CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2019- 265 -Rezone to Commercial District (C-3)

MEETING DATE:
July 1, 2019

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, Interim City Manager- Daniel Pekarek.

SUMMARY REQUEST:
Case 018-19: 2902 East 20th Street – A request to rezone from Single Family Residential District (R-1) to Commercial District (C-3) for the construction of a Tire & Lube Business – CEI Engineering & Associates, Inc.

BACKGROUND:
The property is zoned single-family residential and is currently located in a commercial corridor along an arterial street that contains large traffic volumes. The current R-1 district does not appear to be the best use of this property because of the existing heavy commercial activities nearby and the property's access is currently restricted to 20th St which is classified as an arterial street. The property currently has approximately 310 ft. of frontage along 20th St. which contains a significant amount of traffic.

PLANNING & ZONING COMMISSION TESTIMONY:
Chris Johnson, CEI Engineering, Bentonville, Arkansas. He is requesting for this property to be rezoned from R-1 to C-3 for the construction of Tire and Lube Business. There are constraints with Joplin creek that runs through the sight. They do believe this is feasible for the construction of the Tire and Lube. Mr. Ramsour asked if the main entrance would be off 20th Street or off Highview or both.

Mr. Johnson stated it would be 20th Street. We are going to use the existing driveways that are there and keep it as is.

Mr. Eastman asked if there were any plans to culvert any of the creek?

Mr. Johnson stated they are trying to stay away from the creek as much as possible.

PUBLIC COMMENT;
None.

FUNDING SOURCE:
These payments are included in the FY 2018-19 budget of the Community Planning Fund.

RECOMMENDATIONS:
Planning & Zoning Commission recommends approval (6 in Favor 0 Nays, 1 Absent).
Staff recommends approval of Case 018-19.

ATTACHMENTS
CB 2019- 265, Staff Planning Report, P&Z Commission Minutes

CB 2019-265

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Mr. Ramsour asked if the main entrance would be off 20th Street or off Highview or both.

Mr. Johnson stated it would be 20th Street. We are going to use the existing driveways that are there and keep it as is.

Mr. Ramsour asked if water was an issue.

Mr. Johnson stated not that they are aware of. Are you speaking of the Joplin Creek? We are aware that we will have to follow the no net rise policy and abide by that.

Mr. Ramsour asked if any of the commissioners have questions?

Mr. Eastman asked if there were any plans to culvert any of the creek?

Mr. Johnson stated they are trying to stay away from the creek as much as possible.

Mr. Ramsour asked if there was anyone that would like to speak in favor of this case? There were not.
Anyone who would like to speak in opposition to this case? There were not.

MR. MCCULLOUGH MOVED, SECONDED BY MRS. BRUCKNER-SEARS, TO BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL FOR CASE 018-19. MOTION CARRIED, WITH MR. RAMSOUR, MR. DERMOTT, MRS. BRUECKNER-SEARS, MRS. STEELE, MR. MCCULLOUGH, AND MR. EASTMAN VOTING "AYE". (6 IN FAVOR, 0 NAYS, 1 ABSENT).

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

STAFF PLANNING REPORT
Rezoning

CASE 018-19 A request to rezone from R-1 (Single Family Residential) to C-3 (Commercial District)

LOCATION 2902 E. 20th St.

APPLICANT CEI Engineering & Associates, Inc.

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-1	Vacant	Approx. 1 Acre

SITE CONTEXT

	North	East	South	West
Existing Zoning	C-3-PD	R-1	R-1	C-1 & C-3
Land Use	Strip Center	Single-Family Residential	Vacant	Range Line Commercial Corridor

FUTURE LAND USE

Joplin's Future Land Use Map shows this property is appropriate for a commercial use.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
20th St.	Arterial	85'

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

FLOOD PLAIN A portion of the property is located within the 100-year flood plain

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STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

Although this property currently has a residential zoning, it borders commercial properties that are located along both the 20th St. and Range Line Rd. commercial corridor. The future land use map reveals the property is appropriate for commercial development. The future land use map also recommends that the Range Line commercial district be extended from Range Line Rd. to Highview Ave. 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 previously contained a former church that was destroyed by the 2011 tornado. The property has sat vacant since the tornado. The current residential zoning does not permit a commercial land use such as the proposed tire and lube business.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

There will be minimal impact on adjacent property. Adjacent property is currently zoned commercial.

DISCUSSION

The property is zoned single-family residential and is currently located in a commercial corridor along an arterial street that contains large traffic volumes. The current R-1 district does not appear to be the best use of this property because of the existing heavy commercial activities nearby and the property's access is currently restricted to 20th St which is classified as an arterial street. The restricted access is created by a mapped stream that is located on both the west side and south side of this property. Any development in the 100-yr. flood plain must be at least 2 ft. above the base flood elevation or is to not occur in the flood plain at all. The property currently has approximately 310 ft. of frontage along 20th St. which contains a significant amount of traffic. Market conditions and surrounding commercial land uses have made this property more suited for commercial development rather than single-family residential development for which it is currently zoned.

Staff recommends approval of Case 018-19.

ATTACHMENTS

- Application

RECEIVED
4-30-19

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.: 018-19
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: CEI Engineering & Associates, Inc. PHONE: 479-273-9472
ADDRESS: 3108 SW Regency Parkway Ste 2, Bentonville AR ZIP: 72712
EMAIL: CJohnson@ceieng.com
OWNER: Unity church of Joplin PHONE:
ADDRESS: 204 N. Jackson Ave, Joplin, AR ZIP: 64801
EMAIL:
LOCATION OF PROPERTY: 2902 E 20th St, Joplin, MO 64804
LEGAL DESCRIPTION: Kindreds Replat Lot 81 Ex St

Present Zoning R1 Requested Zoning: C-3 Acreage: 1
Present Use of Property: Vacant Lot
Proposed Use of Property: Tire & Lube Shop

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Shopping Center	C3-Pd
South	Residential	R1
East	Commercial	C1
West	Residential	R1

CHARACTER OF THE NEIGHBORHOOD:

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: It is currently R1 with C1 adjacent to our east

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: E 20th St & S Highview Ave
2. Classification of Street(s):
   Arterial _____ Collector E 20th St Local S. Highview Ave
3. Right-of-Way Width: E 20th St - Differs & S Highview Ave - 60' ROW
4. Will turning movements caused by the proposed use create an undue traffic hazard?
   No

IS PLATTING OR REPLATTING REQUIRED TO PROVIDE FOR: N/A

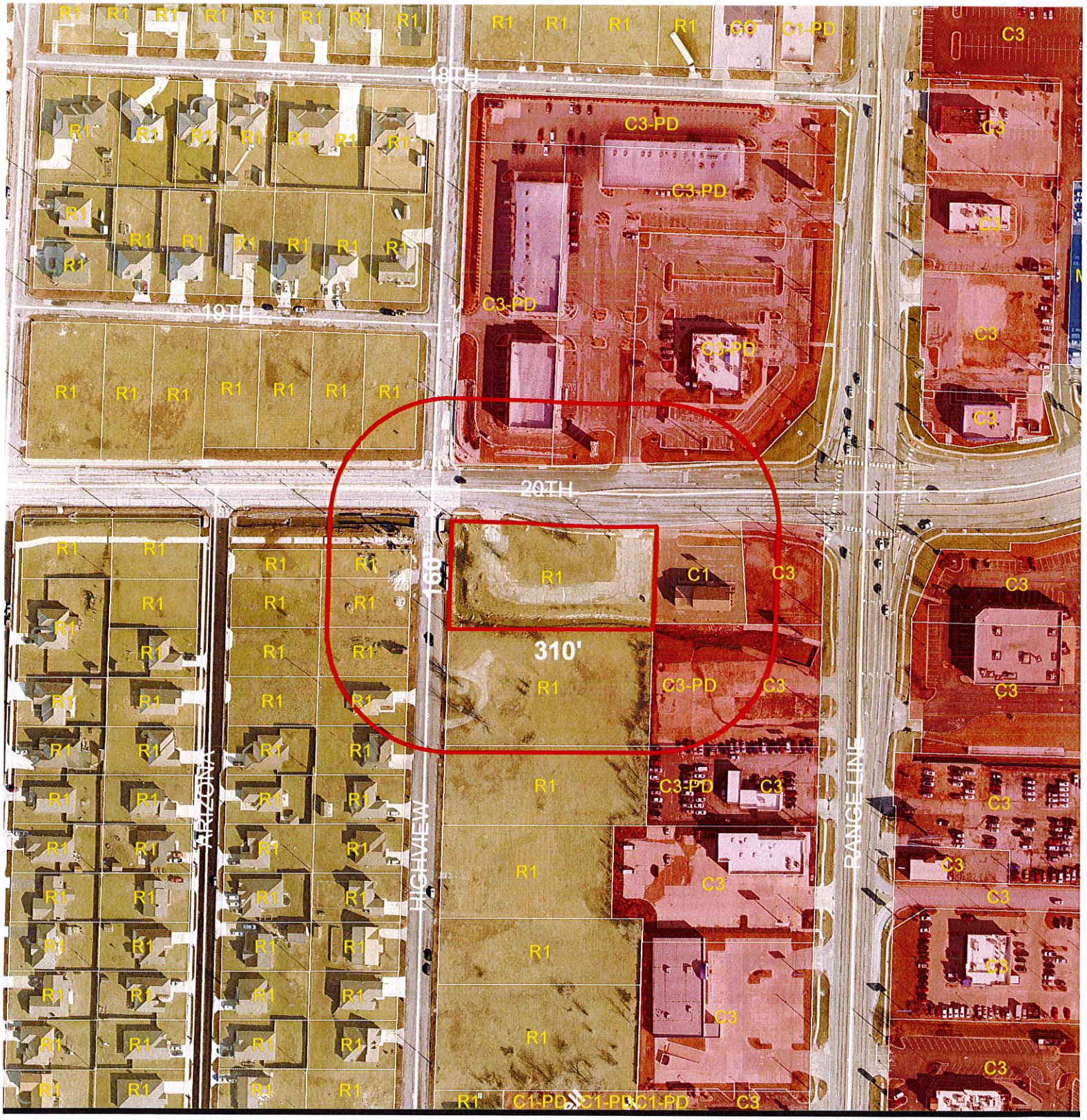
1. Appropriately Sized Lots? No
2. Properly Sized Street Right-of-Way? No
3. Drainage Easements? No
4. Utility Easements:
   - Electricity? No
   - Gas? No
   - Sewers? No
   - Water? No
5. Additional Comments: _____

UNIQUE CHARACTERISTIC OF PROPERTY AND ADDITIONAL COMMENT:

SIGNATURE: _____ DATE: 4/26/2019

BY: Jefferson W. Myers

TITLE: President Board of Trustees - Unity of Joplin



300 150 0 300 600 900

Feet

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P & Z Case 018-19
CEI Engineering & Associates, Inc.
(P & Z Recommended Approval)

COUNCIL BILL NO. 2019-265 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 and including in District C-3 property as described below and located 2902 East 20th Street, 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 C-3:

> Lot 81 in Kindreds Replat, EXCEPT street right-of-way, all located in the City of Joplin, Jasper County, Missouri, according to the recorded plat thereof.

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_____, 2019, by a vote of _____.

_____
Gary L. Shaw, Mayor

ATTEST:

_____
Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney