CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2020-268 - Rezone to R-2 (Two-family Residential)

MEETING DATE:
August 3, 2020

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, City Manager- Nicholas Edwards.

SUMMARY REQUEST:
Case 028-20: 902 W 26th St. – A request to remove from District R-1 (Single-family Residential) and include in District R-2 (Two-family Residential) property located at 902 W. 26th St. – Dylan Coonrod

BACKGROUND:
The current zoning of R-1 is suitable in this area. While the property immediately adjacent to the lot is vacant, there are single-family uses nearby.

The change in zoning to R-2 will not be detrimental to the nearby property. The R-2 zoning district is low-density, so it is appropriate when considering the comprehensive plan calls for a mix in housing types. R-2 is also very restrictive in the types of uses allowed in the district so it is also appropriate for this area. Along the 26th St. corridor, there are a number of other lots already zoned R-2 mixed in with R-1 districts in the area.

This request is compatible with the Comprehensive Plan, the Future Land Use Map, and the zoning requested is appropriate for the neighborhood. R-2 zoning maintains low-density in an already low-dense neighborhood.

PLANNING & ZONING COMMISSION TESTIMONY:
Dylan Coonrod, 902 W 26th Street, Joplin, MO. He is working with a Doctor that has a son going to the medical school and he would like to build some duplexes close to the medical school to provide housing for the students. The original plan was to build four (4) individual houses but the regulations on the lot size states that cannot be done. He would like to build duplexes. Brick fronts, one car garage, custom cabinets, stainless steel appliances, 3 bedrooms, and 2 baths.

Mr. Ramsour wanted to know if the entrance would be off Connor?

Mr. Coonrod stated the entrance would be off Connor.

Mr. Kimble stated that he noticed near the corner of 26th and Connor there is a lot of cement and debris piled up on one of the parcels. Is that on your property?

Mr. Coonrod stated that he was not for sure. He had not been over then in a while. He did know that they were going to bring debris and other fillers. This is to level out the ground.

Mr. Kimble wanted to know that since you're only having a one car garage, will the driveway be able to accommodate more than one car? Will there be space for two or three cars?

Mr. Coonrod stated there will be fencing which will be around the whole property, with common areas for each of the units.

Mr. McCullough asked how many off-street parking spaces was going to be available?

Mr. Coonrod stated there would be two (2) off street parking spaces, plus the driveway area.

PUBLIC COMMENT;

Duncan Park, 2612 S. Jackson Avenue, Joplin MO. This is a disappointment; we are already facing rental units that have gone in this neighborhood since the reconstruction after the tornado. The reconstruction has upgraded the community. There are 4 to 5 vehicles up the driveways and up the street. Sometimes blocking the sight of cars coming down the road. We have children in this neighborhood, and they can't see if cars are coming or not. Someone will get hit. Mr. Park asked the question "What is the difference between the zonings?"

Mr. Stanton explained that District R-1 is for single-family homes. No duplexes can be built with the R-1, zoning. District R-2 is Two-family Residential, which permits for both duplexes and single-family home.

Mr. Park mentioned that his concern would be if the project didn't work out for whatever reason, and be sold, would the rezone property be used for what has been described. Could it be used to include larger buildings?

Mr. Stanton stated that if the property is rezoned and sold its only use would be either Single-family or duplexes. There is an off-street parking requirement of at least two (2) spaces per unit.

Mr. Park also stated that he has one other concern and a question. He wanted to know if this opens the door for those who have lots still available in the vicinity of this lot to more easily gaining approval for duplexes.

Mr. Ramsour stated that essentially, we look at one case at a time. There isn't a blanket coverage, one case at a time, one lot at a time, and one zoning case at a time.

Mr. Stanton stated there are a few things we look at when we analyze these cases. One is the Comprehensive Plan and the future land use map that accompanies that. Both of those documents are a guide for the Planning Department and the Planning Commission.

Mr. Ramsour stated that are five (5) written protest petitions from property owners in that neighborhood. Each one of the Commissioners has a copy of your protest.

Deborah Park, 2612 S Jackson Avenue, Joplin, MO. She mentions that we were given restrictions applicable to the lots in the Briarcliff addition. The City does not consider all these restrictions, but while building our house it mattered. All the decisions we made were regulated by these restrictions. It is important that all the neighbors had taken these restrictions seriously and that property is in Briarcliff addition subdivision.

Mr. Ramsour asked if there were any other questions for Ms. Park? There were not.

Mr. Paul Eden, 2621 South Connor Ave., Joplin, MO. He wanted to know if Mr. Coonrod was held to just the two duplexes? Could he come back and say, "we can get three on that property". Would he be able to do that? Curb and guttering on Connor the last 100 feet is not done. There is a lot of traffic on Connor because of the rest home on 28th & Jackson. People cut through on Connor to 26th Street. Mr. Eden also had a question about the 185', and what exactly is that for. He stated that the people that live in the neighborhood but not in the 185' their protest petition doesn't count. It goes into a different pile.

Mr. Stanton stated the 185' is a buffer that is put around the property that is to be rezoned. The properties that are in that buffer, if any of them are in protest we add that all up and if the sum of the total areas within that buffer exceeds 30% then it requires a 2/3 majority vote from City Council for passage.

Mr. Ramsour wanted to know what percentage do you have at this time on the protest petitions?

Mr. Stanton stated that it is not known at this time. There is still time to receive more petitions.

Mr. Kimble asked Mr. Eden if he has seen a lot of run off with the rains we had in the spring.

Mr. Eden stated that there has always been some come mud come down, but if you put concrete over there it is going to run off, not soak into the ground.

Mr. Ramsour asked if there was anyone else to speak in opposition of this case? There were not.

Mr. Kimble wanted to know about the landscaping plans.

Mr. Coonrod there will be basic landscaping done.

Ms. Steele had a comment or a concern that it is a very nice neighborhood and been built up since the tornado. The presentation was it was going to be a 1200 sq. ft., 3 bedroom and only one car garage. That concerned her a lot.

FUNDING SOURCE:
These payments are included in the FY 2020-21 budget of the Community Planning Fund.

RECOMMENDATIONS:
Planning & Zoning Commission recommends approval for Case 028-20, 5 in favor, 1 Nays, 1 Abstained.
Staff Recommends approval.

ATTACHMENTS
CB 2020-268, Staff Planning Report, P&Z Commission Minutes

CB 2020-268

Case 028-20: 902 W 26th St. – A request to remove from District R-1 (Single-family Residential) and include in District R-2 (Two-family Residential) property located at 902 W. 26th St. – Dylan Coonrod

Mr. Eastman abstained himself from this case.

Dylan Coonrod, 902 W 26th Street, Joplin, MO. He is working with a Doctor that has a son going to the medical school and he would like to build some duplexes close to the medical school to provide housing for the students. The original plan was to build four (4) individual houses but the regulations on the lot size states that cannot be done. He would like to build duplexes. Brick fronts, one car garage, custom cabinets, stainless steel appliances, 3 bedrooms, and 2 baths.

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Mr. McCullough asked how many off street parking spaces was going to be available?

Mr. Coonrod stated there would be two (2) off street parking spaces, plus the driveway area.

Mr. Ramsour asked the Commissioners if they had any other question for Mr. Coonrod? There were not. Is there anyone who would like to speak in favor of this case? There were not. Is there anyone who like to speak in opposition of this case?

Duncan Park, 2612 S. Jackson Avenue, Joplin MO. This is a disappointment; we are already facing rental units that have gone in this neighborhood since the reconstruction after the tornado. The reconstruction has upgraded the community. There are 4 to 5 vehicles up the driveways and up the street. Sometimes blocking the sight of cars coming down the road. We have children in this neighborhood, and they can't see if cars are coming or not. Someone will get hit. Mr. Park asked the question "What is the difference between the zonings?"

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Mr. Ramsour asked if there was any other comments or concerns? There were not.

MS. BRUCKNER-SEARS MOVED, SECONDED BY MR. LEDFORD, CASE 028-20 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MR. RAMSOUR, MS. BRUCKNER-SEARS, MR. MCCULLOUGH, MR. KIMBLE AND MR. LEDFORD VOTING "AYE", MRS. STEELE VOTED "NAY", MR. EASTMAN ABSTAINED (5 IN FAVOR, 1 NAYS, 1 ABSTAIN).

Z&P Meeting: July 13, 2020
City Council Meeting: August 3, 2020

STAFF PLANNING REPORT
Rezoning

CASE 028-20 A request to rezone from R-1 (Single-family Residential) to R-2 (Two-family Residential)

LOCATION 902 W. 26th St.

APPLICANT Dylan Coonrod

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-1	Vacant	Approx. 0.52 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	R-1	C-O	R-1	R-1
Land Use	Single-family Residential	Vacant	Single-family Residential	Vacant

FUTURE LAND USE

Joplin's Future Land Use Map shows this property as future office/institutional.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
W. 26th St.	Collector	100'
S. Connor Ave.	Local	60'

UTILITIES

Utilities do not need to be extended to this property. Utilities are currently in place.

FLOOD PLAIN

This property is not in the flood plain.

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

The request is consistent with the comprehensive plan. While the future land use map does show the southern side of 26th St. to be future office/institutional, the comprehensive plan does call for a mix in housing types along the 26th St. corridor.

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

The current zoning of R-1 is suitable in this area. While the property immediately adjacent to the lot is vacant, there are single-family uses nearby. R-1 is the most restrictive district and the least intensive so it would be appropriate here.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning to R-2 will not be detrimental to the nearby property. The R-2 zoning district is low-density, so it is appropriate when considering the comprehensive plan calls for a mix in housing types. R-2 is also very restrictive in the types of uses allowed in the district so it is also appropriate for this area. Along the 26th St. corridor, there are a number of other lots already zoned R-2 mixed in with R-1 districts in the area.

DISCUSSION

This request is compatible with the Comprehensive Plan, the Future Land Use Map, and the zoning requested is appropriate for the neighborhood. R-2 zoning maintains low-density in an already low-dense neighborhood, while providing for a mix in housing types as called for in the comprehensive plan. In addition, there are other lots zoned R-2 very nearby.

Staff recommends approval of Case 028-20.

ATTACHMENTS

- Application
- Map

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.: 028-20
Filing Fee: $550.00
Date Advertised:
Date Notices Sent 6-18-20
Public Hearing Date: 7/13/20

APPLICANT: Dylan Coonrod PHONE: 417-214-9390
ADDRESS: 5 Emerald Dr ZIP: 64804

OWNER: Flipside Investments LLC PHONE: 417-214-9390
ADDRESS: 619 S Florida Ave ZIP: 64801

LOCATION/ADDRESS OF PROPERTY: 902 W 26th

Present Zoning R1 Requested Zoning: R2 Acreage:
Present Use of Property: Vacant

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Residential	R1
South	Residential	
East	Residential	R1
West	Residential	

Character of the Neighborhood: Mix of Residential R-1, R-2, + Commercial

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: NO

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. Consistent with Development Policies? Unknown
2. Consistent with Future Land Use Map? Unknown

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: 26th & Connor
2. Classification of Street(s):
   Arterial _____ Collector _____ Local X
3. Right-of-Way Width: 30 ft
4. Will turning movements caused by the proposed use create an undue traffic hazard?
   NO

IS PLATTING OR REPLATTING REQUIRED IN ORDER TO PROVIDE FOR:

1. Appropriately Sized Lots? Yes
2. Properly Sized Street Right-of-Way? Yes
3. Drainage Easements? _____
4. Utility Easements:
   - Electricity? _____
   - Gas? _____
   - Sewers? _____
   - Water? _____
5. Additional Comments: _____

UNIQUE CHARACTERISTIC OF PROPERTY AND/OR ADDITIONAL COMMENT:

Flat & Rolling Acreage

THE FOLLOWING **MUST** ACCOMPANY YOUR APPLICATION:

1. One copy of a legal description of the property proposed to be rezoned from a deed or certified survey.
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 affect 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

SIGNATURE: _____ DATE: 10/5/20

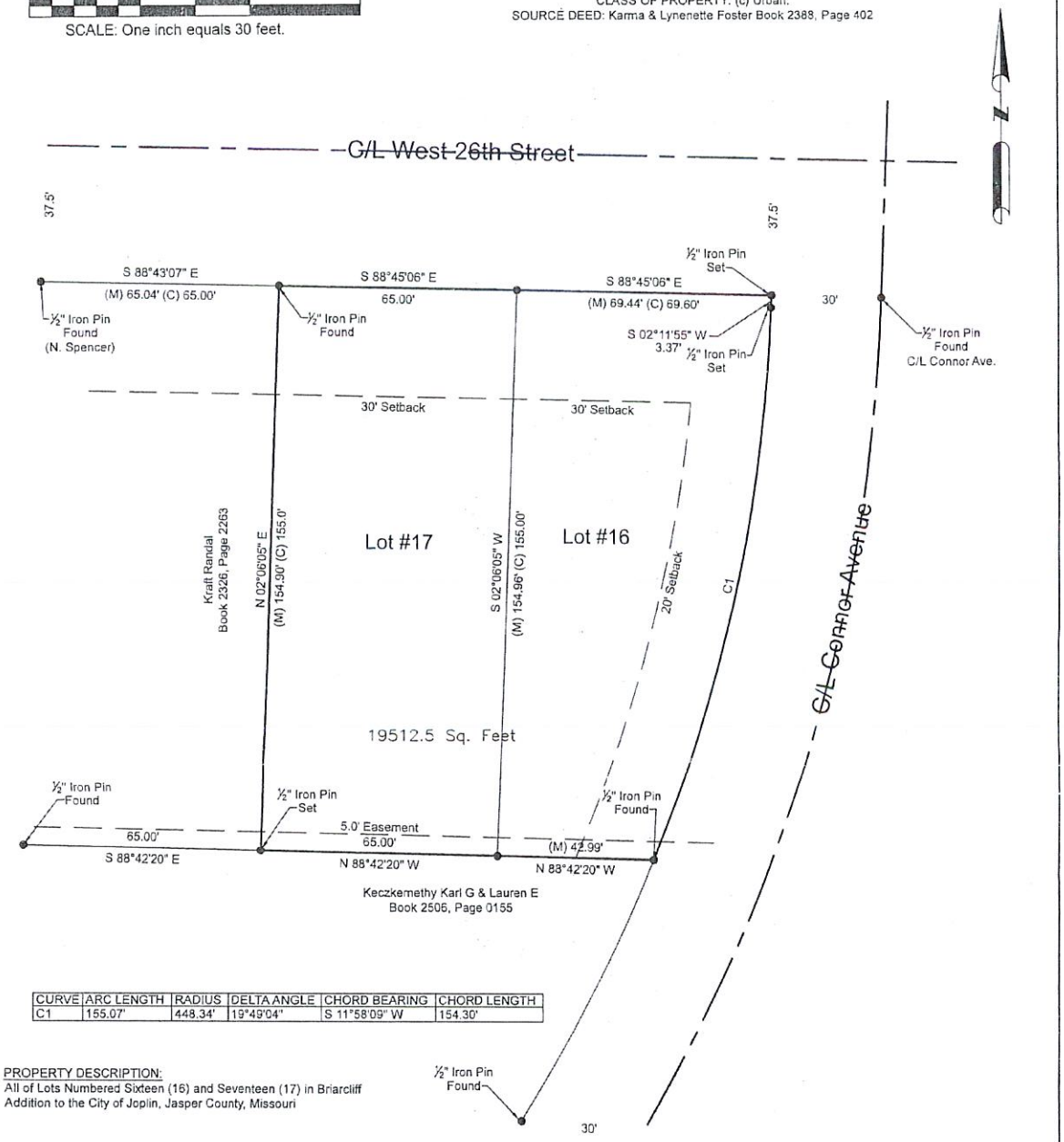
EMAIL: dylan@jonathanleachteam.com

TITLE: Owner

0 30 60 90

SCALE: One inch equals 30 feet.

BASIS OF BEARINGS: The South line of 26th Street taken as S 88°45'06" E as per Missouri West NAd83 per MoDot GPS Network.
CLASS OF PROPERTY: (c) Urban.
SOURCE DEED: Karma & Lynenette Foster Book 2388, Page 402



CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	155.07'	448.34'	19°49'04"	S 11°58'09" W	154.30'

PROPERTY DESCRIPTION:
All of Lots Numbered Sixteen (16) and Seventeen (17) in Briarcliff Addition to the City of Joplin, Jasper County, Missouri

CERTIFICATE OF RECORDING:

This document, Number _____ filed for record on _____, 20__, at _____ o'clock _M recorded _____, 20__, in Book _____, at Page _____, For Bill of Assurance, see Deed Record Book _____, Page _____,

Recorder of Deeds Date:

STATE OF MISSOURI
RODNEY C. NEECE
PLS#002691
PROFESSIONAL LAND SURVEYOR

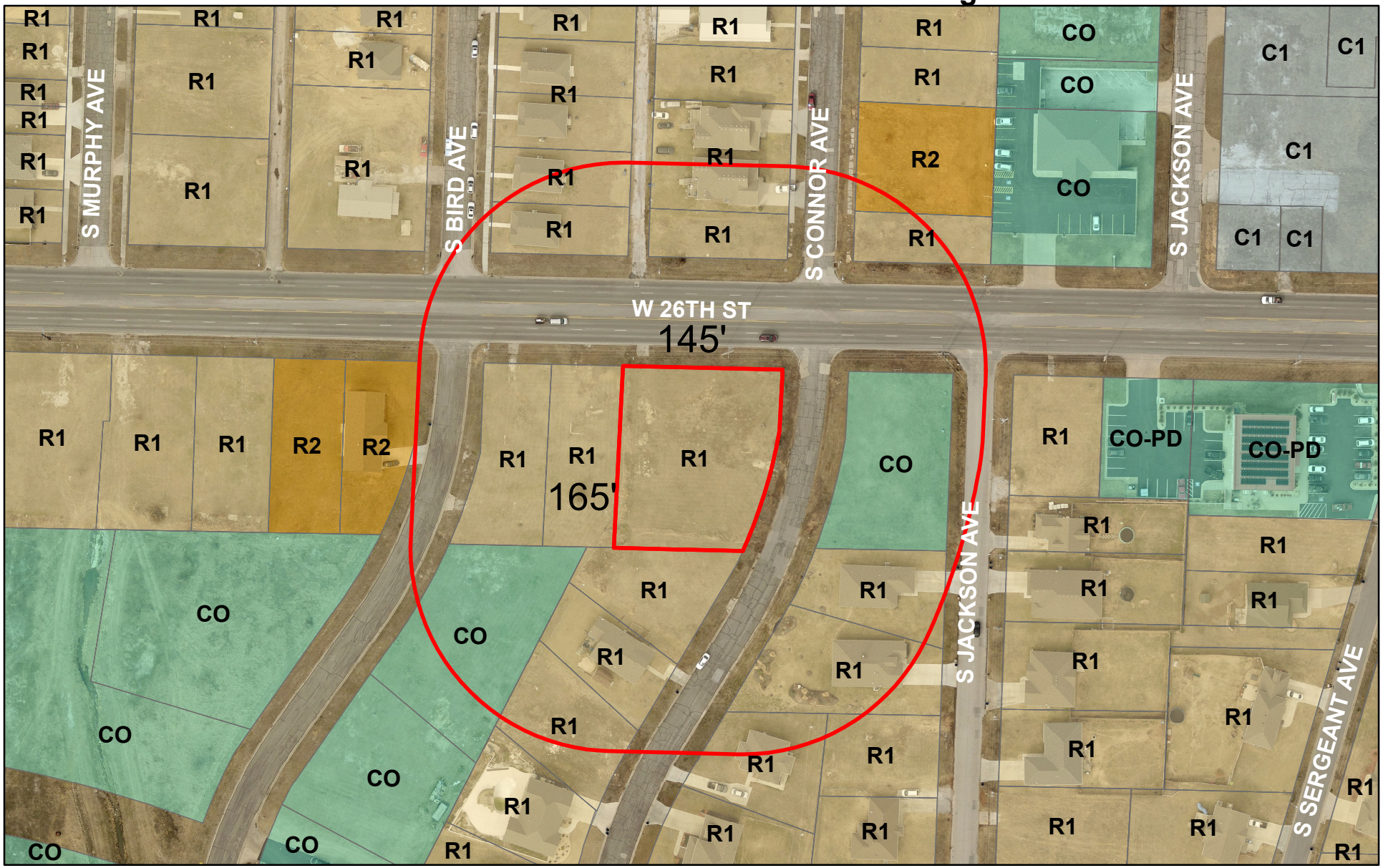
SURVEYOR'S CERTIFICATE:
I Rodney C. Neece a Registered Land Surveyor of Joplin, Jasper County, Missouri, Do hereby certify that the field notes and attached plat are true and accurate description of the work performed and measurements taken; survey made in accordance with the Missouri Standards for Property Boundary Surveys of the Department of Agriculture, Division of Weights & Measures and Consumer Protection, and is not a warranty of title either expressed or implied, This declaration is made to the original owner and/or purchaser of the survey as of the date indicated in the title block, it is not transferable to additional institutions or subsequent owners and may not be used in connection with a survey "Survey Affidavit" or similar document, statement, or mechanism to obtain title insurance for any subsequent or future grantees, furthermore, this survey is not valid without the original signature and embossed seal.

Stewart & Neece Land Surveying Company
Since 1922 Joplin, Mo.

STEWART AND NEECE LAND SURVEYING, INC.
1201 East 15th Street, Joplin, Missouri 64801
Phone: 417-624-0311 Fax: 417-624-0365

SURVEY FOR: Dylan Conrood		
DRAWN: Allgood	DATE: 5-27-20	ADDRESS: 26th St. & Connor Ave Joplin, Mo.
APPROVED: RCN	S/T/R: 15-27-33	
SCALE: 1"=30'	FILE NAME: L16&17BCA	Cert of Authority LSC-2019012803

Case 028-20: 902 W. 26th St. - Rezoning



A requ es t to remove from Dis trict R-1 (Single-family Res idential) and inclu de in Dis trict R-2 (Two-family Res idential) property located at 902 W. 26th St. – Dylan Coonrod

0 62.5 125 250 375 500 Feet

N

P & Z Case 028-20
Dylan Coonrod
(P & Z Recommended Approval)

COUNCIL BILL NO. 2020-268 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-1 and including in District R-2 property as described below and located 902 W. 26th St., 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 R-2:

> All of Lots Numbered Sixteen (16) and Seventeen (17) in Briarcliff Addition to the City of Joplin, Jasper County, Missouri.

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_____, 2020, by a vote of _____.

_____
Ryan D. Stanley, Mayor

ATTEST:

_____
Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney