CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2022-279 – Zoning District Change

MEETING DATE:
September 6, 2022

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

FUNDING SOURCE:
These payments are included in the FY2021-22 budget of the Community Planning Fund.

SUMMARY REQUEST:
Case 046-22: Rezoning - 2601 E. 20th St. – A request to remove from District R-1 (Single-family Residential) and include in District C-1-PD (Neighborhood Commercial Planned Development) for future commercial development – Leonard Hartford Tunnell

BACKGROUND:
This request to rezone to C-1-PD is along the E. 20th St. corridor. The Comprehensive Plan does indicate that this is a mixed-use corridor, while also showing it as future low-density residential in the Future Land Use Map.

Given the high traffic volume and speeds, as well as the arterial classification of 20th St., this property is generally inappropriate for single-family residential. A C-1-PD zoning is appropriate as a low-intensity commercial buffer along the corridor between 20th St. and existing single-family districts to the North.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Leonard Hartford Tunnell, 19362 Hartford Lane, Carthage, Missouri. He stated he has requested the rezoning. The lots on the north side and has already been rezoned C-1-PD or commercial. He stated he has another lot beside him that is already been zoned C-1-PD. It is a sister lot, and it would have the same impact as mine. It is the same width and length and everything. It could even be a larger business space. It is not a good place for residential right now because it is between two businesses. It should have no impact on traffic other than the Buttram lot has, it is the same situation. Of course, it would later generate sales tax for whatever business would occupy the lot as a commercial lot.

PUBLIC COMMENT;

Dana Parker, 1808 S.E. Murphy Blvd, Joplin, Missouri. Ms. Parker stated she was not necessarily opposed to this property being zoned for commercial because they were told a long time ago that was happening. We do have the property adjacent to it on the north and it is residential not commercial. Our issue is the storm drainage. If someone builds something there, we just want to get it on the books that we are watching that. We have had a lot of issues with storm drainage from other businesses tearing up our property. And I just want to get that on there so maybe the City will pay attention to that.

Mr. Eastman stated that Mr. Stanton could address that matter.

Ms. Parker stated that is all she had. She was just curious as to what was going in at that location.

Mr. Stanton stated the storm water management is part of the review process for any new site plan or development. That will be reviewed by our team of engineers whenever it develops.

Ms. Parker stated the last time they just directed it into our yards. She stated she did not want any more water.

Mr. Stanton stated in addition to any storm water mitigation there will be a buffer requirement between the commercial designation and the residence.

RECOMMENDATIONS:
Staff recommends tabling for Council Bill 2022-279.
Planning & Zoning Commission recommends tabling for Case 046-22 (6 in Favor, 0 Opposed, 1 Absent)

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

Case 046-22: Rezoning

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Mr. Eastman asked if the Board had any questions for Mr. Tunnell.

No questions.

Mr. Eastman asked if anyone wished to speak in favor of Case 046-22.

There were none.

Mr. Eastman asked if anyone wished to speak in opposition of Case 046-22.

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Mr. Eastman asked if anyone else would like to speak in opposition to Case 046-22.

There were none.

MS. STEELE MOVED THAT CASE 046-22 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MR. KIMBLE SECONDED THE MOTION. MOTION CARRIED. (6 IN FAVOR, 0 NAYS, 1 ABSENT)

Z&P Meeting: August 8, 2022
City Council Meeting: September 6, 2022

JOPLIN
PLANNING, DEVELOPMENT, & NEIGHBORHOOD SERVICES

STAFF PLANNING REPORT
Rezoning

CASE 046-22 A request to remove from District R-1 (Single-family Residential) and include in District C-1-PD (Neighborhood Commercial Planned Development) for future commercial development

LOCATION 2601 E. 20th St.

APPLICANT Leonard Hartford Tunnell

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-1	Vacant	0.36

SITE CONTEXT

	North	East	South	West
Existing Zoning	R-1	C-1-PD	R-1	R-1
Land Use	Vacant	Vacant	Vacant	Church

FUTURE LAND USE

Joplin's Future Land Use Map shows this property as future low-density residential.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
E. 20th St.	Arterial	80'

UTILITIES

Utilities in place.

FLOOD PLAIN

This property is not in the flood plain.

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

This request is consistent with the Comprehensive Plan. This corridor is identified as a mixed-use corridor. C-1-PD zoning is appropriate in that context. The future land use map does indicate future low-density residential, however, C-1-PD does meet the intent of the mixed-use corridor.

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

The current zoning of R-1 is not suitable for the property. E. 20th St. is a high traffic corridor, particularly with this proximity to Range Line Rd. This is a key east-west corridor through Joplin that facilitates a large volume of traffic across the length of the City. Single-family uses would not be appropriate in this context.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning will not be detrimental to nearby property. This corridor contains a number of existing uses that correlate to the existing use of the subject property. Properties that are directly adjacent contain an existing commercial use, an existing church, and a vacant property.

DISCUSSION

This request to rezone to C-1-PD is along the E. 20th St. corridor. The Comprehensive Plan does indicate that this is a mixed-use corridor, while also showing it as future low-density residential in the Future Land Use Map.

Given the high traffic volume and speeds, as well as the arterial classification of 20th St., this property is generally inappropriate for single-family residential. A C-1-PD zoning is appropriate as a low-intensity commercial buffer along the corridor between 20th St. and existing single-family districts to the North.

Staff recommends approval of Case 046-22.

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
Fax: 417-625-4738

Office Use Only
Case No.: _____
Filing Fee: $550.00
Received: _____
Date Advertised: _____
Date Notice Sent: _____
Public Hearing Date: _____

Applicant: Leonard Hartford Tunnell Phone No.: 417 438 5206

Address: 19362 Hartford Lane Carthage Email: Tunnell-LH@hotmail.com

Owner: L H Tunnell Phone No.: Same

Address: Same Email: Same

Location of Property: 2601 E 20th

Present Use of Property: For Sale

Proposed Use of Property: For Sale as C1-PD

Current Zoning: R1 Requested Zoning: C1-PD

Surrounding Land Use and Zoning:

	Land Use	Zoning
North	Empty Lot (no access to 20th)	R1
South	A house R1	R1
East	Land for Sale C1-PD + Med Center	C1-PD C1-PD
West	A vacant Church sold for Commercial	

Character of the Neighborhood: The north side of 20th is all zoned C1-PD OR C3-PD (C3-PD Church R1 C1-PD C1-PD

Sold Commer ↑ my lot

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: It would be an isolated house mixed in with business.

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? Property on both sides are commercial

Street(s) with Access to Property: only 20th street

Classification of Street(s):

Arterial ☐ Collector ☐ Local ☐

Right-of-Way Width: _____

Platting:

Yes	No	
☐	☒	Is platting required?
☐	☐	Are lots appropriately sized? 1 lot
☒	☐	Is street right-of-way appropriately sized?
☒	☐	Are drainage and utility easements adequately sized and provided?

Additional Comments: At this time I do not know what business owns the Church

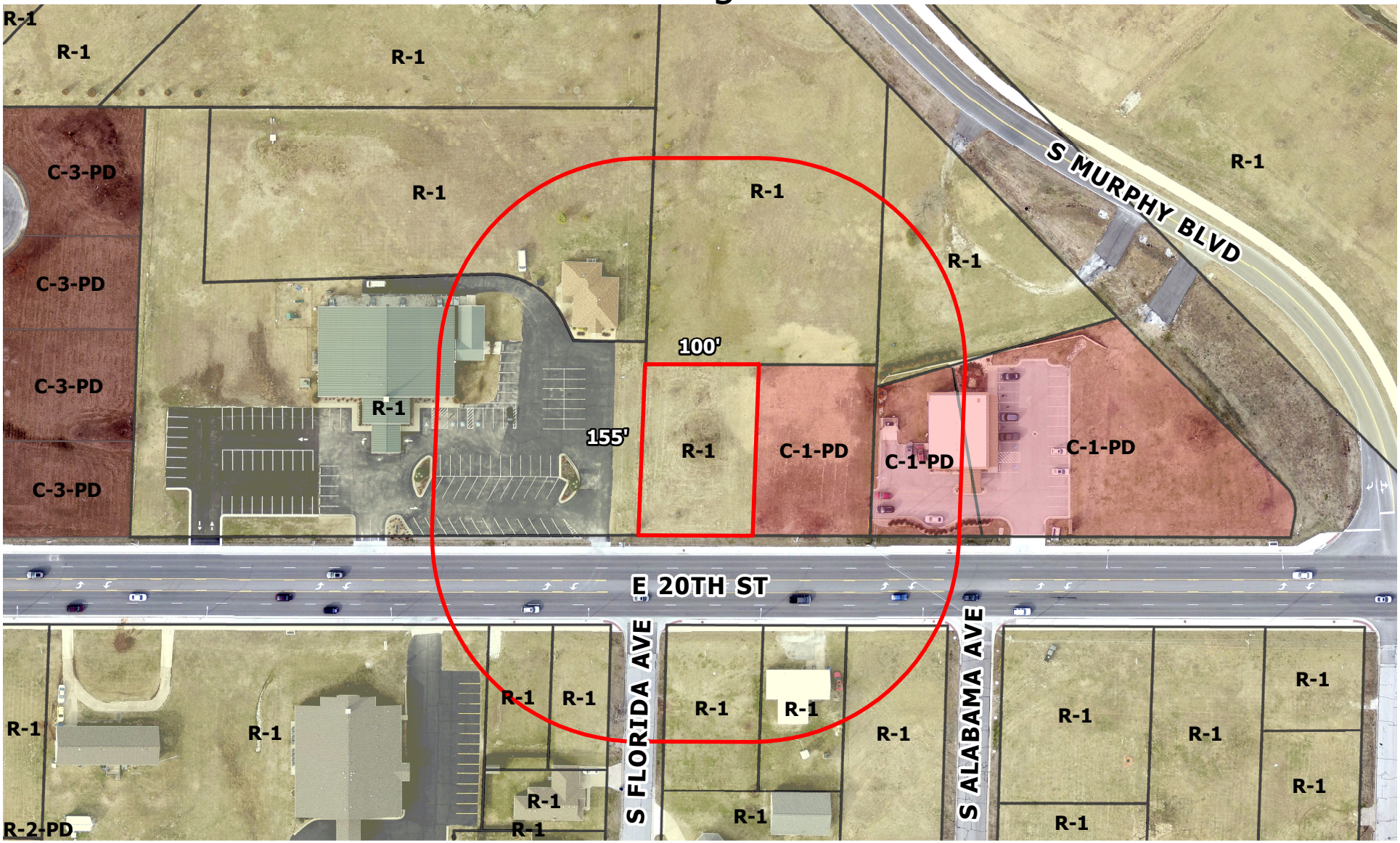
Unique Characteristic of Property and/or Additional Comment:

Submission of Documents:

Yes	No	
☒	☐	Completed 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. N/A

Signature: T H Jumell **Date:** May 31, 2022

Case 046-22: Rezoning - 2601 E. 20th St.



2601 E. 20th St. – A request to remove from District R-1 (Single-family Residential) and include in District C-1-PD (Neighborhood Commercial Planned Development) for future commercial development – Leonard Hartford Tunnell

P & Z Case 046-22
Leonard Hartford Tunnell
(P & Z Recommended Approval)

COUNCIL BILL NO. 2022-279 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) and including in District C-1-PD (Neighborhood Commercial Planned Development) property as described below and located at 2601 E. 20th 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. 2022-274 is hereby amended by removing from District R-1 (Single-family Residential) the following described property and including in District C-1-PD (Neighborhood Commercial Planned Development).

> All that part of Miscellaneous Tract Numbered Twelve (12), Parcel Forty-two (42) in section 12, Township 27, Range 33, in the City of Joplin, Jasper County, Missouri, and further described as follows: Beginning at the Southwest Corner of Miscellaneous Tract Numbered Twelve (12), Parcel 42, in Section 12, Township 27, Range 33, in the City of Joplin, Jasper County, Missouri, thence North 170 feet, thence East 105 feet, thence South 170 feet, thence West 105 feet to the beginning

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_____, 2022, by a vote of _____.

_____
Douglas W. Lawson, Mayor

ATTEST:

_____
Holly Nagy, City Clerk

APPROVED AS TO FORM:

_____

Peter C. Edwards, City Attorney