CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2023-275 – 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 029-23: 1850 W 20th St – Rezoning – A request to rezone from District R-1 (Single-Family Residential) to District C-1 (Neighborhood Commercial) – Barbara Duncan

BACKGROUND:
The owner is seeking to develop commercial office space along 20th St. The Eastern end of the block already consists of C-1 properties. The change in zoning to Neighborhood Commercial is slowly making its way along the South Side of 20th St.

The change in zoning will not be detrimental to nearby property. While there are single-family residential properties to the East, West, and South, there is also commercial property to the North. 20th St. is an Arterial Street and is designated as a future high-commercial corridor under the Future Land Use Map. Looking at the current zoning map, there is C-1 (Neighborhood Commercial) property on the East side of the block. It can be noted that along 20th St, properties are slowly transitioning to reflect the Future Land Use Map and come into consistency with the characteristics of the existing neighborhood.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Shannon Schreger represented the case on behalf of Barbara Duncan. He stated they planned on renting the property as commercial offices. Ms. Phillips asked if they would be using the existing structure. Mr. Schreger confirmed they would be.

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

RECOMMENDATIONS:
Staff recommends approval for Council Bill 2023-275
Planning & Zoning Commission recommends approval of Case 029-23 (7 in Favor, 0 Opposed)

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

Case 029-23: Rezoning

1850 W 20th St.-Rezoning-A request to rezone from District R-1 (Single-Family Residential) to District C-1 (Neighborhood Commercial)-Barbara Duncan.

Shannon Schreger, 2214 Connor Ave. Joplin, Missouri. Mr. Schreger represented the owner of the property on the rezoning. He stated they were requesting to rezone from residential to commercial to operate a small business. This would be a rental.

Ms. Phillips asked if they would be using the existing structure.

Mr. Schreger stated yes two outbuildings.

Mr. Kimble asked if there were any questions from the Commission on Case 029-23.

There were none.

Mr. Kimble asked if anyone wished to speak in favor of Case 029-23.

There were none.

Mr. Kimble asked if anyone wished to speak in opposition of Case 029-23.

There were none.

MR. JACKSON MOVED THAT CASE 029-23 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MS. PHILLIPS 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 029-23 A request to rezone from District R-1 (Single-Family Residential) to District C-1 (Neighborhood Commercial)

LOCATION 1850 W 20th St, Joplin, MO 64801

APPLICANT Barbara Duncan

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-1	Single-Family Home	Approximately .45 Acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	C-3 PD	R-1	R-1	R-1
Land Use	Gateway School	Single-Family Home	Single-Family Home	Single-Family Home

FUTURE LAND USE

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

TRANSPORTATION

Streets with access	Classification	Right-of-way width
W 20th St	Arterial	65′

UTILITIES

The site has access to utilities.

FLOOD PLAIN

This property is not in the flood plain.

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

The property is classified as Future Retail Commercial under the Future Land Use Map. The proposed use is consistent with the Comprehensive Plan.

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

The property is currently zoned for a single-family home. The owner wishes to develop commercial offices on the property. They are aware of the required design standards for Commercial buildings under Article 5 of the Development Code.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning will not be detrimental to nearby property. While there are single-family residential properties to the East, West, and South, there is also commercial property to the North. 20th St is an Arterial Street and is designated as a future high-commercial corridor under the Future Land Use Map. Looking at the current zoning map, there is C-1 (Neighborhood Commercial) property on the East side of the block. It can be noted that along 20th St, properties are slowly transitioning to reflect the Future Land Use Map and come into consistency with the characteristics of the existing neighborhood.

DISCUSSION

The owner is seeking to develop commercial office space along 20th St. The Eastern end of the block already consists of C-1 properties. The change in zoning to Neighborhood Commercial is slowly making its way along the South Side of 20th St.

Staff recommends approval of Case 029-23.

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.: 029-23
Filing Fee: $550.00
Received: 4/17/23
Date Advertised:
Proj. No.: 023-166
Public Hearing Date: 6/12/23

Applicant: BARBARA J. DUNCAN
Phone No.: B.D: 417-597-0732 SSCHREYER 801-628-4695 N. SCHREYER 801-628-4294
Address: 2214 S. CONNOR AVE
Email: duncangranny@gmail.com nancyschreyer@gmail.com
Owner: BARBARA J. DUNCAN
Phone No.: SAME AS ABOVE
Address: 2214 S. CONNOR AVE
Email: SAME AS ABOVE
Location of Property: 1850 W. 20TH ST JOPLIN, MO 64804
Present Use of Property: Vacant - previously residential rental
Proposed Use of Property: small business rental
Current Zoning: R1
Requested Zoning: C-1 TB

Surrounding Land Use and Zoning:

	Land Use	Zoning
North	Gateway School	C-3 PD
South	Single-Family home	R-1
East	Single-Family home	R-1
West	Single-Family home	R-1

Character of the Neighborhood:

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.:
Filing Fee:
Received:
Date Advertised:
Proj. No.:
Public Hearing Date:

Applicant: _____ Phone No.: _____

Address: _____ Email: _____

Owner: _____ Phone No.: _____

Address: _____ Email: _____

Location of Property: _____

Present Use of Property: _____

Proposed Use of Property: _____

Current Zoning: _____ Requested Zoning: _____

Surrounding Land Use and Zoning:

	Land Use	Zoning
North		
South		
East		
West		

Character of the Neighborhood:

Relationship to Existing Zoning Pattern:

Yes	No	
☐	☒	Would proposed change create a small, isolated district unrelated to surrounding districts?
☐	☒	Are there substantial reasons why the property cannot be used in accord with existing zoning?

If yes, explain: _____

_____

_____

Conformance with Comprehensive Plan:

Yes	No	
☒	☐	Consistent with Development Policies?
☒	☐	Consistent with Future Land Use Map?

Traffic Conditions:

Yes	No	
☐	☒	Will turning movements caused by the proposed use create an undue traffic hazard?

Street(s) with Access to Property: W 20th St

_____

Classification of Street(s):

Arterial ☒ Collector ☐ Local ☐

Right-of-Way Width: _____

Subdivision Platting:

Yes	No	
☐	☒	Is platting required?
☒	☐	Are lots appropriately sized?
☒	☐	Is street right-of-way appropriately sized?

☐ ☐ 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: Barbara J. Hinman **Date:** 3-14-23

STATE OF Missouri)
) ss.
COUNTY OF Jasper)

OWNERSHIP AFFIDAVIT AND CONSENT

Comes now Barbara J. Duncan (Property Owner) who, being duly sworn upon his/her oath, does state that he/she is the owner of the property described as _____ Parcel ID: 19501610002009000 / Ludwigs 1st Lots 1 & 2 / Alt ID: 33-007764-0000 (legal description) more commonly known as 1850 W. 20th St, Joplin, MO. I am unable to attend the Joplin Planning and Zoning meeting but would like my comments to be heard by the Commission. I hereby nominate and give consent for Shannon & Nancy Schaefer to speak on my behalf and act as my Agent at the meeting in Case Number _____.

Date: 03-14-23

Barbara J. Duncan
Signature of Owner

_____
Signature of Owner

Barbara J. Duncan
Printed Name

_____
Printed Name

In witness whereof I have hereunto subscribed my name and affixed my official seal this 14 day of March, 2023

Vicky Lynn Copeland
Notary

VICKY LYNN COPELAND
Notary Public - Notary Seal
STATE OF MISSOURI
Newton County
Commission Expires 05/22/2026
Commission Number #09804844

My commission expires: 05-22-26

Note: The local legislative body reserves the right to rezone property without the owner's consent for the purpose of promoting health, safety, morals, or the general welfare of the community. The Missouri Revised Statutes Chapter 89 (Zoning and Planning) authorizes this power to the legislative body.)

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

JOPLIN
MISSOURI

Rezoning Procedures

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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 review(s) associated with the application.

Review Procedures. In addition to the general requirements in Table 2-1 and Section 2.03, 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 reviewed by Planning Commission for a further study or additional information at its next regular meeting. Failure by the Planning Commission to consider or revise the recommendation shall be considered a resubmission of the original recommendation.
4. The Planning Commission may recommend, or City Council may approve a lesser change than was proposed in the notice, whether in extent of property or project area, or in the use, in part, or other alternative standards for proposed project and zoning change.

Effect of Decision. Rezoning shall be approved by the City Council in the form of an ordinance. Rezoned changes shall be updated on the City of Joplin Map by the City Clerk within 30 days following approval. See Subpart 4 for appeals and enforcement.

(except Concept Plans), may proceed to building permits after the effective date of the ordinance and upon satisfying all other conditions of the approval. If the applicant fails to obtain a building permit within one year of the effective date of the ordinance approving the change, the Director may schedule a hearing to reconsider and revert the zoning to the previous classification, subject to all procedures and criteria of the original change.

Bellairs, Tyler

From: Nancy Schreyer <nancyschreyer@gmail.com>
Sent: Thursday, April 20, 2023 6:00 PM
To: Bellairs, Tyler
Subject: 1850 W 20th legal description

This email originated outside our network. If it is unsolicited or unexpected, please delete. If expected, use caution when opening any links or attachments.

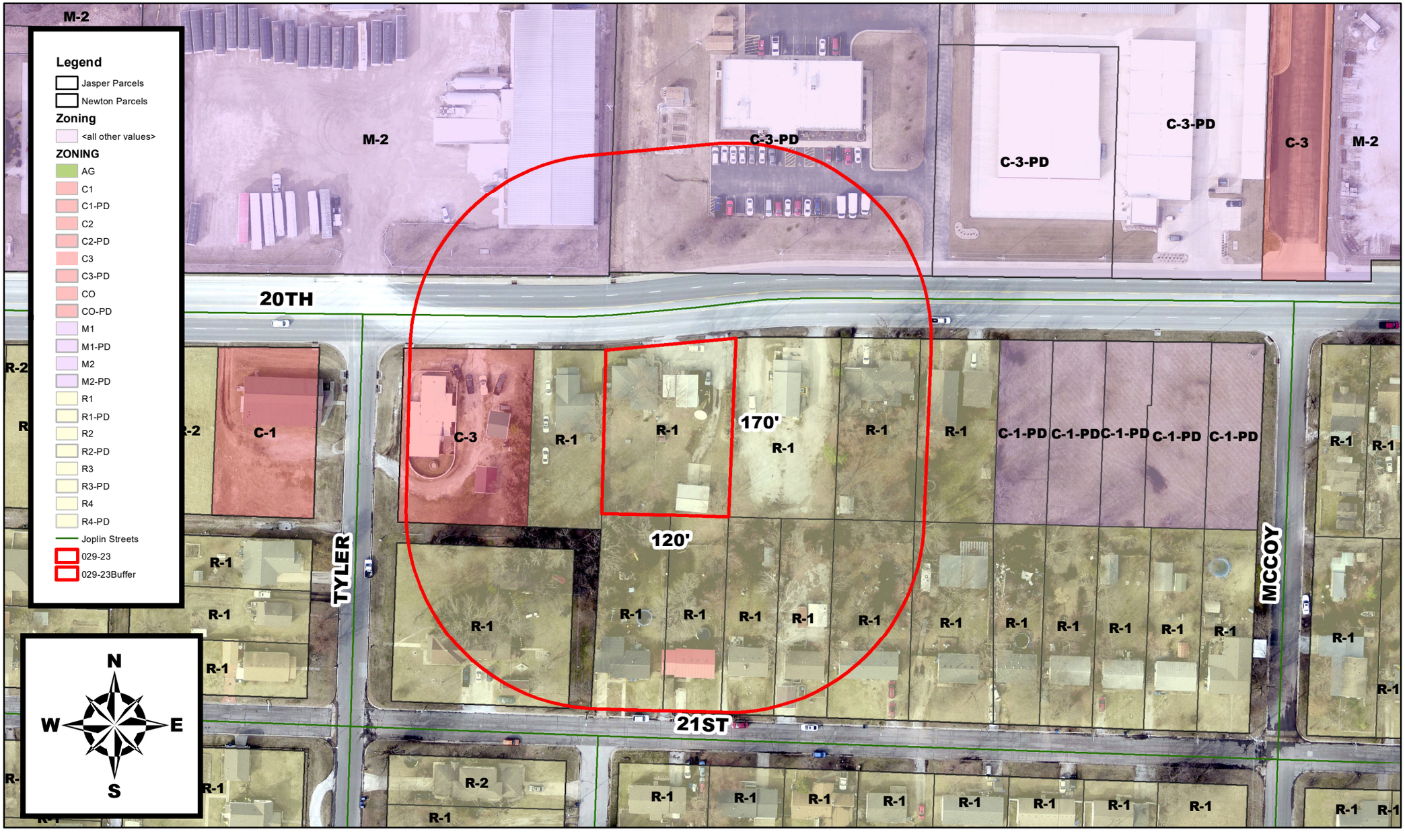
Here you go:

All of Lots Numbered One (1) and Two (2) In LUDWIG'S FIRST ADDITION to the City of Joplin, Jasper County, according to the recorded plat thereof.

Nancy
Sent from my iPhone

4/20/23 5:03 PM
Spoke w/ Nancy Schleyer (applicant) (owner's daughter)
- recommended C-1 over C-O in relationship to existing neighborhoods - would not affect what they want to do - (leave offices) - she approved change

Case 029-23: Rezoning



1850 W 20th St - Rezoning - A request to rezone from District R-1 (Single-Family Residential) to District C-1 (Neighborhood Commercial) - Barbara Duncan

P & Z Case 029-23
Barbara Duncan
(P & Z Recommended Approval)

COUNCIL BILL NO. 2023-275 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 R-1 (Single-Family Residential) to District C-1 (Neighborhood Commercial) property as described below and located at 1850 W 20th St.

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 R-1 (Single-Family Residential) the following described property and including in District C-1 (Neighborhood Commercial).

All of Lots Numbered One (1) and Two (2) In LUDWIG'S FIRST ADDITION to the City of Joplin, Jasper County, 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_____, 2023, by a vote of _____.

_____
Douglas W. Lawson, Mayor

ATTEST:

_____
Holly Nagy, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney