CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2021-269-Rezone to District R-1

MEETING DATE:
June 7, 2021

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 024-21: 720 S. Minnesota Ave. - A request to remove from District M-2 (Heavy Industrial) and include in District R-1 (Single-family Residential) for future residential development – Ralph Green

BACKGROUND:
The change in zoning to R-1 will not be detrimental to nearby property. All abutting, and most nearby property is in the M-2 zoning district, which allows for many more uses that are more intense than single-family residential.

The applicant is requesting a rezoning from M-2 to R-1 which would coincide with the existing use of the property. This is an area in transition, as evidenced by the recently approved rezoning one block south to R-2 for single-family residential uses.

PLANNING & ZONING COMMISSION TESTIMONY:
Ralph Green, 720 S. Minnesota Ave., Joplin, MO. Four generations of my family have lived on this property. We are wanting to build a new home for my family to live in. We are unable to continue in the existing house as it is falling apart.

Mr. Eastman asked if the current home will be demolished?

Mr. Green replied, yes when the new home is built.

Ms. Phillips asked if they could develop in the flood plain?

Mr. Stanton stated that yes, they can. The portion of their property that is within the flood plain is very small, and located in the corner, the northwest corner. That portion is actually within the required setback, so no new home could be built in the flood plain.

PUBLIC COMMENT;
None.

FUNDING SOURCE:
These payments are included in the FY 2020-21budget of the Community Planning Fund.

RECOMMENDATIONS:
Staff recommends approval for Case 024-21.
Planning & Zoning Commission recommends approval for Case 024-21 (6 Favor, 0 Nays)

ATTACHMENTS
CB 2021-269, Staff Planning Report, P&Z Commission Minutes

CB 2021-269

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Ms. Bruckner-Sears asked if there was anyone in the audience who would like to speak in favor of this case? There was not. Ms. Bruckner-Sears asked if there was anyone in the audience who would like to speak in opposition to this case? There was not.

MR. EASTMAN MOVED, SECONDED BY MR. MCCULLOUGH THAT CASE 024-21 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MS. BRUCKNER-SEARS, MS. STEELE, MR. MCCULLOUGH, MR. EASTMAN, MR. KIMBLE, AND MS. PHILLIPS VOTING "AYE". (6 IN FAVOR)

Z&P Meeting: May 10, 2021
City Council Meeting: June 7, 2021

STAFF PLANNING REPORT
Rezoning

CASE 024-21 A request to remove from District M-2 (Heavy Industrial) and include in District R-1 (Single-family Residential) for future residential development

LOCATION 720 S. Minnesota Ave.

APPLICANT Ralph Green

EXISTING CONDITIONS

Zoning	Land Use	Property Size
M-2	Single-family Residential	Approx. 0.7 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	M-2	M-2	M-2	M-2
Land Use	Nursery	Vacant	Auto Repair	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
S. Minnesota Ave.	Local	60'

UTILITIES

Utilities in place.

FLOOD PLAIN

Approximately 1,500 sqft. of the Northwest corner of this property is in the flood plain.

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

The request is consistent with the comprehensive plan. The future land use map does indicate future retail commercial for this property; however, this is an area in transition. Many areas around downtown, and particularly around or near rail lines retain industrial or commercial zoning long after the industry and commercial businesses have relocated.

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

The current zoning of M-2 is somewhat suitable. This property is generally too small to accommodate most uses permitted within the M-2 zoning district.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning to R-1 will not be detrimental to nearby property. All abutting, and most nearby property is in the M-2 zoning district, which allows for many more uses that are more intense than single-family residential.

DISCUSSION

The applicant is requesting a rezoning from M-2 to R-1 which would coincide with the existing use of the property. This is an area in transition, as evidenced by the recently approved rezoning one block south to R-2 for single-family residential uses. This does meet the intent of the comprehensive plan, particularly in addressing infill development, as there is adequate space for future residential development should the current owner or a future owner decide to build an additional dwelling.

Staff recommends approval of Case 024-21.

ATTACHMENTS

- Application
- Map

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.: 024-21
Filing Fee: ~~$500.00~~ 550.00
Date Advertised: ~~$~~ 4-25-21
Date Notices Sent: 4-26-21
P&Z Date: 5-10-21
City Council Date: 6-7-21

APPLICANT: Ralph Green PHONE: 612-447-7851
ADDRESS: 720 S. Minnesota Ave ZIP: 64801
EMAIL: Sunshineboy1976@Live.Com
OWNER: Ralph Green PHONE: 417-623-7455
ADDRESS: 720 S. Minnesota Ave ZIP: 64801
EMAIL: None
LOCATION OF PROPERTY: 720 S. Minnesota Ave Joplin MO 64801
LEGAL DESCRIPTION:

Present Zoning Commercial M-2 Requested Zoning: R-1 Acreage:
Present Use of Property: Residential
Proposed Use of Property: Residential

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Don't Know. New buyers haven't done anything	comercial
South	Small business	commercial
East	Empty lots	Commercial
West	Same as North, same owner	Commercial

CHARACTER OF THE NEIGHBORHOOD: Mix

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: We have lived here for over 100 yrs as a residential

CONFORMANCE WITH COMPREHENSIVE PLAN:

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

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: Minnesota Ave
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?
   _____

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:

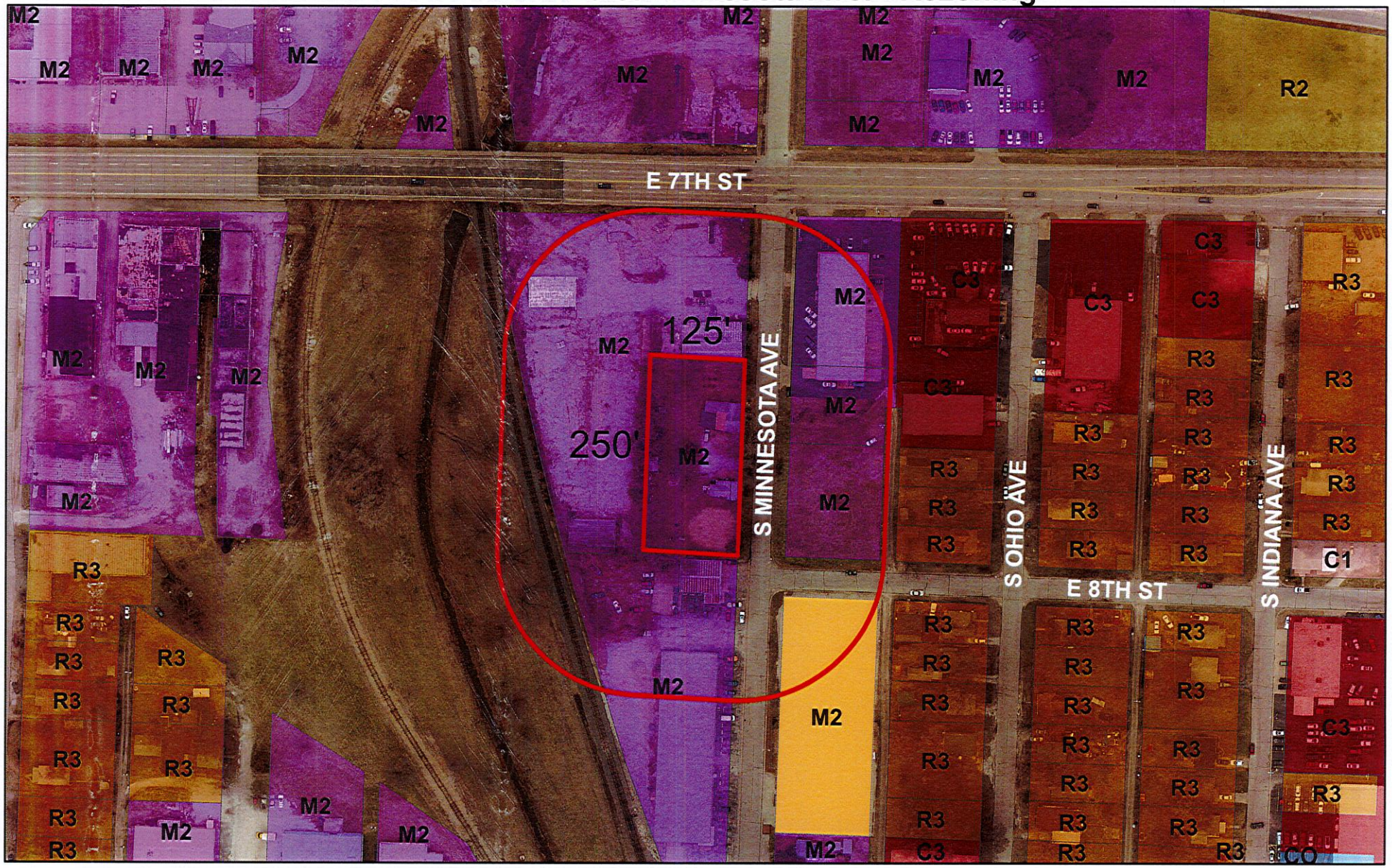
_____
_____
_____

SIGNATURE: _____ DATE: 3-17/21

BY: _____

TITLE: _____

Case 024-21: 720 S. Minnesota Ave. - Rezoning



Case 024-21: 720 S. Minnesota Ave. - A request to remove from District M-2 (Heavy Industrial) and include in District R-1 (Single-family Residential) for future residential development – Ralph Green

0 87.5 175 350 525 700 Feet

N

P & Z Case 024-21
Ralph Green
(P & Z Recommended Approval)

COUNCIL BILL NO. 2021-269 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 M-2 (Heavy Industrial) and including in District R-1 (Single Family Residential) property as described below and located 720 S. Minnesota Ave., 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-1:

All of Parcels Numbered Two Hundred Twenty-two (222) and Two Hundred Twenty-three (223) of Miscellaneous Tract Numbered Forty-six (46) in Section 11, Township 27, Range 33, in the City of Joplin, Jasper County, Missouri, according to the recorded plat thereof and, all that part of Parcel Numbered Four hundred (400) of Miscellaneous Tract Numbered Forty-six (46) in Section 11, Township 27, Range 33, in the City of Joplin, Jasper County, Missouri, according to the recorded plat thereof, described as follows: Beginning at the Northeast Corner of Parcel 400 of Miscellaneous Tract 46, thence South 150 feet, thence West 120 feet, thence North 150 feet, thence East 120 feet to the point of beginning and, all that part of Parcel Four Hundred (400) of Miscellaneous Tract 46 in Section 11, Township 27, Range 33, in Joplin, Jasper County, Missouri, described as follows: Beginning at a point 50 feet south of the Northeast corner of said Parcel 400, thence West 120 feet, thence South 150 feet, thence East 120 feet, thence North 150 feet to the point of beginning.

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_____, 2021, by a vote of _____.

_____
Ryan D. Stanley, Mayor

ATTEST:

_____
Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney