City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: July 2, 2018

Item: COUNCIL BILL NO. 2018-260
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Copy of Council Bill 2018-260
2) Planning Report
3) Commission Minutes

Planning/Community Development Manager: Troy Bolander
Finance Director: Leslie Haase
City Attorney: Peter C. Edwards
City Manager: Samuel L. Anselm
Board or Commission: Planning and Zoning Commission Date: 06/11/18

Recommended Action: Planning and Zoning Commission recommended approval by a vote of "6 in Favor, 0 Nay, 1 Absent"

SUMMARY/REQUEST:
Case 020-18: .
3534 E. 20th Street – A request to rezone from Heavy Industrial District (M2) to Commercial District (C3) for the operation of a car dealership – David Glenn.

STAFF SUMMARY:
The applicant wishes to construct and operate a car dealership on this property. Because there are townhouses to the north, a car dealership is a more appropriate use for this property than many potential uses under the current zoning of Heavy Industrial District. Rezoning this property does not violate Joplin's Comprehensive Plan.

Staff recommends approval of Case 020-18.

PLANNING & ZONING COMMISSION TESTIMONY:
David Glenn, 3310 S. Highland Ave., Joplin, MO. Mr. Glenn was representing the Fletcher Auto Group to have this property rezoned from M-2 to C-3.

Mr. Ramsour wanted to know if there were any environmental issues on the property?

Mr. Glenn stated that they have all been explored through the engineering firm and all resolved. There are not any issues of concern.

Mr. Cortez asked if there would be access to the property from Davis Blvd. as well as 20th Street?

Mr. Glenn stated there would be, yes. All developmental designs have been submitted to the City.

PUBLIC COMMENT:
None.

CB 2018-260

Case 020-18: 3534 E. 20th Street – A request to rezone from Heavy Industrial District (M2) to Commercial District (C3) for the operation of a car dealership – David Glenn.

David Glenn, 3310 S. Highland Ave., Joplin, MO. Mr. Glenn was representing the Fletcher Auto Group to have this property rezoned from M-2 to C-3.

Mr. Duncan asked if there any questions from the Commission?

Mr. Ramsour wanted to know if there were any environmental issues on the property?

Mr. Glenn stated that they have all been explored through the engineering firm and all resolved. There are not any issues of concern.

Mr. Duncan mentioned that visiting the sight there are some concrete highway dividers, is that on that property?

Mr. Glenn stated that the Zerkel, when they owned Snyder Construction, put those dividers up. They will be removed prior to construction.

Mr. Cortez asked if there would be access to the property from Davis Blvd. as well as 20th Street?

Mr. Glenn stated there would be, yes. All developmental designs have been submitted to the City.

Mr. Duncan asked if there was anyone else to speak in favor? There was not. Is there anyone to speak against this rezoning? There were not.

Mr. Duncan closed the case.

MRS. BRUCKNER-SEARS MOVED, SECONDED BY MR. RAMSOUR, THAT CASE 020-18, BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MR. DUNCAN, MR. CORTEZ, MR. RAMSOUR, MRS. KOELKEBECK, MRS. STEELE, AND MRS. BRUCKNER-SEARS VOTING "AYE". (6 IN FAVOR, 0 NAYS, 1 ABSENT).

Z&P Meeting: June 11, 2018
City Council Meeting: July 2, 2018

STAFF PLANNING REPORT
Rezoning

CASE 020-18 A request to rezone from M-2 (Heavy Industrial District) to C-3 (Commercial District) for the operation of a car dealership

LOCATION 3534 E. 20th Street

APPLICANT Mr. David Glenn

EXISTING CONDITIONS

Zoning	Land Use	Property Size
M-2	Vacant	12.61 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	M-2/R-4	M-2	M-2	C-3
Land Use	Heavy Industrial/Townhouse District	Heavy Industrial	Heavy Industrial	Commercial

FUTURE LAND USE

The City of Joplin's Future Land Use Map classifies this lot as Industrial.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
20th Street	Arterial	60'
Davis Blvd.	Collector	60'

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

FLOOD PLAIN The property is near the 100-year flood zone but not within it.

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

No. The Future Land Use Map currently designates this area as Industrial. However, despite this, we have allowed other commercial uses on the adjacent property to the west.

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

This property is currently zoned M-2. A rezoning to M-1 would allow a car dealership and is consistent with the Future Land Use Map, but C-3 is a more appropriate designation for this use. This is due to the Commercial properties on the west and the residential properties to the north.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The surrounding properties would not be significantly impacted by rezoning.

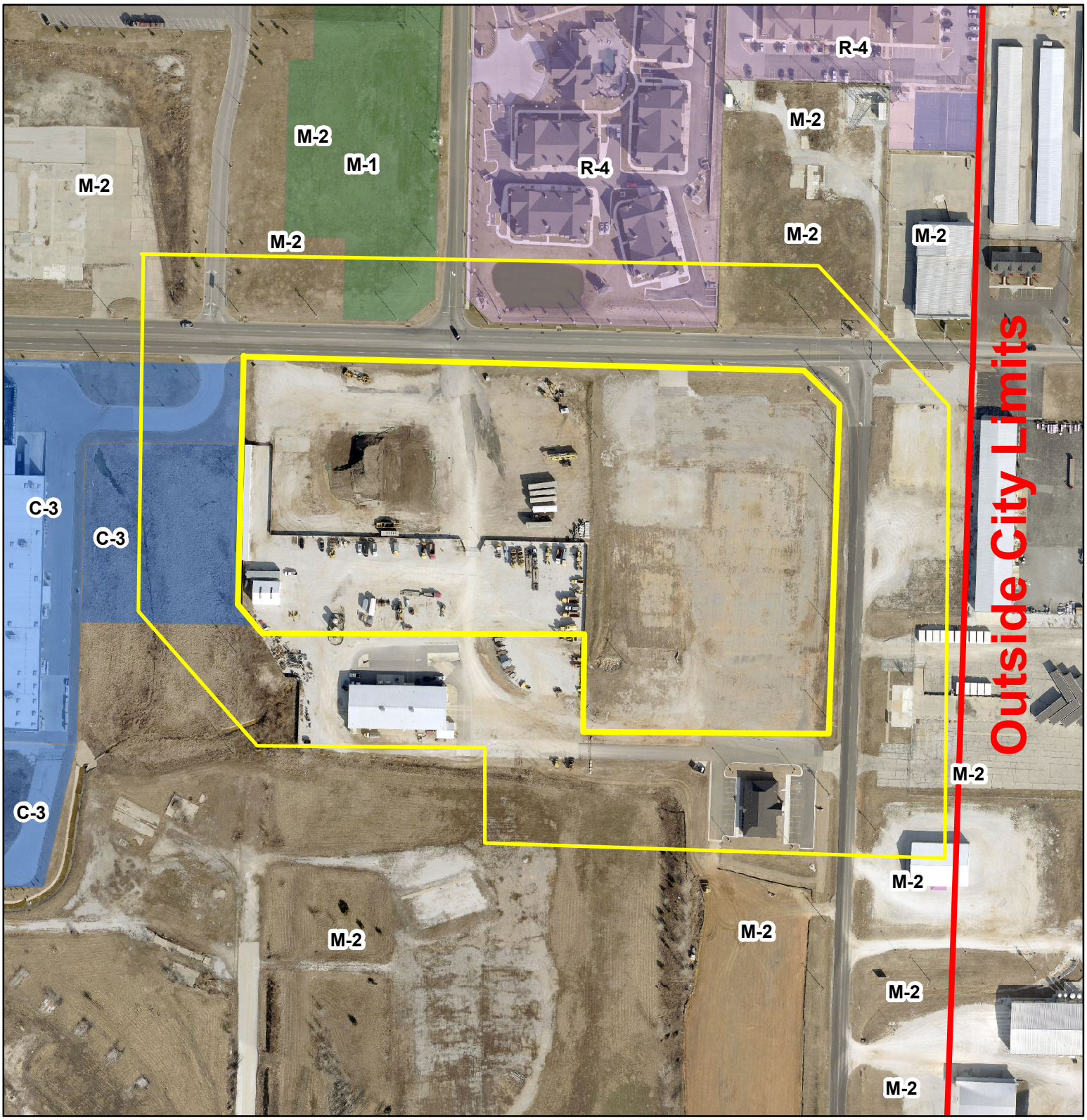
DISCUSSION

The applicant wishes to construct and operate a car dealership on this property. Because there are townhouses to the north, a car dealership is a more appropriate use for this property than many potential uses under the current zoning of Heavy Industrial District. Rezoning this property does not violate Joplin's Comprehensive Plan.

Staff recommends approval of Case 020-18

ATTACHMENTS

- Application
- Survey



Feet

0 200 400 800 1,200 1,600

Case 020-18: 3534 E. 20th Street -- A request to rezone from M-2 (Heavy Industrial District) to C-3 (Commercial District) -- David Glenn

N

P & Z Case 020-18
David Glenn For Fletcher Auto Group.
(P & Z Recommended Approval)

COUNCIL BILL NO. 2018-260 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 Heavy Industrial District (M2) and including in Commercial District (C3) property as described below and located at 3534 E. 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 removing the following described property from District M-2 and including same in District C-3:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 18, TOWNSHIP 27, RANGE 32, IN THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI, THENCE SOUTH 89 DEGREES, 37 MINUTES, 51 SECONDS WEST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER 635.33 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 00 DEGREES, 01 MINUTES, 52 SECONDS WEST 500.12 FEET, THENCE SOUTH 89 DEGREES, 36 MINUTES, 25 SECONDS WEST 541.30 FEET, THENCE NORTH 45 DEGREES, 34 MINUTES, 24 SECONDS WEST 64.01 FEET, THENCE NORTH 00 DEGREES, 07 MINUTES, 10 SECONDS WEST 455.23 FEET TO THE NORTH LINE OF SAID NORTHWEST QUARTER (NW 1/4) , THENCE ALONG SAID NORTHWEST QUARTER (NW 1/4) NORTH 89 DEGREES, 37 MINUTES, 51 SECONDS EAST 588.19 FEET TO THE POINT OF BEGINNING, EXCEPT ANY PART TAKEN OR DEEDED FOR ROAD RIGHT-OF-WAY ALONG THE NORTH SIDE THEREOF, BEING SUBJECT TO ALL OTHER EASEMENTS, RIGHT-OF-WAYS, AND RESERVATIONS OF RECORD, CONTAINING 6.95 ACRES MORE OR LESS AND BEGINNING AT THE INTERSECTION OF 20TH STREET AND DAVIS BOULEVARD, SAID POINT BEING 186.75 FEET WEST OF THE NORTH QUARTER, CORNER OF SECTION 18, TOWNSHIP 27, RANGE 32, IN THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI, THENCE SOUTH ALONG THE CENTERLINE OF DAVIS BOULEVARD 680.00 FEET TO THE CENTERLINE SIDES THEREOF, BEING SUBJECT TO ALL EASEMENTS, RIGHT-OF-WAYS, AND RESERVATIONS OF RECORD AND ALSO BEING SUBJECT TO A 30.00 FOOT INGRESS EGRESS EASEMENT DESCRIBED IN BOOK 2261, AT PAGE 2035 AT THE JASPER COUNTY RECORDERS OFFICE, JASPER COUNTY, MISSOURI AND DESCRIBED AS FOLLOWS: ALL THAT PART OF THE EAST HALF (E 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 18, TOWNSHIP 27, RANGE 32, IN THE CITY OF JOPLIN, COMMENCING AT A POINT 216.75 FEET WEST OF THE NORTH QUARTER CORNER OF SAID SECTION 18, THENCE SOUTH 00 DEGREES, 23 MINUTES, 55 SECONDS WEST A DISTANCE OF 670.00 FEET TO THE POINT OF BEGINNING. THENCE NORTH 89 DEGREES, 58 MINUTES, 41 SECONDS WEST A DISTANCE OF 418.41 FEET TO A POINT ON THE WEST LINE OF A TRACT OF LAND DESCRIBED AS TRACT 1 ON EXHIBIT B, THENCE SOUTH 00 DEGREES, 23 MINUTES, 55 SECONDS WEST A DISTANCE OF 10.00 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 1, THENCE CONTINUING SOUTH 00 DEGREES, 23 MINUTES, 55 SECONDS WEST A DISTANCE OF 20.00 FEET,

THENCE SOUTH 89 DEGREES, 58 MINUTES, 41 SECONDS EAST PARALLEL WITH THE SOUTH LINE OF SAID TRACT 1, A DISTANCE OF 418.40 FEET TO A POINT OF THE WEST RIGHT-OF-WAY OF DAVIS BOULEVARD, THENCE NORTH 00 DEGREES, 23 MINUTES, 55 SECONDS EAST ALONG SAID WEST RIGHT-OF-WAY LINE OF DAVIS BOULEVARD A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

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 for thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of_____, 2018, by a vote of _____.

_____
Gary L. Shaw, Mayor

ATTEST:

_____
Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney