CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2020-270 - Rezone to C-3 (Commercial)

MEETING DATE:
September 8, 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 030-20: 1317 E. 7th St. and 610 S. Club St. – A request to remove from District R-2 (Two-family Residential) and District M-2 (Heavy Industrial), and include in District C-3 (Commercial) property located at 1317 E. 7th St. and 610 S. Club St. for future auto and vehicle sales – Dennis & Joyce Dilts

BACKGROUND:
The current zoning of M-2 is suitable in this area along 7th St. However, considering 7th Street's transition to more commercial uses along the corridor, the change to C-3 would be consistent with the development pattern of the corridor taken holistically.

This request is compatible with the Comprehensive Plan, the Future Land Use Map, and the zoning requested is appropriate for the neighborhood. C-3 zoning is appropriate given its location along an arterial corridor and the mix of existing uses in the area.

PLANNING & ZONING COMMISSION TESTIMONY:
Dennis Dilts, 600 Heritage Acres Drive, Joplin, MO. He is here to request rezoning due to the fact that the building he was currently in had a fire on June 5, 2020, and found out this last week that the building is totaled. He would like to expand the parking lot and move it back for more parking spaces.

PUBLIC COMMENT:
None.

FUNDING SOURCE:
These payments are included in the FY 2019-20 budget of the Community Planning Fund.

RECOMMENDATIONS:
Planning & Zoning Commission recommends approval for Case 030-20, 7 in favor, 0 Nays.
Staff recommends approval of Case 030-20

ATTACHMENTS:
CB 2020-270, Staff Planning Report, P&Z Commission Minutes

CB 2020-270

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Mr. Ramsour asked if there were any questions from the Commissioners?

Mr. Kimble wanted to know about the house on 610 Club and was he the owner?

Mr. Dilts stated he was the owner and it is a rental house and occupied. At the very beginning they were going to use the lot between the alley easement and try to build the building there and then use the house for later expansion.

Mr. Ramsour wanted to know what the situation of the alley between there.

Mr. Dilts stated that there is an alley easement that is between the actual building and the lot and it was vacated in 1949.

Mr. Kimble wanted to know in the future pushing the lot back further closer to 610 Club eventually having cars.

Mr. Dilts stated that they would use that eventually for a bull pen, again there is income on the rental house, so, he doesn't want to eliminate that.

Mr. Ledford wanted to know from Mr. Stanton if single family homes were allowed on C-3 properties?

Mr. Stanton stated it would be permitted to go through but the house as a use there would be non-conforming use. If there was any destruction to that house it would not be allowed to be rebuilt unless it was rezoned to an R-1 or R-2.

Mr. Ramsour asked if anyone in the audience would like to speak in favor of this case or in opposition to the case: There were not.

MR. EASTMAN MOVED, SECONDED BY MR. LEDFORD, CASE 030-20 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MR. RAMSOUR, MRS. STEELE, MS. BRUCKNER-SEARS, MR. EASTMAN, MR. MCCULLOUGH, MR. KIMBLE AND MR. LEDFORD VOTING "AYE". (7 IN FAVOR, 0 NAYS).

Z&P Meeting: August 10, 2020
City Council Meeting: September 8, 2020

STAFF PLANNING REPORT
Rezoning

CASE 030-20 A request to rezone from M-2 (Heavy Industrial) and R-2 (Two-family Residential) to C-3 (Commercial)

LOCATION 1317 E. 7th St. and 610 Club Ave.

APPLICANT Dennis and Joyce Dilts

EXISTING CONDITIONS

Zoning	Land Use	Property Size
M-2 and R-2	Used Car Lot and Single-family Residential	Approx. 0.6 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	R-2	C-O and C-3	C-3 and M-2	M-2 and R-2
Land Use	Vacant	Office	Restaurant and Self-storage/truck rental	Office and Single-family Residential

FUTURE LAND USE

Joplin's Future Land Use Map shows this property as future industrial.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
E. 7th St.	Arterial	90'
S. Club Ave.	Local	35'

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. The future land use map does show this property to be future industrial. Most of the 7th Street corridor East of Main St. is shown to be retail commercial except for a portion near the downtown area that still maintains industrial zoning. This property is right on the transition from commercial to industrial and it would not be inconsistent to rezone this portion commercial. This is a remnant from when much of the downtown area, particularly on the east side, was the manufacturing and industrial base. That area still has many industrial uses, but not at the scale seen on the edges of town.

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

The current zoning of M-2 is suitable in this area along 7th St. However, considering 7th Street's transition to more commercial uses along the corridor, the change to C-3 would be consistent with the development pattern of the corridor taken holistically.

The current zoning of R-2 on the norther portion of the property is suitable along Club Ave. Although, other neighboring properties along the northern side of 7th St. do have commercial or industrial zoning that extend as far North as the proposed zoning change.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning to C-3 will not be detrimental to the nearby property. Along 7th St., most of the existing zoning is compatible with C-3, or even more intense. In addition, the existing uses along 7th St. are either compatible or more intense. North of 7th St. and along Club, nearby properties have existing zoning and usage that extend as far North as the proposed rezoning. In addition, buffering requirements from the Zoning Code will be required where the C-3 zoning district directly abut residential.

DISCUSSION

This request is compatible with the Comprehensive Plan, the Future Land Use Map, and the zoning requested is appropriate for the neighborhood. C-3 zoning is appropriate given its location along an arterial corridor and the mix of existing uses in the area.

Staff recommends approval of Case 030-20.

ATTACHMENTS

- Application
- Map

RECEIVED
6-24-20

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.: 030-20
Filing Fee: $550.00
Date Advertised:
Date Notices Sent 7-27-20
Public Hearing Date: 8-10-20

APPLICANT: Dennis & Joyce Dilts PHONE: 417-439-4995
ADDRESS: 600 Heritage Acres Drive Joplin, Mo ZIP: 64801

OWNER: Dennis & Joyce Dilts PHONE: 417-439-4995
ADDRESS: 600 Heritage Acres Drive Joplin, Mo ZIP: 64801

LOCATION/ADDRESS OF PROPERTY: 1317 E 7th (D&J Auto Sales); 610 Duke St.

Present Zoning M2 + R2 Requested Zoning: C3 Commercial Acreage: .53
Present Use of Property: Auto Resale

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning	
North	Vacant Lot - Rezone requested	Residential	R-2
South	Business (Wings & More)	Commercial	~~C3~~ C-3
East	Business (Ins. Sales)	Commercial	CO
West	Business -- Our Temporary Location	Commercial	R2 + M2

Character of the Neighborhood:

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:

CONFORMANCE WITH COMPREHENSIVE PLAN:

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

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: 7th Street, Club Street
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?
   _____

IS PLATTING OR REPLATTING REQUIRED IN ORDER 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: Since we are requesting to rezone the adjacent properties, it seemed logical to rezone this property at the same time.

UNIQUE CHARACTERISTIC OF PROPERTY AND/OR ADDITIONAL COMMENT:

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: 6/15/2020

EMAIL: dennis@cstn.net

TITLE: owner

Case 030-20: 1317 E. 7th St. & 610 S. Club Ave. - Rezone



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0 85 170 340 510 680 Feet

N

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P & Z Case 030-20
Dennis & Joyce Dilts
(P & Z Recommended Approval)

COUNCIL BILL NO. 2020-270 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-2 and M-2 and included in District C-3 property as described below and located 1317 E 7th Street and 610 S Club Street, 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 C-3:

As all of lots numbered Ninety-five (95) and Ninety-six (96) in Spring Park Addition to the City of Joplin, Jasper County, Missouri, and all of the South one-half of that part of the vacated alley lying North of and adjoining said Lots 95 thru 98 in Spring Park Addition, and all of lots numbered Ninety-seven (97) and Ninety-eight (98) in the Spring Park Addition to the City of Joplin, Jasper County, Missouri, and all of the South one-half of that part of the vacated alley lying North of and adjoining said Lots 95 thru 98 in Spring Park Addition, and all of Lot Numbered One Hundred Twenty-seven (127) in Spring Park Addition to the City of Joplin, Jasper County, Missouri, according to the recorded plat thereof, and all of Lot Numbered One Hundred Twenty-six (126) in Spring Park Addition, to the City of Joplin, Jasper County, Missouri, according to the recorded plat thereof, together with the North Half (N1/2) of vacated alley lying South of and adjoining said Lot, more generally described as 1317 E. 7th St. and 610 S. Club St.

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