**CITY OF JOPLIN**
**COUNCIL AGENDA ITEM**

**ITEM:**
CB 2023-283 – Zoning District Change

**MEETING DATE:**
August 7, 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 038-23: 2918 E 20th St – Rezoning – A request to rezone from District C-1 (Neighborhood Commercial) to District C-3 (Commercial) – Jaimi Mansfield

**BACKGROUND:**
The owner of the property is seeking a more intensive commercial use and is expecting higher traffic. The existing building will be demolished and will be developed as a new site.

The traffic engineer has reviewed this site. There will need to be a shared access with the property to the West, as they will not be able to get any closer to Range Line, per MODOT requirements.

The Southwest corner of this property is in the flood plain. Engineering is aware of this and will need to see that the proposed development has an elevation certificate, per the City's flood zone regulations.

The Future Land Use Map designates this property as future Retail Commercial. The requested zoning is consistent with the surrounding property zonings. C-1 is a low-traffic commercial district. This property is located on 20th St, and arterial road, and near Range Line. Both of these streets are high-traffic roads, with more intensive commercial use. The proposed zoning will allow the property to adopt a more intensive commercial use that is better suited for the existing area.

**PLANNING & ZONING COMMISSION TESTIMONY:**
Jaimi Mansfield presented the case to rezone this property. She stated that the C-3 zoning will give them a broader range so that they may attract more tenants. Ms. Warren asked what the status of the elevation certificate was for stormwater. Mr. Bellairs stated this was brought up in the pre-development meeting and that it was discussed regarding the development of the site but that the applicant is not at that point in the project yet. The elevation certificate would be provided at the time the applicant submits their construction and civil documents during the plans review phase.

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

**RECOMMENDATIONS**:
Staff recommends approval for Council Bill 2023-283
Planning & Zoning Commission recommends approval of Case 038-23 (6 in Favor, 0 Opposed, 1 Absent)

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

**Case 038-23: Rezoning**

2918 E. 20th St-Rezoning-A request to rezone from District C-1 (Neighborhood Commercial) to District C-3 (Commercial)-Jaimi Mansfield

Jaimie Mansfield, 7700 Forsyth Blvd. Suite 1800, Clayton, Missouri 63105. Ms. Mansfield stated she researched the comprehensive plan and this request to rezone squarely falls into what the City envisions for this commercial corridor along these two busy roads as well. The C-3 zoning gives it a broader range so when it is looking at perspective tenants it allows for a more robust use it can attract tenants to. Rezoning it to fit the character helps on the front end to get an end user in there too. But also, on the back end to make it compatible with all the other users that are surrounding it as well. Currently the site sits vacant. They do not envision any other C-3 use that would be compatible within the site to increase any traffic hazards.

Mr. Kimble asked if there were any questions from the Commission on Case 038-23.

Ms. Warren asked the status of the elevation certificate.

Mr. Bellairs stated this was brought up in the pre-development meeting and we have discussed this for the development of the site. But we are not at that point yet. He stated he had included that just because of the location in the flood plain. But that will be provided when they submit documents for building permits. He said first they need to rezone.

Ms. Mansfield said she did not anticipate any variances necessary, and the owner would agree to raising the building and putting something new up that would obviously bring it in to meet all regulations.

There were no further questions.

Mr. Kimble asked if anyone wished to speak in favor of Case 038-23.

There were none.

Mr. Kimble asked if anyone wished to speak in opposition of Case 038-23.

There were none.

**MR. ROSENBERG MOVED THAT CASE 038-23 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MS. WARREN SECONDED THE MOTION. MOTION CARRIED. (6 IN FAVOR, 0 NAY, 1 ABSENT)**

Z&P Meeting: July 10, 2023
City Council Meeting: August 7, 2023

JOPLIN
PLANNING, DEVELOPMENT, & NEIGHBORHOOD SERVICES

# STAFF PLANNING REPORT
## Rezoning

**CASE 038-23** A request to rezone from District C-1 (Neighborhood Commercial) to District C-3 (Commercial)

**LOCATION** 2918 E 20th St, Joplin, Missouri 64801

**APPLICANT** Jaimi Mansfield

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### EXISTING CONDITIONS

| Zoning | Land Use | Property Size |
|---|---|---|
| C-1 | Commercial | Approximately 0.43 Acres |

### SITE CONTEXT

| | North | East | South | West |
|---|---|---|---|---|
| Existing Zoning | C-3 PD | C-3 | C-3 PD | C-3 |
| Land Use | Restaurant | Vacant | Retail | Vehicle Service & Repair |

### 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 |
|---|---|---|
| E 20th St | Arterial | 75′ |

## UTILITIES

The site has access to utilities.

## FLOOD PLAIN

The Southwest corner of this property is in the flood plain. Engineering is aware of this and will need to see that the proposed development has an elevation certificate, per the City's flood zone regulations.

## STAFF ANALYSIS

### CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

The Future Land Use Map designates this property as future Retail Commercial. The requested zoning is consistent with the surrounding property zonings. C-1 is a low-traffic commercial district. This property is located on 20th St, and arterial road, and near Range Line. Both of these streets are high-traffic roads, with more intensive commercial use.

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

Due to the location on 20th St, the property's most appropriate zoning would be C-3. C-1 is intended for low-intensity, low traffic commercial use. The properties adjacent to both the East and West are zoned C-3 (Commercial). The proposed zoning will allow the property to adopt a more intensive commercial use that is better suited for the existing area.

### THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The zoning will not detrimentally affect any of the nearby properties. The surrounding properties are zoned C-3.

## DISCUSSION

The owner of the property is seeking a more intensive commercial use and is expecting higher traffic. The existing building will be demolished and will be developed as a new site.

The traffic engineer has reviewed this site. There will need to be a shared access with the property to the West, as they will not be able to get any closer to Range Line, per MODOT requirements.

**Staff recommends approval of Case 038-23.**

## 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.: O38-23
Filing Fee: $550.00
Received: 5/23/23
Date Advertised:
Proj. No.: 23-186
Public Hearing Date: July 10th, 2023

Applicant: 2918 East 20th Street, LLC Phone No.: 314.342.4136

Address: 2918 E. 20th Street, Joplin, MO 64804 Email: jmansfield@atllp.com

Owner: 2918 East 20th Street, LLC Phone No.: 314.342.4136

Address: 2918 E. 20th Street, Joplin, MO 64804 Email: jmansfield@atllp.com

Location of Property: 2918 E. 20th Street, Joplin, MO 64804

Present Use of Property: Vacant Building - previously neighborhood commercial

Proposed Use of Property: General commercial

Current Zoning: C1 Requested Zoning: C3

**Surrounding Land Use and Zoning:**

| | Land Use | Zoning |
|---|---|---|
| North | Restaurant | C3PD |
| South | Vacant Lot | C3PD |
| East | Vacant Lot | C3 |
| West | Car Service Station | C3 |

Character of the Neighborhood: The neighborhood is largely either general commercial or general commercial planned development districts. There are no properties zoned for residential use adjacent to the property.

**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: The commercial uses in a C3 Commercial District, which are more broad and inclusive of nearly all permitted uses in a C1 Neighborhood Commercial District, are more desirable to Applicant. By example, Applicant is unable to operate a commercial parking lot on site as currently zoned.

**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: E. 20th Street

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: None.

**Unique Characteristic of Property and/or Additional Comment:**

See Attached Letter in Support of Rezoning Application.

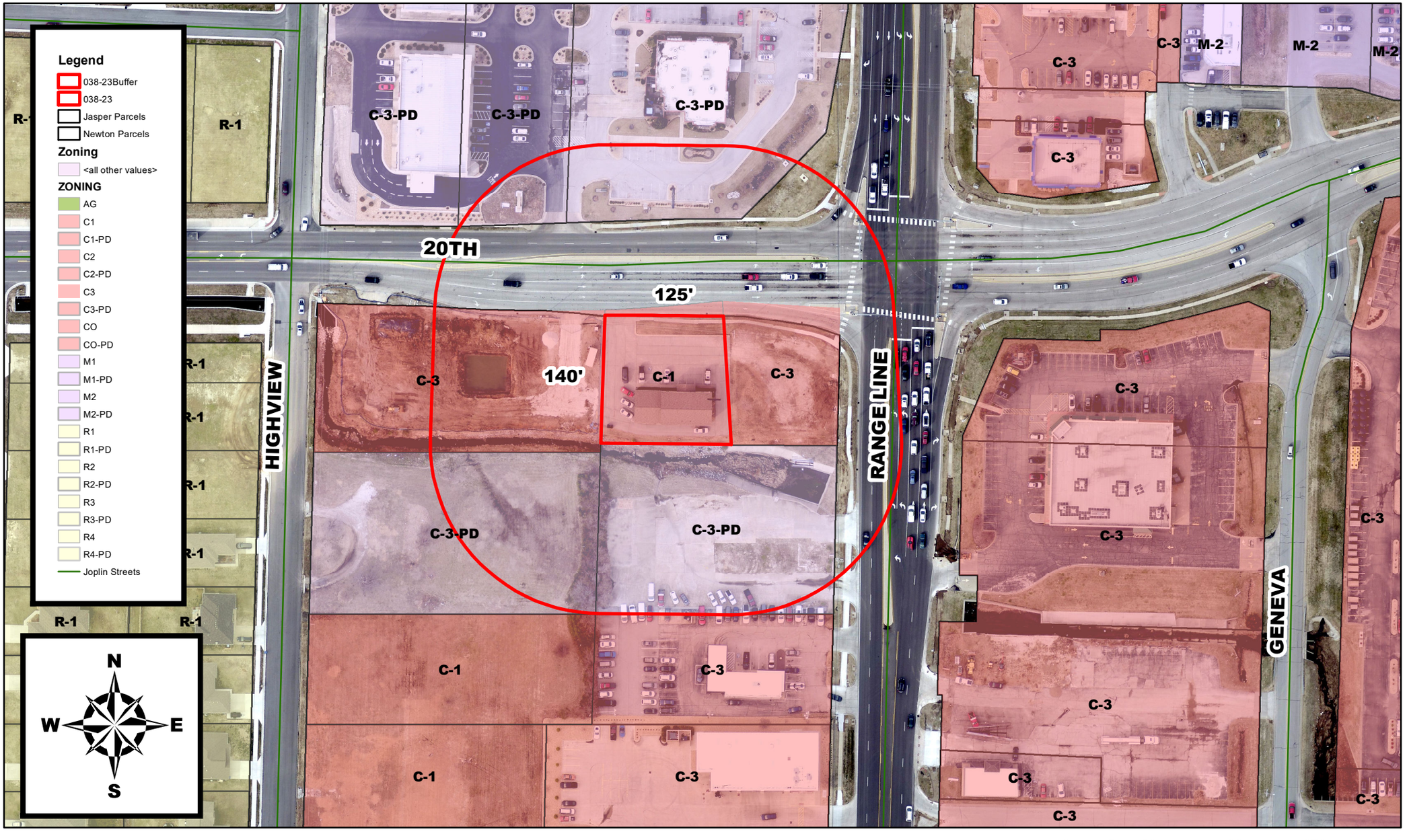
**Submission of Documents:** The following documents are **required** at time of submission.

| 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:** Jamie Marquez **Date:** 5-19-23

# Case 038-23: Rezoning




2918 E 20th St – Rezoning – A request to rezone from District C-1 (Neighborhood Commercial) to District C-3 (Commercial) – Jaimi Mansfield

P & Z Case 038-23
2918 E 20th St
(P & Z Recommended Approval)

COUNCIL BILL NO. 2023-283 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-1 (Neighborhood Commercial) to District C-3 (Commercial) property as described below and located at 2918 E 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 C-1 (Neighborhood Commercial) the following described property and including in District C-3 (Commercial).

**ALL OF THE WEST 141 FEET OF THE NORTH 160 FEET OF LOT NUMBERED ONE (1) IN KINDRED'S SUBDIVISION 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_____, 2023, by a vote of _____.

_____
Douglas W. Lawson, Mayor

ATTEST:

_____
Holly Nagy, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney