street
Present Use of Property: Resident
Proposed Use of Property: Resident
Current Zoning: Commercial Requested Zoning: Residential (R-3)

Surrounding Land Use and Zoning:

	Land Use	Zoning
North	Manufacturing	Commercial
South	Service	"
East	Communication	"
West	Church	?

Character of the Neighborhood: Farm Land & Commercial

Relationship to Existing Zoning Pattern:

Yes	No	
☐	☑	Would proposed change create a small, isolated district unrelated to surrounding districts?
☑	☐	Are there substantial reasons why the property cannot be used in accord with existing zoning?

If yes, explain: HAS BEEN USED AS RESIDENTIAL FOR 26 YRS. AND WILL CONTINUE TO BE.

Conformance with Comprehensive Plan:

Yes	No	
☐	☑	Consistent with Development Policies?
☐	☑	Consistent with Future Land Use Map?

Traffic Conditions:

Yes	No	
☐	☑	Will turning movements caused by the proposed use create an undue traffic hazard?

Street(s) with Access to Property: FF Hwy. / 32ND STREET

Classification of Street(s):

Arterial ☐ Collector ☐ Local ☑

Right-of-Way Width: _____

Platting:

Yes	No	
☐	☑	Is platting required?
☑	☐	Are lots appropriately sized?
☑	☐	Is street right-of-way appropriately sized?
☑	☐	Are drainage and utility easements adequately sized and provided?

Additional Comments: SELLING PROPERTY TO CONTINUE AS A RESIDENCE. REZONING NEEDED TO QUALIFY FOR RESIDENTIAL LOAN AND INSURANCE COVERAGE.

Unique Characteristic of Property and/or Additional Comment:

HOME SITTING ON 30 ACRES of FARM LAND.

Submission of Documents:

Yes	No	
☑	☐	Completed application.
☐	☐	One copy of a legal description of the property proposed to be rezoned from a deed or certified survey. Must be legible.
☑	☐	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.
☐	☑	Owner Affidavit and Agent Affidavit, if applicant applying for the rezoning is not the owner of the property be rezoned.

Signature: _____ **Date:** _____

I, Ruth Devore-Manes, wish the property to continue to be used for a residence and surrounding acreage for new owner. No impact due to the proposed change since the property has been used as a residence for the last 26 years. Traffic flow will not change or any fire hazards. No change to the character of the surrounding properties due to the surrounding acreage. The benefits for the city will not change.

Case 032-22: Rezoning - 7415 E. 32nd St.



A request to remove from District C-3 (Commercial) and include in District R-3 (Apartment House) for future residential development – Naomi Ruth Devore-Manes.

N

0 125 250 500 750 1,000 Feet

P & Z Case 032-22
Naomi Ruth Devore-Manes
(P & Z Recommended Approval)

COUNCIL BILL NO. 2022-270 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-3 (Commercial) and including in District R-3 (Apartment House) property as described below and located at 7415 E 32nd 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 R-3.

All of the West One-Half of the East One-Half of the Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) of Section 15, Township 27, Range 32, now in the City of Joplin, Jasper County, Missouri, containing 10.1 acres more or less; except any part taken or deeded for road.

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