CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2023-274 – Zoning District Change

MEETING DATE:
July 3, 2023

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
Assistant City Manager – Tony Robyn
City Manager – Nicholas Edwards

FUNDING SOURCE:
These payments are included in the FY2023 budget of the Community Planning Fund.

SUMMARY REQUEST:
Case 028-23: 3220 Belle Center Rd – Rezoning – A request to rezone from District C-3 (Commercial) to District R-2 (Two-Family Residential) – Terry and Meghan Young

BACKGROUND:
The owner seeks to build a total of two single-family homes on the property, matching the existing character of the neighborhood. While there are industrially zoned properties in the neighborhood, these properties are undeveloped and single-family homes are developing in the neighborhood, transitioning the planned future use to a low-density residential neighborhood. The owner has split the property and is seeking to leave the northern tract as C-3.

The Future Land Use Map indicates this area as future Industrial, however, adjacent properties in the County outside of Joplin City Limits must also be considered when determining the suitability of potential zoning. The surrounding properties to the West and Northwest consist of parcels with more than one single-family home. By looking at the current zoning map, Single-family Residential developments have started to come about in the neighborhood.

PLANNING & ZONING COMMISSION TESTIMONY:
Ms. Young stated that they are building a residence on the property and are requesting the R-2 zoning District for their children to potentially build another home later. Mr. Rosenberg asked if this was spot zoning. Mr. Bellairs stated no. Staff must take into consideration the surrounding area, and there are several parcels to the West and Northwest that consist of multiple single-family homes. Ms. Phillips asked about driveways. Mr. Bellairs stated that access must meet the required separation between corners and other driveways.

PUBLIC COMMENT;
There was no public comment in favor or opposition of the rezoning.

RECOMMENDATIONS:
Staff recommends approval for Council Bill 2023-274
Planning & Zoning Commission recommends approval of Case 028-23 (7 in Favor, 0 Opposed)

ATTACHMENTS
Staff Planning Report
P&Z Commission Minutes
Applicant Materials
Map

Case 028-23: Rezoning

3220 Belle Center Rd-Rezoning-A request to rezone from District C-3 (Commercial) to District R-2 (Two Family Residential)-Terry and Meghan Young.

Meghan Young, 2303 E 22nd St., Joplin, Missouri. Ms. Young stated they purchased the land, and it was zoned commercial. They would like to build two residences possibly in the future.

Mr. Rosenberg asked a question of City Staff. He asked since the property is all surrounded by heavy industrial zoning would you consider this spot zoning.

Mr. Bellairs stated no. Staff reviewed this case and also took into consideration the existing use and the surrounding area.

Mr. Landis asked if they planned on sub-dividing the lot.

Ms. Young said they only plan on building one residence now and the other one is a maybe later.

Mr. Landis stated you are going to access off Belle Center and not Cleveland.

Ms. Young stated correct.

Mr. Kimble asked if there were any questions from the Commission on Case 028-23.

Ms. Phillips directed a question to City Staff. She stated she knew the driveways could not be directly across from one another. She asked if that would come into play when they submit their site plans.

Mr. Bellairs stated yes. They look at that whenever a new development was proposed. Access must meet the requirements based on the classification of the road. There is minimum separation from corners and there is minimum separation between driveway access.

Mr. Kimble asked if there were any additional questions from the Commission on Case 028-23.

There were none.

Mr. Kimble asked if anyone wished to speak in favor of Case 028-23.

There were none.

Mr. Kimble asked if anyone wished to speak in opposition of Case 028-23.

There were none.

MR. ROSENBERG MOVED THAT CASE 028-23 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MR. LANDIS SECONDED THE MOTION. MOTION CARRIED.
(7 IN FAVOR, 0 NAY)

Z&P Meeting: June 12, 2023
City Council Meeting: July 3, 2023

JOPLIN
PLANNING, DEVELOPMENT, & NEIGHBORHOOD SERVICES

STAFF PLANNING REPORT
Rezoning

CASE 028-23 A request to rezone from District C-3 (Commercial) to District R-2 (Two-Family Residential)

LOCATION 3220 Belle Center Rd, Joplin, Missouri 64801

APPLICANT Terry and Meghan Young

EXISTING CONDITIONS

Zoning	Land Use	Property Size
C-3	Vacant	Approximately 1.5 Acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	Outside of City Limits	M-2	M-2	Outside of City Limits
Land Use	Auto Shop	Vacant	Vacant	Two-Family Residential

FUTURE LAND USE

Joplin's Future Land Use Map shows this property as future Industrial.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
N Cleveland Ave	Local	60′
W Belle Center Rd	Arterial	60′

UTILITIES

The site is not within 100′ of an existing sewer line.

FLOOD PLAIN

This property is not in the flood plain.

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

The Future Land Use Map indicates this area as future Industrial, however, adjacent properties in the County outside of Joplin City Limits must also be considered when determining the suitability of a potential zoning. The surrounding properties to the West and Northwest consist of parcels with more than one single-family home. By looking at the current zoning map, it can be seen that Single-Family Residential developments have started to come about in the neighborhood.

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

The property is currently zoned for commercial use. The applicant is seeking to develop a single-family home on the property. The applicant seeks to develop two single-family homes in total. The applicant is required to rezone to Two-Family Residential to pursue this use.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning will not be detrimental to nearby property. The proposed use matches the surrounding neighborhood′s character. The industrial properties are not yet developed.

DISCUSSION

The owner seeks to build a total of two single-family homes on the property, matching the existing character of the neighborhood. While there are industrially zoned properties in the neighborhood, these properties are undeveloped and single-family homes are developing in the neighborhood, transitioning the planned future use to a low-density residential neighborhood. The owner has split the property and is seeking to leave the northern piece as C-3.

Staff recommends approval of Case 028-23.

ENCLOSURES

- Map of property
- Application

Rezoning Application

Return Form to:
Planner
Joplin City Hall
602 S. Main Street
Joplin, Missouri 64801
417-624-0820 Ext. 1511
Zoning-Planning@JoplinMO.org

Office Use Only
Case No.: 028-23
Filing Fee: $550.00
Received: 4/17/23
Date Advertised: _____
Proj. No.: 23-165
Public Hearing Date: 6/8/23

Applicant: Terry + Meghan Young Phone No.: 4173555060

Address: 2303 E 22nd St. Joplin, Mo Email: Cashmoneyjr77@yahoo.com

Owner: " " Phone No.: " "

Address: _____ Email: _____

Location of Property: 3220 Belle Center Rd Joplin, Mo

Present Use of Property: none

Proposed Use of Property: Residential

Current Zoning: C3 Requested Zoning: R2

Surrounding Land Use and Zoning:

	Land Use	Zoning
North	Business across St, County	County
South	Empty land	M-2
East	Residential home	M-2
West	mobile homes	County

Character of the Neighborhood: _____

Rezoning Procedures

Applicability. The rezoning process provides review of changes to the boundary of zoning districts (map amendment) that may be necessary to implement the comprehensive plan, to account for changed conditions in the general area, or to reflect a change in public policies with respect to future development. Application for a rezoning may be initiated by the property owner, the City Council, or the Planning Commission.

Review Criteria. A rezoning shall be reviewed according to the following criteria:

1. The application is consistent with the comprehensive plan, and any official plan or program developed under the guidance of that plan.
2. The application supports the character of the neighborhood, considering the design of streets, civic spaces, and other open spaces; the scale, pattern, and format of buildings; the zoning of property and intent of other zoning districts in the vicinity; and the compatibility, transitions, and integration of existing and potential future uses.
3. The suitability of the subject property for the uses to which it has been restricted.
4. The application furthers the intent of the proposed zoning district and the general purposes of these regulations.
5. The application demonstrates compliance with all substantive standards and guidance of the proposed zoning district; or, where no proposed development application is associated with the application, there is a likelihood of development that complies with all substantive standards can be demonstrated.
6. The ability of the City or other government agencies to provide any services, facilities or programs that may be necessary if the application is approved.
7. The effect of approval on surrounding property, including the likelihood that surrounding areas may be developed in accordance with current zoning or future plans.
8. The recommendations of professional staff or other reviews associated with the application.

Review Procedures. In addition to the general requirements in Table 2-1 and Section 2.01, the following requirements are specific to zoning map amendment applications.

1. Applications may be accompanied by one of the following complementary applications: a Site Plan, a Special Use Permit, or a Concept Plan of a similar nature to that required in Section 2.04 for Planned Developments.
2. Applications may be accompanied by any plat that is necessary for the project.
3. The City Council may recommend the application be returned to Planning Commission for further study or additional information at its next regular meeting. Failure by the Planning Commission to consider or revise its recommendation shall be considered a resubmission of its original recommendation.
4. The Planning Commission may recommend, or City Council may approve a lessor change than was proposed in the notice, whether in extent of property or project area, or in the scale, intensity, or other substantive standards for proposed project and zoning change.

Effect of Decision. Rezoning shall be approved by the City Council in the form of an ordinance. Approved changes shall be indicated on the Official Zoning Map by the Director within 30 days following approval. Any application that includes a required site plans or other similar applications

☒ ☐ Are drainage and utility easements adequately sized and provided?

Additional Platting Comments: _____

_____

_____

Unique Characteristic of Property and/or Additional Comment:

_____

_____

_____

Submission of Documents: The following documents are **required** at time of submission.

Yes	No	
☐	☐	Completed and signed application.
☐	☐	One copy of a legal description of the property proposed to be rezoned from a deed or certified survey. Must be legible.
☐	☐	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 affect the character of the surrounding properties; and how the proposed change will benefit the City of Joplin.
☐	☐	Owner Affidavit and Agent Affidavit, if applicant applying for the rezoning is not the owner of the property be rezoned.

Applications that are incomplete or missing required documents will not be processed or scheduled on an agenda to the Planning & Zoning Commission until corrected and resubmitted.

Signature: _____ **Date:** 5/17/23



Date: 4/17/2023

1 " = 188 '

0 0.0175 0.035 0.07 mi

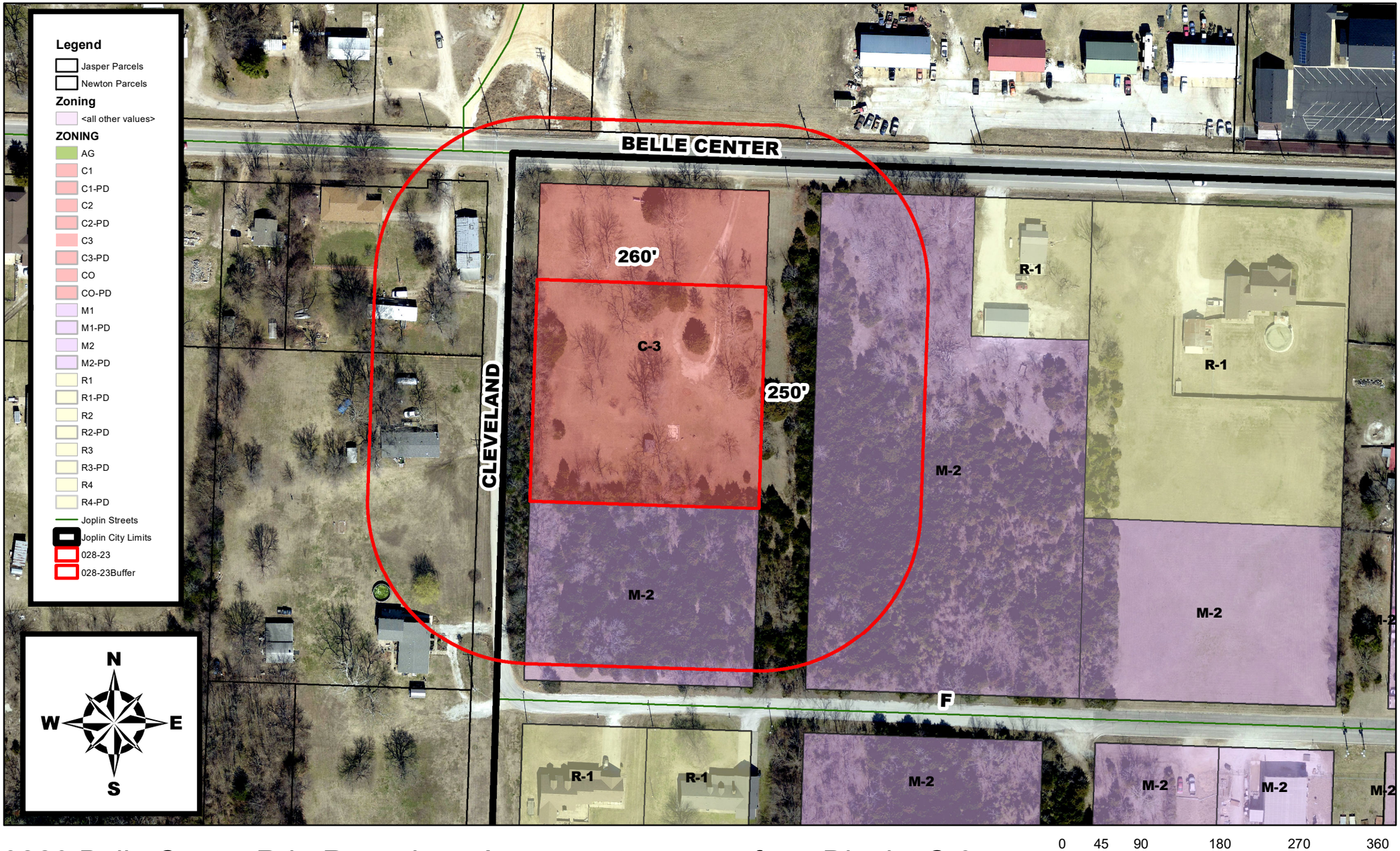
N

- Easements
- Joplin City Limits
- Addresses
- Jasper Parcels
- Newton Parcels
- Joplin Streets
- Red: Band_1
- Green: Band_2
- Blue: Band_3

DISCLAIMER

This drawing is neither a legally recorded map or a survey and is not intended to be used as one. This map is compilation of records, information, and data located from the City of Joplin, Jasper and Newton Counties, and other State and Federal Offices, and other sources, affecting the area shown, and is to be used for reference purposes only. The City is not responsible for any inaccuracies herein.

Case 028-23: Rezoning



3220 Belle Center Rd - Rezoning - A request to rezone from District C-3 (Commercial) to District R-2 (Two-Family Residential) - Terry and Meghan Young

P & Z Case 028-23
Terry and Meghan Young
(P & Z Recommended Approval)

COUNCIL BILL NO. 2023-274 ORDINANCE NO.

AN ORDINANCE amending Ordinance No. 2022-274, passed by the Council of the City of Joplin, Missouri, August 1, 2022, by removing from District C-3 (Commercial) to District R-2 (Two-Family Residential) property as described below and located at 3220 W Belle Center Rd.

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. 2022-274 is hereby amended by removing from District C-3 (Commercial) the following described property and including in District R-2 (Two-Family Residential).

All of a tract beginning at the Northeast Corner of Parcel (7), Miscellaneous Lot 1 (1) in the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section 5, Township 27, Range 33, in the City of Joplin, Jasper County, Missouri, Thence South 330.00 feet, West 279.68 feet, North 330.00 feet, East to the Point of Beginning, Except the North 110.00 feet.

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_____, 2023, by a vote of _____.

_____
Douglas W. Lawson, Mayor

ATTEST:

_____

Holly Nagy, City Clerk

APPROVED AS TO FORM:

_____

Peter C. Edwards, City Attorney