CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2022-282 – Rezone C-1-PD to C-O

MEETING DATE:
October 3, 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 051-22: 1234 N Duquesne Rd.– A request to remove from District C-1-PD (Neighborhood Commercial Planned Development) and include in District C-O (Commercial Office) for future residential development – Terra N Baugh

BACKGROUND:
This request to rezone to C-O is along the N. Duquesne Rd. corridor. The Comprehensive Plan does indicate that this is future retail commercial in the Future Land Use Map. This zoning would permit uses that are generally less intense than those in C-1.

PLANNING & ZONING COMMISSION TESTIMONY:
Terra Baugh, 4102 College View Dr. Joplin, Missouri. Ms. Baugh stated she is ready to make this property into two apartments or a duplex because this was originally a photography business. That is why she has applied to rezone.

PUBLIC COMMENT;
None

RECOMMENDATIONS:
Staff recommends approval for Council Bill 2022-282.
Planning & Zoning Commission recommends approval for Case 051-22 (6 in Favor, 0 Opposed, 1 Absent)

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

Case 051-22: Rezoning

1234 N. Duquesne Rd. -A request to remove from District C-1-PD (Neighborhood Commercial Planned Development) and include in District C-O (Non-retail Commercial) for future residential development.

Terra Baugh, 4102 College View Dr. Joplin, Missouri. Ms. Baugh stated she is ready to make this property into two apartments or a duplex because this was originally a photography business. That is why she has applied to rezone.

Mr. Eastman asked if the Board had any questions for Ms. Baugh.

There were none.

Mr. Eastman asked if anyone wished to speak in favor of Case 051-22.

There were none.

Mr. Eastman asked if anyone wished to speak in opposition of Case 051-22.

There were none.

Z&P Meeting: September 12, 2022
City Council Meeting: October 3, 2022

JOPLIN
PLANNING, DEVELOPMENT, & NEIGHBORHOOD SERVICES

STAFF PLANNING REPORT
Rezoning

CASE 051-22 A request to remove from District C-1-PD (Neighborhood Commercial Planned Development) and include in District C-O (Non-retail Commercial) for future residential development

LOCATION 1234 N. Duquesne Rd.

APPLICANT Terra N. Baugh

EXISTING CONDITIONS

Zoning	Land Use	Property Size
C-1-PD	Vacant Office Space	0.39

SITE CONTEXT

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

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
N. Duquesne Rd.	Collector	60'
E. College View Dr.	Local	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?

This request is consistent with the Comprehensive Plan. This area of Duquesne Rd. is identified as future retail commercial. While C-O does not permit many, if any, retail uses, it does permit other commercial uses such as offices that are appropriate at this location.

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

The current zoning of C-1-PD is suitable for the property. N. Duquesne Rd. is a collector-level street and sees relatively moderate to high traffic levels. This context is appropriate for uses permitted in C-1 zoning.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning will not be detrimental to nearby property. C-O zoning permits uses that are lower in intensity than C-1.

DISCUSSION

This request to rezone to C-O is along the N. Duquesne Rd. corridor. The Comprehensive Plan does indicate that this is future retail commercial in the Future Land Use Map.

Given the relatively moderate to high traffic volume and speeds, as well as the collector classification of Duquesne Rd., this property is generally appropriate for non-retail commercial uses. This zoning would permit uses that are generally less intense than those in C-1.

Staff recommends approval of Case 051-22.

ENCLOSURES

- Map of property
- Application

REZONING APPLICATION FORM

Return Form to:
Planner
Joplin City Hall
602 S. Main Street
Joplin, Missouri 64801
417-624-0820 Ext. 1511
FAX 417-625-4738

For Office Use Only

Case No.: O 51-22
Filing Fee: $550.00
Date Advertised:
Date Notices Sent
Public Hearing Date:

APPLICANT: Terra N. Baugh PHONE: 417-291-2202
ADDRESS: 4102 CollegeView Dr Joplin EMAIL: Terranbaugh@aol.com
OWNER: PHONE:
ADDRESS: SAA EMAIL: SAA

LOCATION/ADDRESS OF PROPERTY: 1234 N. Duquesne Rd. Joplin MO

Present Zoning C1PD Requested Zoning: CO Acreage:
Present Use of Property: Photography Studio

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	R1	
South	C1-PD, C3-PD, R1, R2	
East	R1	
West	R3-PD	

Character of the Neighborhood: dwelling Rentals, Agricultural, houses, Commercial offices, gas station

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? YES
   If yes, explain: I have been trying to sell the building for more than six (6) years with MINIMAL interest. (Perhaps 3 inquiries)

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. Consistent with Development Policies? Yes - Kyle Denham - Architect has all plans
2. Consistent with Future Land Use Map? ?

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: DUQUESNE & COLLEGE VIEW DR
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 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: _____

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. Must be legible.
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 and Agent Affidavit, if applicant applying for the rezoning is not the owner of the property be rezoned

SIGNATURE: Terra N Baugh DATE: 2 Aug 22

TITLE: Owner

1234 N Duquesne Road Rezoning statement

describing the reasoning for the redoing, 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.

Reasoning for the redoing: I have been trying to sell the structure as an office building for more than 6 years with minimal interest (only 3 inquiries). I had been using the building for my photography business for more than 20 years when, just after deciding to retire, the building experienced a burst pipe (February 2021) - causing extensive interior damage. I elected to change the layout of the 5300 square foot building at that time – and now wish to reconfigure it into a duplex containing two large residences. This will increase the building's utility and make it more appealing for renters or potential purchasers.

The impact of the proposed change, including any traffic conditions that may result: None that I am aware of. The structure served as a mental health clinic prior to my ownership and was my photography studio until my retirement from that profession. Having two families rent the entire structure should not result in any increased flow, or potential hazards, regarding traffic movement around that location.

Any danger from fire hazards: None that I am aware of. This is merely a planned duplex - not a manufacturing or storage facility with flammable or combustible materials. It is largely a brick building.

How the proposed change may affect the character of the surrounding properties: I do not believe there will be any impact. There are studio rentals to the west (close enough that our parking lots are divided only by a slight rise (barely perceptible) in elevation of the parking lots. There are houses further north - some of which I believe are rentals. To the south is College Skyline Center (a mental health clinic), a (closed) gas/convenience station, and commercial buildings attached to MSSU. To the east is a large agricultural lot belonging to MSSU which they use for hay; and a bit south of that is prairie land used for walking and other activities by MSSU.

How the proposed change will benefit the City of Joplin: I am hoping to renovate the building into a duplex with two large residences – which should help ease the apparent rental unit shortage and generate more tax income for the city. This is better use of the property than its current and vacant status.

Terra Baugh 417-291-2202

P & Z Case 051-22
Terra N. Baugh
(P & Z Recommended Approval)

COUNCIL BILL NO. 2022-282 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-PD (Neighborhood Commercial Planned Development) and including in District C-O (Neighborhood Office) property as described below and located at 1234 N. Duquesne Rd., 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 C-1-PD (Neighborhood Commercial Planned Development) the following described property and including in District C-O (Commercial Office).

> All of that part of Lot Numbered 62 beginning at the Northeast corner of said Lot Numbered 62 in College Skyline Addition to the City of Joplin, Jasper County, Missouri, thence South 100 feet, thence West 150 feet, thence North 107.7 feet to the South line of College View Drive, thence Southeasterly along the curve to the left 69.80 feet chord distance, thence 80.43 feet to the place of 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