Z&P Meeting: June 10, 2019
City Council Meeting: July 1, 2019

STAFF PLANNING REPORT
Rezoning

CASE 020-19 A request to rezone from R-1 (Single Family Residential) to C-3 (Commercial District)

LOCATION 3925 S. Range Line Rd.

APPLICANT Joe Burtrum Jr.

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-1	Wedding Chapel	Approx. 1 Acre

SITE CONTEXT

	North	East	South	West
Existing Zoning	M-2	R-1	R-1	C-2-PD
Land Use	Manufacturing Company and I-44 & Range Line Rd. Interchange	Single-Family Residential	Law Office & RV Sales and Service	Range Line Commercial Corridor with Hotel and Restaurant

FUTURE LAND USE

Joplin's Future Land Use Map shows this property is appropriate for a retail commercial use which is consistent with the request.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
Outer Rd. used for Range Line access	Arterial	Approx. 270 ft.: part of the Range Line Rd right-of-way

UTILITIES Utilities do not need to be extended to this property.

FLOOD PLAIN N.A.

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

Even though this property is currently zoned single-family residential, it has a commercial use on the property (wedding chapel). This occurred because the Village of Silver Creek merged with the City of Joplin. Under the city's zoning regulations, regardless of the current land use, all properties that are brought into the City of Joplin through annexations and mergers are automatically zoned R-1 until a public hearing is held to try and determine an appropriate zoning classification. The adopted future land use map shows the property is appropriate for retail commercial development which is consistent with the proposed use and other uses permitted in C-3 districts. The request is consistent with the development policies of the city's comprehensive plan.

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

This property is currently zoned residential and contains a wedding chapel which is not a heavy commercial use. The applicant is proposing to rezone the property to commercial to allow the sale of medical marijuana. The city council recently adopted regulations to restrict the sale of licensed medical marijuana to heavier commercial districts such as C-2 (Central Business District) and C-3 (Commercial Districts). The current R-1 district or potential "lighter" commercial districts do not permit retail sales of medical marijuana.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

There will be minimal impact on adjacent and nearby commercial properties since most of the existing commercial use are classified as C-2 or C-3 type land uses. The greatest impact will be to the nearby single-family residents located to the east.

DISCUSSION

The property in the request is currently zoned single-family residential due to the merger of the City of Joplin and the Village of Silver Creek. The property is located along the Range Line commercial corridor that contains large traffic volumes near an Interstate interchange. The current R-1 district does not appear to be the best use of this property because of the existing commercial use located on the property and the heavy commercial and heavy industrial activities located nearby. For example, an RV sales and repair service is located to the south within 250 ft. of the property in this request. Like the property in the rezoning request, the RV business is also zoned R-1 (single-family residential) because of the merger between Joplin and Silver Creek. In the future if the city needed to assign an appropriate zoning classification to the RV business, it would be C-3 (Heavy Commercial) so heavy commercial uses are already operating in this area. Likewise, a M-2 district is located to the North and contains a heavy manufacturing business. Again, there are existing "heavy" commercial and "heavy" industrial uses already operating in this area which makes it difficult to recommend the denial of the request to rezone the property to C-3.

Staff recommends approval of Case 020-19.

ATTACHMENTS

- Application

REZONING APPLICATION FORM

RECEIVED 5-13-19

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.: ~~60~~ 020-19
Filing Fee: $500.00
Date Advertised: 5/26/19
Date Notices Sent: 5/28/19
P&Z Date: 6-10-19
City Council Date: 7-1-19

APPLICANT: Joe H. Burtrum JR PHONE: 417-781-4000
ADDRESS: 7192 Gateway Dr. ZIP:
EMAIL: JLWCWB4O@gmail.com
OWNER: NORMA & Joe Burtrum PHONE: 417-781-4000
ADDRESS: ZIP: 64804
EMAIL:
LOCATION OF PROPERTY: 3925 South Rangeline
LEGAL DESCRIPTION:

Present Zoning R-1 Requested Zoning: C-3 Acreage:
Present Use of Property: Wedding Chapel
Proposed Use of Property: Medical Marijuana Dispensary

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Manufacturing	M2
South	Law Offices	~~M2~~ Commercial
East	Resident	R1
West	Highway Rangeline	

CHARACTER OF THE NEIGHBORHOOD: Commercial

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:

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: Moorehead Dr.
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:_____
   _____
   _____

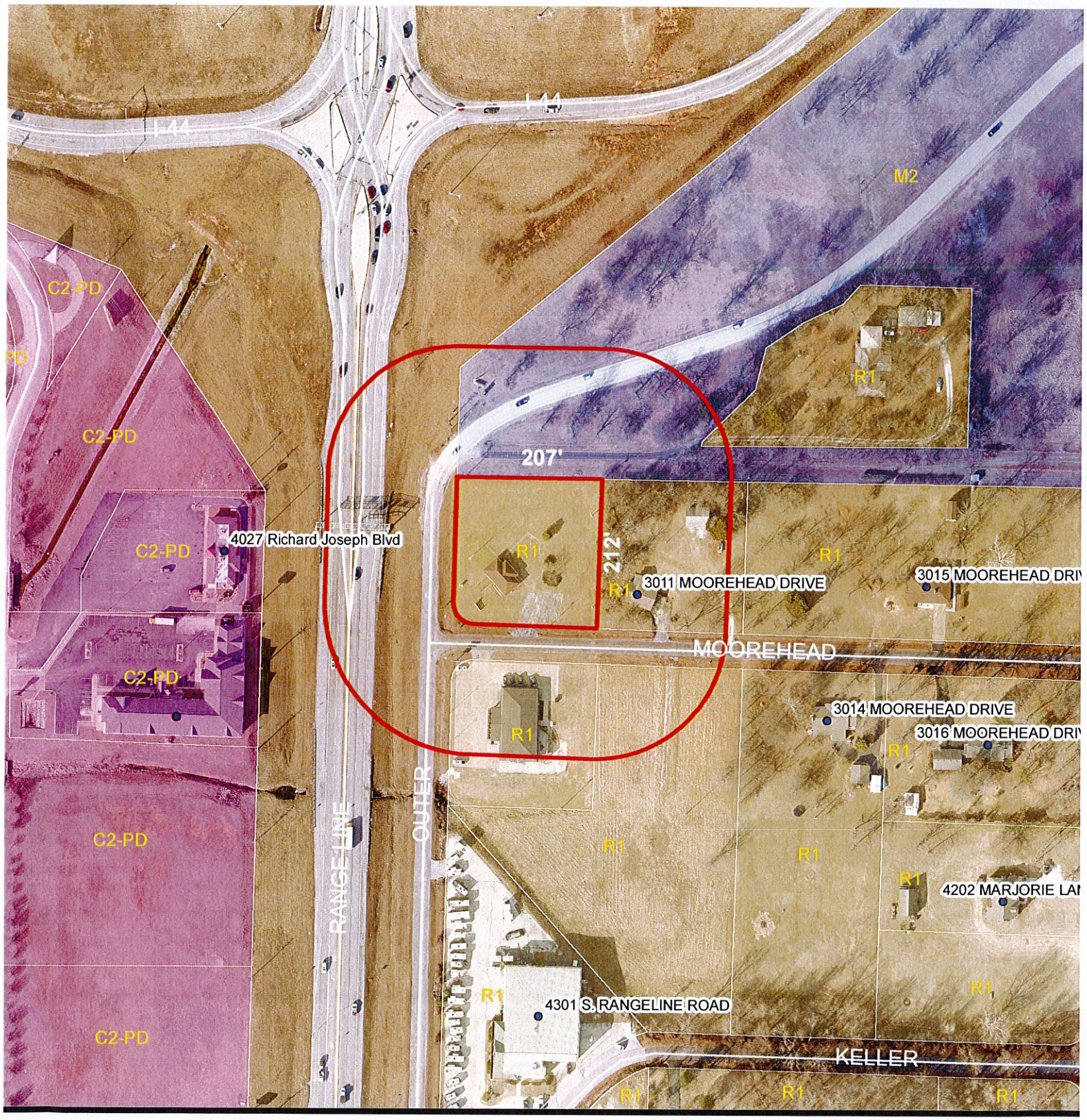
UNIQUE CHARACTERISTIC OF PROPERTY AND ADDITIONAL COMMENT:

_____
_____
_____

SIGNATURE: _____ DATE:_____

BY: _____

TITLE: _____



3925 South Range Line Road – A request to rezone from Single Family Residential District (R-1) to Commercial District (C-3) for the operation of a Medical Marijuana Dispensary – Joe Burtrum Jr.