CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2021-271-Rezone to District C-3

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 026-21: 3320 & 3330 N. Rangeline Rd. – A request to remove from District R-1 (Single-family Residential) and include in Districts R-3 (Apartment House) and C-3 (Commercial) for future residential and commercial development – Schuber Mitchell Homes.

BACKGROUND:
The change in zoning to R-3 on the West half will not be detrimental to nearby property. There is existing R-3-PD zoning in the area, and the change to R-3 would provide a residential buffer between the commercial uses in C-3 with the R-1 neighborhoods to the West. There is a buffer requirement between the R-3 zone and the R-1 zone.

The applicant is requesting a rezoning from R-1 to C-3 on the western portion of the property, and from R-1 to R-3 on the eastern portion of the property, for future commercial and multi-family residential. This request is compatible with the comprehensive plan and future land use map. The stepping down in intensity from C-3 in the East to R-3, then to R-1 to the West provides a residential buffer between the high intensity commercial uses that may be located in C-3 and the low-density R-1 neighborhood to the West of this property. Buffer requirements will be required between each of the zoning changes

PLANNING & ZONING COMMISSION TESTIMONY:
Dan Mitchell, 3331 N. Rangeline Rd., Joplin, MO. We are requesting that this property be rezoned where the East half would be C-3, and the West half be R-3. We are requesting the R-3 zoning as a buffer between the commercial zoning and the residential zoning to the West of the property.

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 026-21.
Planning & Zoning Commission recommends approval for Case 026-21 (6 Favor, 0 Nays)

ATTACHMENTS

CB 2021-271, Staff Planning Report, P&Z Commission Minutes

CB 2021-271

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Mr. Kimble asked if there was historical significance to the existing house?

Mr. Mitchell replied that there is significance, and he does have the salvage rights. I don't know what to do with the house, we may move it to the rear of the property. It may have to come down, but we will preserve it as best we can.

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. KIMBLE THAT CASE 026-21 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 026-21 A request to remove from District R-1 (Single-family Residential) and include in District C-3 (Commercial) and District R-3 (Apartment House) for future commercial and multi-family development.

LOCATION 3320 & 3330 N. Range Line Rd.

APPLICANT Schuber Mitchell Homes

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-1	Single-family Residential/Vacant	Approx. 12 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	R-1	R-3	R-1	R-1
Land Use	Single-family Residential	Single-family Residential	Vacant/Auto Repair	Single-family Residential

FUTURE LAND USE

Joplin's Future Land Use Map shows this property as future retail commercial on the East half, and future low-density residential on the West half.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
N. Rangeline Rd.	Arterial	120'
E. Whitney Way.	Local	50'

UTILITIES

Utilities in place.

FLOOD PLAIN

This property is not 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 on the East half of this property. Although the West half is shown as future low-density residential, the rezoning to R-3 on the West would be consistent with the existing R-3-PD zoning to the South of this property, and provide a residential buffer between the intense uses allowed in C-3 and the R-1 neighborhood to the West.

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

The current zoning of R-1 is not suitable along the Rangeline corridor.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning to C-3 will not be detrimental to nearby property. The majority of property along N. Rangeline are already zoned C-3 or have uses allowed in C-3. There is a buffer requirement between the C-3 zone and the R-3 zone.

The change in zoning to R-3 on the West half will not be detrimental to nearby property. There is existing R-3-PD zoning in the area, and the change to R-3 would provide a residential buffer between the commercial uses in C-3 with the R-1 neighborhoods to the West. There is a buffer requirement between the R-3 zone and the R-1 zone.

DISCUSSION

The applicant is requesting a rezoning from R-1 to C-3 on the western portion of the property, and from R-1 to R-3 on the eastern portion of the property, for future commercial and multi-family residential. This request is compatible with the comprehensive plan and future land use map. The stepping down in intensity from C-3 in the East to R-3, then to R-1 to the West provides a residential buffer between the high intensity commercial uses that may be located in C-3 and the low-density R-1 neighborhood to the West of this property. Buffer requirements will be required between each of the zoning changes.

Staff recommends approval of Case 026-21.

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.: 026-21
Filing Fee: $550.00
Date Advertised: 4-25-21
Date Notices Sent 4-26-21
Public Hearing Date: 5-10-21

APPLICANT: Schuber Mitchell Homes PHONE: 417-483-2883
ADDRESS: 1810 Fountain Road, Webb City, Missouri ZIP: 64870

OWNER: Schuber Mitchell Homes PHONE: 417-483-2883
ADDRESS: 1810 Fountain Road, Webb City, Missouri ZIP: 64870

LOCATION/ADDRESS OF PROPERTY: 3320 & 3330 North Rangeline Road, Joplin Missouri 64801

Present Zoning R-1 Requested Zoning: R3 Tract 2 & C3 Tract 1 Acreage: 11.97
Present Use of Property: Single Family Home

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Single Family Residential	R1
South	Single Family Home (Planned Commercial Development)	R3-PD
East	Commercial	C2-PD
West	Single Family Residential	R1

Character of the Neighborhood: Property sits along North Rangeline Road. Developer is requesting to rezone the East half of the property to a commercial use to better fit the existing commercial use along North Rangeline Road. The developer is requesting to rezone the West half to R-3 to better fit the existing R3-PD zoning to the south.

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? Yes
   If yes, explain: Current zoning of R-1 will not allow for commercial development along North Rangeline Road. Current R1 zoning will not allow the construction of multifamily homes at the rear of the property.

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: North Rangeline Road & East Whitney Way
2. Classification of Street(s):
   Arterial X Collector _____ Local X
3. Right-of-Way Width: East Whitney Way - 50' , North Rangeline Road - 120'
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? No
2. Properly Sized Street Right-of-Way? No
3. Drainage Easements? No
4. Utility Easements:
   - Electricity? No
   - Gas? No
   - Sewers? No
   - Water? No
5. Additional Comments: _____

UNIQUE CHARACTERISTIC OF PROPERTY AND/OR ADDITIONAL COMMENT:

Please refer to attached exhibit and descriptions.

THE FOLLOWING **MUST** ACCOMPANY YOUR APPLICATION:

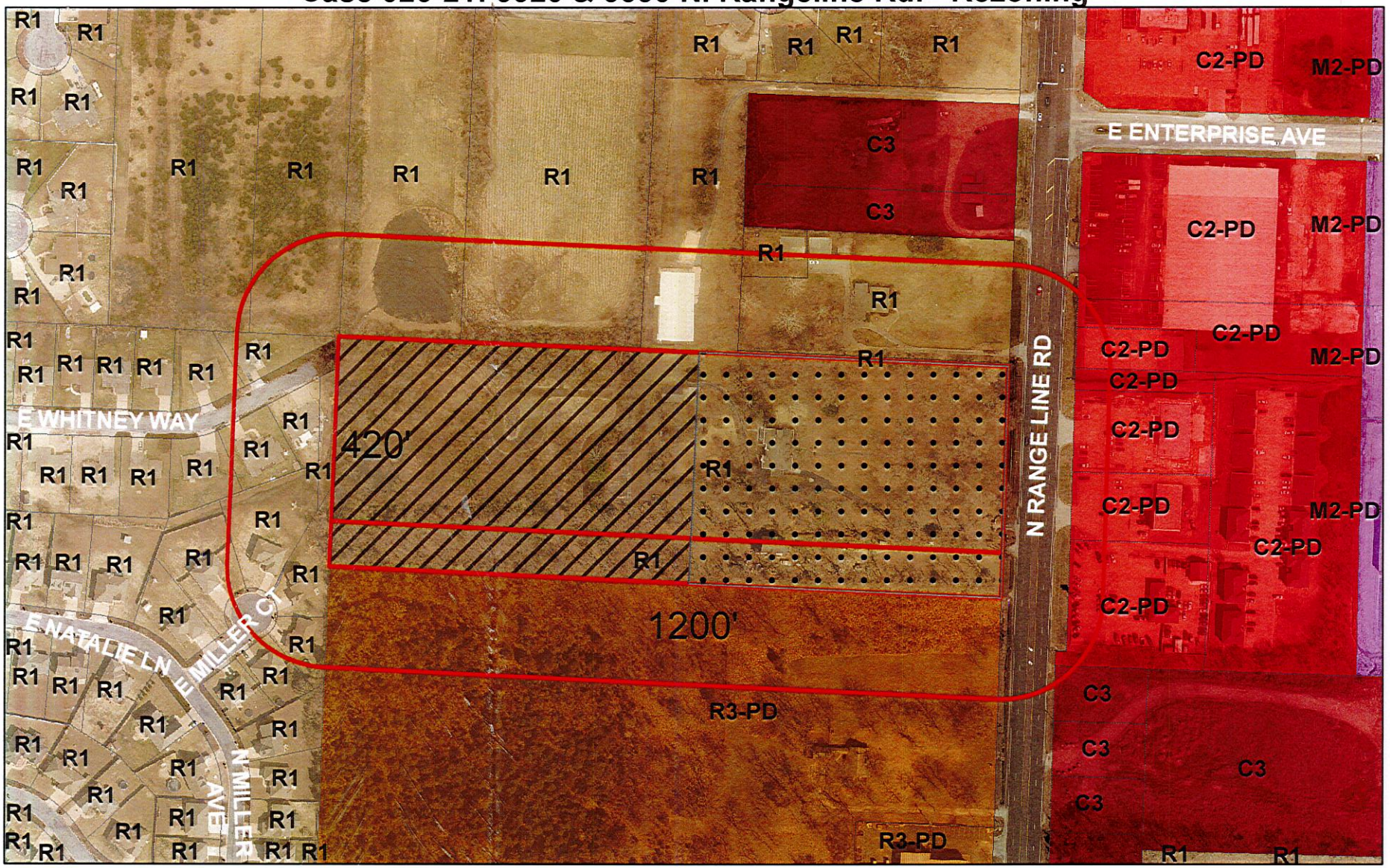
1. One copy of a legal description of the property proposed to be rezoned from a deed or certified survey.
2. One copy of a statement describing the reasoning for the rezoning, the impact of the proposed change, including any traffic conditions that may result; any danger from fire hazards; how the proposed change may affect the character of the surrounding properties; and how the proposed change will benefit the City of Joplin.
3. Owner Affidavit, if applicant applying for the rezoning is not the owner of the property be rezoned

SIGNATURE: _____ DATE: 4-7-21

EMAIL: dan@schubermitchell.com

TITLE: Owner - Leadership

Case 026-21: 3320 & 3330 N. Rangeline Rd. - Rezoning



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To be zoned R-3 To be zoned C-3

0 125 250 500 750 1,000 Feet

N

P & Z Case 026-21
Schuber Mitchell Homes
(P & Z Recommended Approval)

COUNCIL BILL NO. 2021-271 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-1 (Single Family Residential) and including in District R-3 (Apartment House) and District C-3 (Commercial) property as described below and located 3320 & 3330 N. Range Line Rd., 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 (1/2) OF THE NORTH (20) RODS OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHEAST QUARTER (SE1/4); AND, THE WEST HALF (1/2) OF THE NORTH ONE-HALF (N1/2) OF A 5 ACRE STRIP OF LAND RUNNING EAST AND WEST OFF THE NORTH SIDE OF THE SOUTH 30 ACRES OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHEAST QUARTER (SE1/4); ALL LYING IN SECTION 25, TOWNSHIP 28 NORTH, RANGE 33 WEST IN THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI. AND ALL THAT PART OF LOT NUMBERED ONE HUNDRED EIGHT (108) (AS PLATTED) IN NORTHERN HIGHLANDS SIXTH ADDITION PHASE II LOCATED IN SECTION 25, TOWNSHIP 28, RANGE 33, IN THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI, WHICH LIES EAST OF THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 108, THENCE NORTH 67 DEGREES 20'08" EAST ALONG THE NORTH LINE OF SAID LOT 191.81 FEET TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER AND THE POINT OF BEGINNING, THENCE CONTINUING NORTH 67 DEGREES 20'08" EAST ALONG THE NORTH LINE OF SAID LOT 108 (AS PLATTED) A DISTANCE OF 31.32 FEET TO THE NORTHEAST CORNER OF LOT 108, THENCE SOUTH 00 DEGREES 25'01" WEST ALONG THE EAST LINE OF SAID LOT 108 (AS PLATTED) A DISTANCE OF 50.08 FEET TO THE SOUTHEAST CORNER OF LOT 108, THENCE SOUTH 30 DEGREES 23'41"WEST ALONG THE SOUTH LINE OF SAID LOT 108 A DISTANCE OF 54.39 FEET TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, THENCE NORTH 00 DEGREES 41'08" WEST ALONG SAID LINE 84.93 FEET TO THE POINT OF BEGINNING, ACCORDING TO THE RECORDED PLAT THEREOF, AND ALL THAT PART OF LOT NUMBERED NINETY-FIVE (95) IN NORTHERN HIGHLANDS FIFTH ADDITION TO THE CITY OF JOPLIN, LYING EAST OF THE WEST LINE OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 25, TOWNSHIP 28, RANGE 33, JASPER COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: COMMENCING AT AN IRON PIN FOUND AT THE NORTHWEST CORNER OF SAID LOT 95 IN NORHTERN

HIGHLANDS FIFTH ADDITION, THENCE NORTH 59 DEGREES 44'54" EAST ALONG THE NORTH LINE OF SAID LOT 95 AND THE SOUTH RIGHT OF WAY LINE OF EAST WHITNEY WAY, A DISTANCE OF 108.03 FEET TO AN IRON PIN SET ON THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, SAID PIN BEING 76.93 FEET "SOUTH" OF AN IRON PIN FOUND AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, THENCE SOUTH 00 DEGREES 41'08" EAST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER A DISTANCE OF 155.33 FEET TO AN IRON PIN SET ON THE SOUTH LINE OF LOT 95 (AS PLATTED) A DISTANCE OF 31.32 FEET TO THE SOUTHEAST CORNER OF LOT 95 (AS PLATTED), THENCE NORTH 00 DEGREES 25'01" EAST ALONG THE EAST LINE OF LOT 95 (AS PLATTED) A CALCULATED DISTANCE OF 161.87 (THE RECORDE OMITS THIS DIMENSION) TO THE NORTHEAST CORNER OF LOT 95, AND THE SOUTH RIGHT OF WAY LINE OF EAST WHITNEY WAY A DISTANCE OF 36.97 FEET TO THE POINT OF BEGINNING, ACCORDING TO THE RECORDED PLAT THEREOF. PLATTED), THENCE NORTH 00 DEGREES 25'01" EAST ALONG THE EAST LINE OF LOT 95 (AS PLATTED) A CALCULATED DISTANCE OF 161.87 (THE RECORDE OMITS THIS DIMENSION) TO THE NORTHEAST CORNER OF LOT 95, AND THE SOUTH RIGHT OF WAY LINE OF EAST WHITNEY WAY A DISTANCE OF 36.97 FEET TO THE POINT OF BEGINNING, ACCORDING TO THE RECORDED PLAT THEREOF. PLATTED), THENCE NORTH 00 DEGREES 25'01" EAST ALONG THE EAST LINE OF LOT 95 (AS PLATTED) A CALCULATED DISTANCE OF 161.87 (THE RECORDED PLAT OMITS THIS DIMENSION) TO THE NORTHEAST CORNER OF LOT 95, AND THE SOUTH RIGHT OF WAY LINE OF EAST WHITNEY WAY A DISTANCE OF 36.97 FEET TO THE POINT OF BEGINNING, ACCORDING TO THE RECORDED PLAT THEREOF.

Section 2. 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:

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Section 3. 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