CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2021-278 – Rezone R-1 to R-2.

MEETING DATE:
September 7, 2021

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 037-21: 2521 S. Connor Ave. - A request to remove from District R-1 (Single-family Residential) and include in District R-2 (Two-family Residential) for future residential development – David McCartney

BACKGROUND:
The change to R-2 will not detrimentally affect nearby property. R-2 uses are still able to maintain the character of low-density residential. Additionally, some nearby property, both directly abutting and in the general vicinity along the 26th St. corridor are presently zoned R-2 or C-O.

PLANNING & ZONING COMMISSION TESTIMONY:
David McCartney, 720 Glenview Place, Joplin, MO. He stated that he is no longer the owner but is speaking on behalf of the new owner. Basically, asking for an extension of the R-2 which is currently enforced in the adjoining plats. There are two properties, 2515 and 2519 S. Connor and combining them with this corner lot would be the appropriate square footage for duplexes.

Mr. Eastman asked he was just rezoning the corner lot?

Mr. McCartney stated that was correct. The other two lots are zoned R-2.

PUBLIC COMMENT;
Charles Steele, 2501 S. Connor, Joplin, MO. He is concerned about the sidewalk on 26th Street. We see a lot of foot traffic that can't go from Jackson to Bird, east/west, they go through the yards, or they go on the street, which is very dangerous. The other question I would have is where would the entrance be?

Mr. Stanton stated that since 26th Street is a collector we would not permit driveways to be off that street. It would have to be off Connor. As far as the sidewalks, the builder would be required to build sidewalks on their portion of the right-of-way with the building permit. The sidewalks will not extend the whole length, but this section would have sidewalks.

RECOMMENDATIONS:
Staff recommends approval for Case 040-21.
Planning & Zoning Commission recommends approval for Case 040-21 (5 Favor, 0 Nays, 2 Absent)

ATTACHMENTS
CB 2021-278, Staff Planning Report, P&Z Commission Minutes

CB 2021-278

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Mr. McCartney stated that was correct. The other two lots are zoned R-2.

Ms. Bruckner-Sears asked if there was anyone here to speak in favor of this request? There were none. Ms. Bruckner-Sears asked if there was anyone here in opposition of this request?

Charles Steele, 2501 S. Connor, Joplin, MO. He is concerned about the sidewalk on 26th Street. We see a lot of foot traffic that can't go from Jackson to Bird, east/west, they go through the yards, or they go on the street, which is very dangerous. The other question I would have is where would the entrance be?

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Ms. Bruckner-Sears asked if there was anyone else to speak against this request? There was not.

MR. EASTMAN MOVED, SECONDED BY MS. STEELE THAT CASE 037-21 BE FORWARDED TO THE CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MS. BRUCKNER-SEARS, MR. EASTMAN, MS. STEELE, MR. MCCULLOUGH, AND MS. PHILLIPS VOTING "AYE", (5 IN FAVOR, 2 ABSENT)

Z&P Meeting: August 9, 2021
City Council Meeting: September 7, 2021

STAFF PLANNING REPORT
Rezoning

CASE 037-21 A request to remove from District R-1 (Single-family Residential) and include in District R-2 (Two-family Residential) for future residential development.

LOCATION 2521 S. Connor Ave.

APPLICANT David McCartney

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-1	Vacant	Approx. 0.116 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	R-2	C-O	C-O	R-1
Land Use	Two-family Residential	Non-retail	Non-retail	Single-family Residential

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
S. Connor Ave.	Local	60'
W. 26th St.	Collector	100'

UTILITIES

Utilities 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. The future land use map does indicate future low-density residential; however, the comprehensive plan does call for a mix of housing types and residential uses along this corridor.

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

R-1 zoning is suitable for this property.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change to R-2 will not detrimentally affect nearby property. R-2 uses are still able to maintain the character of low-density residential. Additionally, some nearby property, both directly abutting and in the general vicinity along the 26th St. corridor are presently zoned R-2 or C-O.

DISCUSSION

The applicant is requesting a rezoning from R-1 to R-2. The R-2 district permits all uses within the R-1 district, as well as two-family residential, or duplexes. These generally maintain the character of low-density residential, and the City's comprehensive plan does call for a mix in residential uses along this corridor.

Staff recommends approval of Case 037-21.

ATTACHMENTS

- Application
- Map

RECEIVED
6-17-21

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.: 037-21
Filing Fee: ~~$500.00~~ 550.00
Date Advertised:
Date Notices Sent: 7-26-21
P&Z Date: 8-9-21
City Council Date: 9-7-21

APPLICANT: David McCartney PHONE: 417-437-0884
ADDRESS: 720 Glenview Pl. ZIP: 64801-1007
EMAIL: demccart25@yahoo.com
OWNER: David McCartney PHONE: —
ADDRESS: same ZIP: —
EMAIL: —
LOCATION OF PROPERTY: ~~2521~~ Connor, Joplin MO.
LEGAL DESCRIPTION:

Present Zoning R1 Requested Zoning: R2 Acreage: 0.116 A.
Present Use of Property: vacant lot
Proposed Use of Property: duplex, along w/ adjoining properties

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	vacant / ~~single residence~~	R1
South	street	?
East	Counseling office	CO
West	single family residence	R1

CHARACTER OF THE NEIGHBORHOOD: mixed CO and residential

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: buyer wants to put in two duplexes on three lots

CONFORMANCE WITH COMPREHENSIVE PLAN:

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

THE FOLLOWING MUST ACCOMPANY YOUR APPLICATION:

1. One copy of a legal description of the property proposed to be rezoned.
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 effect 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
4. For Planned Developments the following must be submitted and reviewed before the rezoning can be advertised for public hearing:
   ___ Site Plan ___ Landscape Plan ___ Building Elevations

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: Connor, 26th St (Gabby Ave.)
2. Classification of Street(s):
   Arterial ✓ Collector _____ Local ✓
3. Right-of-Way Width: _____
4. Will turning movements caused by the proposed use create an undue traffic hazard?
   No

IS PLATTING OR REPLATTING REQUIRED TO PROVIDE FOR:

1. Appropriately Sized Lots? No
2. Properly Sized Street Right-of-Way? No
3. Drainage Easements? No
4. Utility Easements:
   - Electricity? No
   - Gas? No
   - Sewers? No
   - Water? No
5. Additional Comments: _____

UNIQUE CHARACTERISTIC OF PROPERTY AND ADDITIONAL COMMENT:

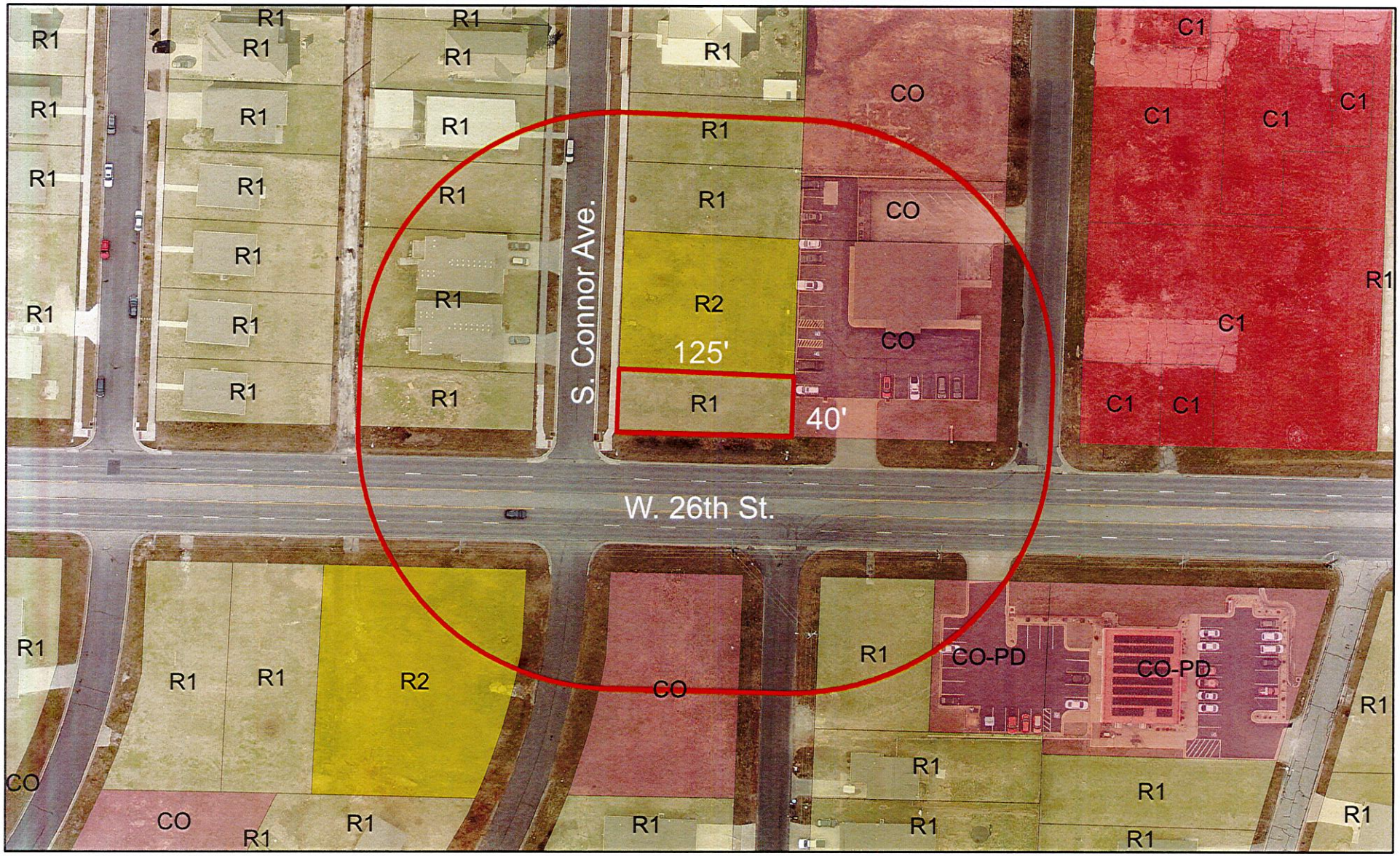
None

SIGNATURE: [signature] DATE: 5/15/24

BY: _____

TITLE: _____

037-21 - 2521 S. Connor Ave. - Rezone



Case 037-21:2521 S. Connor Ave. - A request to remove from District R-1 (Single-family Residential) and include in District R-2 (Two-family Residential) for future residential development – David McCartney

N

0 35 70 140 210 280 Feet

P & Z Case 037-21
David McCartney
(P & Z Recommended Approval)

COUNCIL BILL NO. 2021-278 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 (Single Family Residential) and including in District R-2 (Two Family Residential) property as described below and located at 2521 S. Connor Ave.

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 Lot Numbered Twenty-three (23) in COMMERCIAL CLUB ADDITION to the City of Joplin, Jasper County, Missouri 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_____, 2021, by a vote of _____.

_____
Ryan D. Stanley, Mayor

ATTEST:

_____
Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney