CB 2017-257

Case 009-17: Southwest Corner of South Even Avenue and West 26th Place – A request to rezone from R-1 (Signal Family Residential) to R-1-PD (Planned Single-Family Residential Development) for the construction of a of a single family residential development – Schuber Mitchell Homes.

Mr. Ramsour recused himself because his brother owns property in the neighborhood.

Dan Mitchell, Schuber Mitchell Homes, 1621 Anderson Drive, Webb City MO, stated that he was requesting the PD overlay on the interior and northern edge of Cedar Point neighborhood. The PD will only be in the interior lots. Everything that is touching the existing Cedar Ridge neighborhood will remain zoned as R-1 without the possibility for smaller lots. A PD zoning with smaller lot sizes would allow Schuber Mitchell to build an additional 11 homes in the new neighborhood. Mr. Mitchell stated that the plans for this section fit in the PD regulations. He read Section 29A 1701 paragraph A, which can be found on page 73 of the City of Joplin Zoning Code. Schuber Mitchell's plans fit the current neighborhood and meet the intent of the Planned District overlay. The new neighborhood with have upgraded infrastructure, sidewalks and convert previous overgrown field where people were dumping trash into a place where families settle and invest in our city.

After the first P&Z meeting Schuber Mitchell requested the Commission to table the request for rezoning. Schuber Mitchell met with the neighborhood at one public meeting and talked to numerous residents individually. Most residents were fearful of smaller houses and lower values, fearful of more traffic in the neighborhood without sidewalks, and fearful of storm water issues.

Mr. Smith asked if the sewer system is already in place? Mr. Mitchell stated that some of the sewer was there and some must be installed by Schuber Mitchell.

Mr. Smith asked if there were any questions for Mr. Mitchell.

Mr. Duncan asked Mr. Mitchell to show us where the 11 homes would be built. Mr. Mitchell stated that the entire area has been approved for 65-foot-wide lots. He was asking for the interior lots to be zoned with the PD overlay.

Mr. Smith wanted to know how many lots all together. Mr. Mitchell stated if we gain the 11 there will be 98 lots, right now there is 87.

Mr. Smith asked if there were any other questions? There were not. He asked if there was anyone wanting to speak in favor of this request? There were none. Anyone here to speak against this request?

Mark Parrin, 4523 West 26th Place, Joplin, MO, stated he wanted to touch on Section 29A 1701 of the Zoning Regulations. Mr. Mitchell stated that the development must be interrelated with an adjacent development and area, but just because he is not asking for apartments doesn't mean it is interrelated with our neighborhood. If you continue with that it states "and to maintain the

overall desires intensity of land use." Most of the neighborhood has 70 to 80-foot-wide lots. The proposed development from Schuber Mitchell would not match the existing neighborhood aesthetic. Mr. Mitchell is asking to shrink the property size, and there is a considerable difference between an 80-foot lot to a 50-foot lot in this area. The neighborhood desires open spaces and houses in this area now have about 20 to 30 feet between them. The people in the neighborhood are against this development. Schuber Mitchell just wants to maximize their profit. Thank you for your time.

Mr. Smith asked if there was anyone else to speak against this proposal?

Terra Miller, 4401 W. 27th Street, Joplin, MO. She presented 200 signatures from property owners in the sub-division who are in opposition. The whole community is not in opposition to them building they are in opposition to the lot sizes of 50 feet.

Mr. Weinkein, 4803 W. 28th Place, Joplin, MO, is a retired Traffic Engineer from MoDOT and a Realtor. He stated that Schuber-Mitchell should maintain the consistency of the Cedar Ridge neighborhood, which is zone for 65 feet minimum lots. When the previous developer bough this land, the overall development plan was to extend Lois Lane to 32nd Street, but that is beyond what the City can do at this point. The proposed development from Schuber Mitchell will have a negative impact on Cedar Ridge.

Paul Howie, 4819 W. 28th Street, Joplin, MO. The average family usually has two cars and with the 11 more homes and 22 additional cars it will cause more issues in the neighborhood.

Mr. Smith asked if there was anyone else to speak again this proposal? There were none.

Mr. Duncan asked Ms. Cunningham if Schuber Mitchell would still be able to build homes if the rezoning request was not approved?

Ms. Cunningham stated that Schuber Mitchell would still be able to build homes but would be required to do so on 65 foot lots rather than 50.

Harvey Hutchinson, 4512 W. 27th Place, Joplin, MO, asked if Mr. Mitchell could make all the lots in the subdivision 50 feet after the first development plan was complete. Ms. Cunningham stated that Mr. Mitchell would not be able to do that. The request is for a specific parcel of land that has a legal description and there is no possibility to add to that land without another public hearing.

Mr. Duncan stated that this was very difficult decision and he understands why there are folks protesting the request. There is not a lot of land left in the City of Joplin on the out skirts where people want to live. One hand you would like to preserve your neighborhood on the other hand a lot of young people would like to own homes that are affordable.

Mr. Cortez agreed.

MR. DUNCAN MOVED, SECONDED BY MR. DERMOTT, THAT CASE 009-17 BE FORWARD TO CITY COUNCIL WITH RECOMMENDATION FOR DENIAL. THE MOTION CARRIED, WITH MR. SMITH, MR. DUNCAN, MR. CORTEZ, MR. DERMOTT AND MS. BRUECKNER-SEARS VOTING "AYE".
(5 IN FAVOR, 1 ABSTAIN, 0 NEY'S, 1 ABSENT).