CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2019- 266 -Rezone to Commercial District (C-1)

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 019-19: 407 East 20th Street and 411 East 20th Street– A request to rezone from Two-Family Residential District (R-2) to Neighborhood Commercial District (C-1) for the operation of a Nail Salon - Kieng Bui.

BACKGROUND:
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. 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.

PLANNING & ZONING COMMISSION TESTIMONY:
Kieng Bui, 127 S Forrest Ave., Joplin, MO. Ms. Bui stated that she would like to get this rezoned for the operation of a nail salon and the lot to the east a Vietnamese restaurant.

Mrs. Bruckner-Sears wanted to know about the parking for the nail salon.

Ms. Bui stated the lot is where she wants to open a parking lot for the nail salon and the restaurant.

Mr. Bolander stated that the proposal is to put the parking lot on the east side of the alley which is a vacant lot. On the west side of the alley is an old commercial building.

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 019-19.

ATTACHMENTS
CB 2019- 266, Staff Planning Report, P&Z Commission Minutes

CB 2019-265

Case 019-19: 407 East 20th Street and 411 East 20th Street– A request to rezone from Two-Family Residential District (R-2) to Neighborhood Commercial District (C-1) for the operation of a Nail Salon - Kieng Bui

Kieng Bui, 127 S Forrest Ave., Joplin, MO. Ms. Bui stated that she would like to get this rezoned for the operation of a nail salon and the lot to the east a Vietnamese restaurant.

Mr. Ramsour asked the commissioners if they had any questions.

Mrs. Bruckner-Sears wanted to know about the parking for the nail salon.

Ms. Bui stated the lot is where she wants to open a parking lot for the nail salon and the restaurant.

Mr. Bolander stated that the proposal is to put the parking lot on the east side of the alley which is a vacant lot. On the west side of the alley is an old commercial building.

Mr. Ramsour asked if there were any other questions by the commissioners?

Mr. Eastman asked Mr. Bolander if he had seen the preliminary drawings?

Mr. Bolander reply that he had not. She is not required to submit one, we are just looking at the land use right now.

Mr. Ramsour asked if there anyone else that would like to speak in favor of this case? There were not. There was no one to speak in opposition of this request.

MR. DERMOTT MOVED, SECONDED BY MR. EASTMAN, TO BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL FOR CASE 019-19. 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 019-19 A request to rezone from R-2 (Two-Family Residential) to C-1 (Neighborhood Commercial District)

LOCATION 407 E. 20th St. & 411 E. 20th St.

APPLICANT Kieng Bui

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-2	Vacant Commercial Building & Vacant Lot	Commercial Building 38' x 40' Vacant Lot 38' x 120'

SITE CONTEXT

	North	East	South	West
Existing Zoning	R-2	R-2	R-2	R-2
Land Use	Single-Family Homes	Single-Family Home	20th St. Corridor & Single-Family Homes	Single-Family Homes

FUTURE LAND USE

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

TRANSPORTATION

Streets with access	Classification	Right-of-way width
Grand Ave.	Local	60'

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 two-family residential, the lot facing Grand Ave. is a vacant lot and there is an existing old vacant neighborhood grocery store located to the west across the alleyway. The request is consistent with the policies of the comprehensive plan and the recommendation of the future land use map which recommends a commercial land use.

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

The properties in this request are currently zoned two- family residential which will not permit the reuse of the old neighborhood grocery store or the vacant lot for off-street parking.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The greatest impact will be to nearby residences, but both properties in this request are located along an arterial street that contain higher traffic volumes than residential streets. Also, there is currently a C-1 district with a strip center located to the west less than one block away. The impact of the traffic and commercial uses have already been felt by the adjacent residential neighborhood.

DISCUSSION

Staff believes the request for a C-1 district is appropriate for this location. First, the C-1 district is a neighborhood commercial district which is intended to serve the immediate area and neighborhood. Uses in the C-1 district tend to be "lighter" commercial uses and have limited hours of operation and are better neighbors to residential areas. The proposed nail salon will be a good reuse of the old vacant commercial building located at 407 E. 20th St. while the vacant lot at 411 E. 20th St. can be used for off street parking.

Staff recommends approval of Case 019-19.

ATTACHMENTS

- Application

RECEIVED 5-2-19

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.: 019-19/09-19-2
Filing Fee: $500.00
Date Advertised: 5/26/19
Date Notices Sent 5/28/19
Public Hearing Date: 6-10-19

APPLICANT: KIENG BUI PHONE: 830 9008385
ADDRESS: ~~1916 S Murphy Ave~~ 127 S Forest ZIP: 64801
OWNER: KIENG BUI Ave, Joplin PHONE: 830 9008385
ADDRESS: 127 S. Forest Ave, Joplin, MO ZIP: 64801
LOCATION OF PROPERTY: 407 E 24th St and 411 E 20th
LEGAL DESCRIPTION:

TRACT 1:
ALL OF LOT NUMBERED TWENTY-FIVE (25)

TRACT 2:
ALL OF THE EAST 40 FEET OF LOT NUMBERED SEVENTY-TWO (72) AND THE EAST 40 FEET OF THE SOUTH 10 FEET OF LOT NUMBERED SEVENTY-ONE (71) IN MITCHELL'S SECOND ADDITION TO THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

Present Zoning: R-2 Requested Zoning: C-1 Acreage:
Present Use of Property: VACANT BUILDING

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	HOME	R-2
South	HOME	R-2
East	VACANT LOT	R-2
West	HOME	R-2

CHARACTER OF THE NEIGHBORHOOD: MIX OF COMMERCIAL AND HOMES

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: CURRENT ZONING DOES NOT PERMIT A NAIL SALON

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

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: 20th St.
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?
   NO

IS PLATTING OR REPLATTING REQUIRED TO PROVIDE FOR:

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

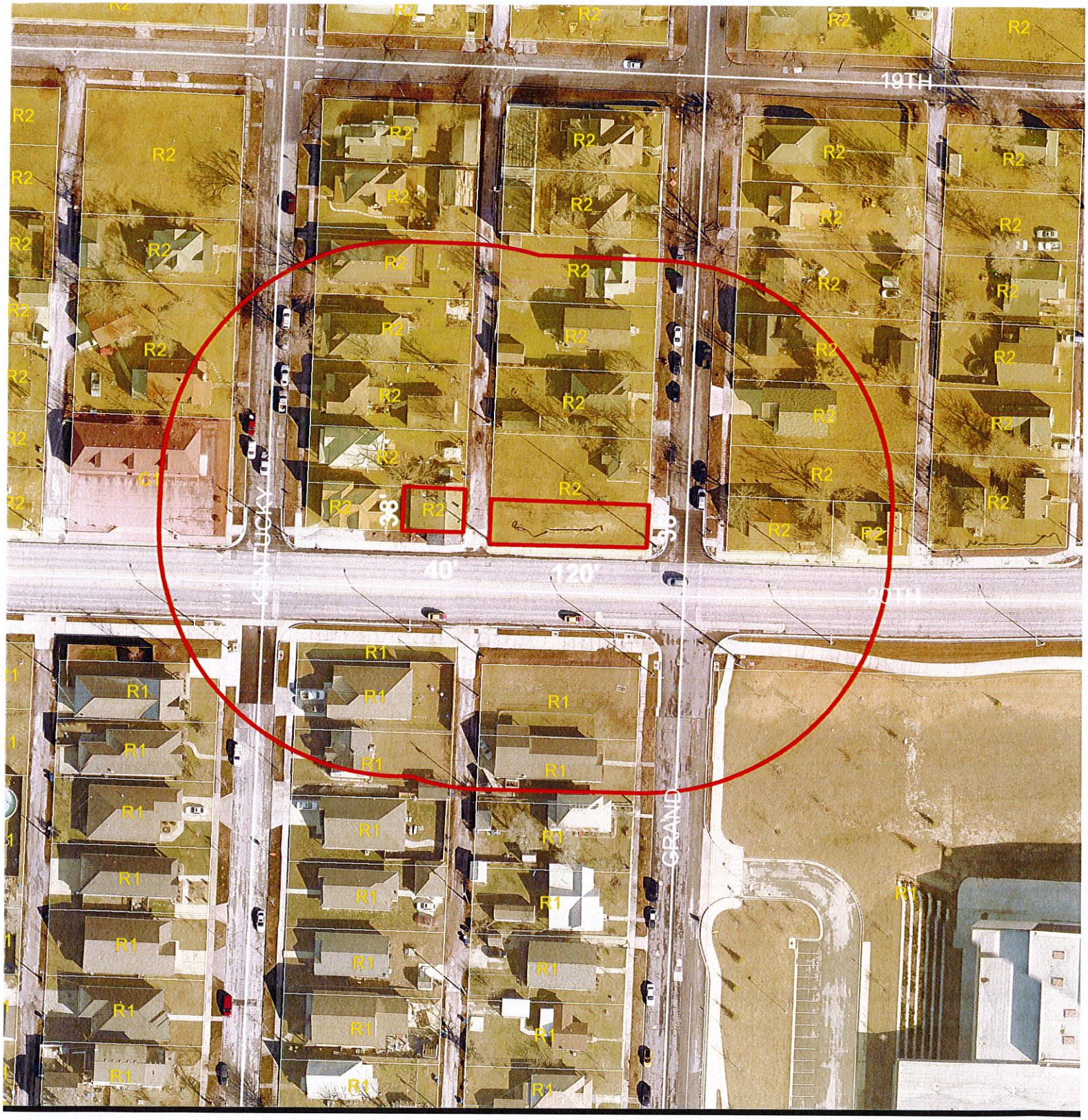
UNIQUE CHARACTERISTIC OF PROPERTY AND ADDITIONAL COMMENT:

20th St. Corridor Is Transitioning To Commercial

SIGNATURE: _____ DATE: _____

BY: KIENG BUI

TITLE: _____



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Feet

Case 019-19: 407 East 20th Street and 411 East 20th Street– A request to rezone from Two-Family Residential District (R-2) to Neighborhood Commercial District (C-1) for the operation of a Nail Salon - Kieng Bui

N

P & Z Case 019-19
Kieng Bui.
(P & Z Recommended Approval)

COUNCIL BILL NO. 2019-266 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-2 and including in District C-1 property as described below and located 407 and 411 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:

> All of Lot Numbered Twenty-Five (25) AND all of the East 40 feet of Lot Numbered Seventy-Two (72) and the East 40 feet of the South 10 feet of Lot Numbered Seventy-One (71) in Mitchell's Second Addition to 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