City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: August 6, 2018

Item: COUNCIL BILL NO. 2018-265
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Copy of Council Bill 2018-265
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: 07/9/18

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

SUMMARY/REQUEST:
Case 024-18: Adjacent and South of I-44 at Exit 1 – A request to rezone from Single Family Residential District (R1) to Commercial Planned Overlay District (C3-PD) – Bill Richert.

STAFF SUMMARY:
The property owner is seeking to rezone again, this time to Commercial Planned Overlay District (C3-PD). It is the property owner's hope that having a Planned District designation will mitigate many of the adjacent property owners' concerns. Having a Planned District designation would require the commercial development's site plan be reviewed and approved by the City Council prior to the issuance of a building permit.

The property directly to the East located outside of the city could potentially be impacted by the zoning change to commercial. But, this property and the remaining property is located outside of this request and is not located within Joplin's city limits. Newton County currently does not have any land use regulations

The property's direct access and location along I-44 does not make this property suitable for single-family residential development.

Staff recommends Case 024-18 be approved.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Ramsour asked when this property was annexed into the city limits.

Mr. Bolander stated that at the time it was owned by the Sutton Family. A little history many years ago the City of Joplin held an involuntary annexation and that was denied. Then the City went to the property owners and asked if they would like to voluntary annex into the City. This property was the only one that did. We developed a land use plan, which recognized a lot of the properties along the interstate would be commercial. If it didn't come into the City there would be nothing preventing it from being commercial right now because Newton County does not have land use regulations

PUBLIC COMMENT:

Alan Mauk, 4404 Aadrvark Drive, Joplin, MO. Mr. Mauk stated that this piece of property came before City Council two months ago and council voted to preserve residential zoning of this area. Mainly because the gentleman who owns the property had no plans for the property. We have noticed there is not a sewer line on the south side, so a bore would have to take place underneath I-44. There will have to be a pumping station, there are no water plans. The community is asking for the Residential District to stay until plans can be prepared for the community to voice their opposition or their support or this project.

Casey Vanstory, 1601 S. Outer Road, Joplin, MO. Things that need to be considered before rezoning the property, characteristics of the neighborhood is one of them. There is a total of eight (8) families that this rezoning will affect. They do not live in the city limits and have concerns for her family.

Nick and Tamara Breedlove, 1645 Outer Road, Joplin, MO. The parking lot and the piece of property where the building was, were level with the road. The rest of the property is down in a valley. They would have to do a lot of landfill and the gas line runs through the valley. If the gas line was moved, then that would cause flooding on their property.