CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2019-277- Rezone to Commercial District (C-3)

MEETING DATE:
October 7, 2019

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, Interim City Manager- Daniel Pekarek.

SUMMARY REQUEST:
Case 033-19: 3010 S. Connecticut Ave. – A request to remove from District C-1 (Neighborhood Commercial) and include in District C-3 (Commercial) for the purpose of future commercial development – David Sweeney

PLANNING & ZONING COMMISSION TESTIMONY:
David Sweeney, 2710 E 15th Street, Joplin, MO 64804. We own the property on Connecticut Ave. At this point there is some vacant space and we are just trying to put it in position to be more marketable. All of the adjacent properties except for the Alono Club to the West is all C-2 or C-3. In our interest it is best to bring it into alignment with the adjacent properties. Connecticut is a neighborhood in transition and the property is owned by IBC Properties LLC, we also own surrounding properties.

PUBLIC COMMENT;
None.

FUNDING SOURCE
These payments are included in the FY 2018-19 budget of the Community Planning Fund.

RECOMMENDATION:
Staff recommends Case 033-19 for approval, 7 in Favor, 0 Nays.

ATTACHMENTS
CB 2019- 277, Staff Planning Report, P&Z Commission Minutes

CB 2019-277

Case 033-19: 3010 S. Connecticut Ave. – A request to remove from District C-1 (Neighborhood Commercial) and include in District C-3 (Commercial) for the purpose of future commercial development – David Sweeney

David Sweeney, 2710 E 15th Street, Joplin, MO 64804. We own the property on Connecticut Ave for over 20 years. At this point there is some vacant space and we are just trying to put it in position to be more marketable. All of the adjacent properties except for the Alono Club to the West is all C-2 or C-3. In our interest it is best to bring it into alignment with the adjacent properties. Connecticut is a neighborhood in transition and the property is owned by IBC Properties LLC, we also own surrounding properties.

Mr. Ramsour asked Commissioners if they had any questions for Dr. Sweeney? They did not, but Mr. Ramsour had a question for staff. He stated there aren't any C-O in the neighboring properties.

Mr. Troy Bolander stated that was correct.

Mr. Ramsour asked if there was anyone that would like to speak in favor of this case? There was not. Mr. Ramsour asked if there was anyone who would like to speak in opposition to this case? There was not.

MR. DERMOTT MOVED, SECONDED BY MRS. KOLKEBECK, FOR CASE 033-19 BE FORWARDED TO THE CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL. MOTION CARRIED, MR. RAMSOUR, MRS. KOELKEBECK, MRS. STEELE, MS. BRUCKNER-SEARS, MR. DERMOTT, MR. EASTMAN, AND MR. MCCULLOUGH, VOTING "AYE. (7 IN FAVOR, 0 NAYS).

Z&P Meeting: September 9, 2019
City Council Meeting: October 7, 2019

STAFF PLANNING REPORT
Rezoning

CASE 033-19 A request to rezone from C-1 (Neighborhood Commercial) to C-3 (Commercial) for future commercial development.

LOCATION 3010 S. Connecticut Ave.

APPLICANT David Sweeney

EXISTING CONDITIONS

Zoning	Land Use	Property Size
C-1	Office	0.54 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	R-1/C-1	C-3 PD	C-3 PD/C-2 PD	R-1
Land Use	Vacant	Office	Parking/Strip Commercial	Private Club

FUTURE LAND USE

The City of Joplin's future land use map classifies this area as future retail commercial development.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
Connecticut Ave.	Collector	80'

UTILITIES N/A – Utilities do not need to be extended to the property.

FLOOD PLAIN N/A – this property is not in the flood plain.

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

Yes.

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

The site as zoned C-1 is suitable for future commercial development. The C-1 district does restrict commercial development's intensity and prohibits some commercial uses.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

This zoning change should not detrimentally affect nearby property. There is adequate space North and Southwest of the site in which any potential developer can mitigate the conflict of commercial uses with other uses in accordance with the City's buffer requirements. In addition, the site lies within the Connecticut Ave. Plan Development Corridor so it will be subject to higher standards of development.

DISCUSSION

While the C-1 district does allow for future commercial development, the C-3 zone that is requested by the applicant permits more intense development as well as more uses. The Connecticut Ave. corridor is in transition to accommodate more intense commercial uses, and indeed, this transition is shown in the future land use map.

The C-3 zoning requested by the applicant is not inappropriate given the close proximity of this site to the intersection of E 32nd St. and Connecticut Ave. as well as being across the street from a large office development. Any increases in traffic to the site will be adequately handled by the current capacity of the part of Connecticut Ave. on which the site has frontage, as well as the planned widening of Connecticut to the south.

This property is subject to the City of Joplin's Zoning Code requirements.

Staff recommends approval of Case 033-19.

ATTACHMENTS

- Application
- Map

REZONING APPLICATION FORM

RECEIVED 7-30-19

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.: 033-19
Filing Fee: $500.00
Date Advertised: 8-25-19
Date Notices Sent 8-23-19
Public Hearing Date: 9-9-19

APPLICANT: David Sweeney PHONE: 417-529-3876
ADDRESS: 3010 Connecticut Joplin, MO ZIP: 64804
OWNER: IDC Properties LLC PHONE:
ADDRESS: PO Box 1427 Joplin MO ZIP: 64803
LOCATION OF PROPERTY: 3010 S. Connecticut Ave
LEGAL DESCRIPTION: See attached

Present Zoning C-1 Requested Zoning: C-3 Acreage: 0.54
Present Use of Property: office building

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Vacant	C-1
South		C-3
East	VA Clinic	C-2
West	Vacant / Manon	R-1

CHARACTER OF THE NEIGHBORHOOD: Medical / Retail

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? 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

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: Connecticut
2. Classification of Street(s):
   Arterial X Collector _____ Local _____
3. Right-of-Way Width: Same
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? N
   Gas? _____
   Sewers? _____
   Water? _____
5. Additional Comments: _____

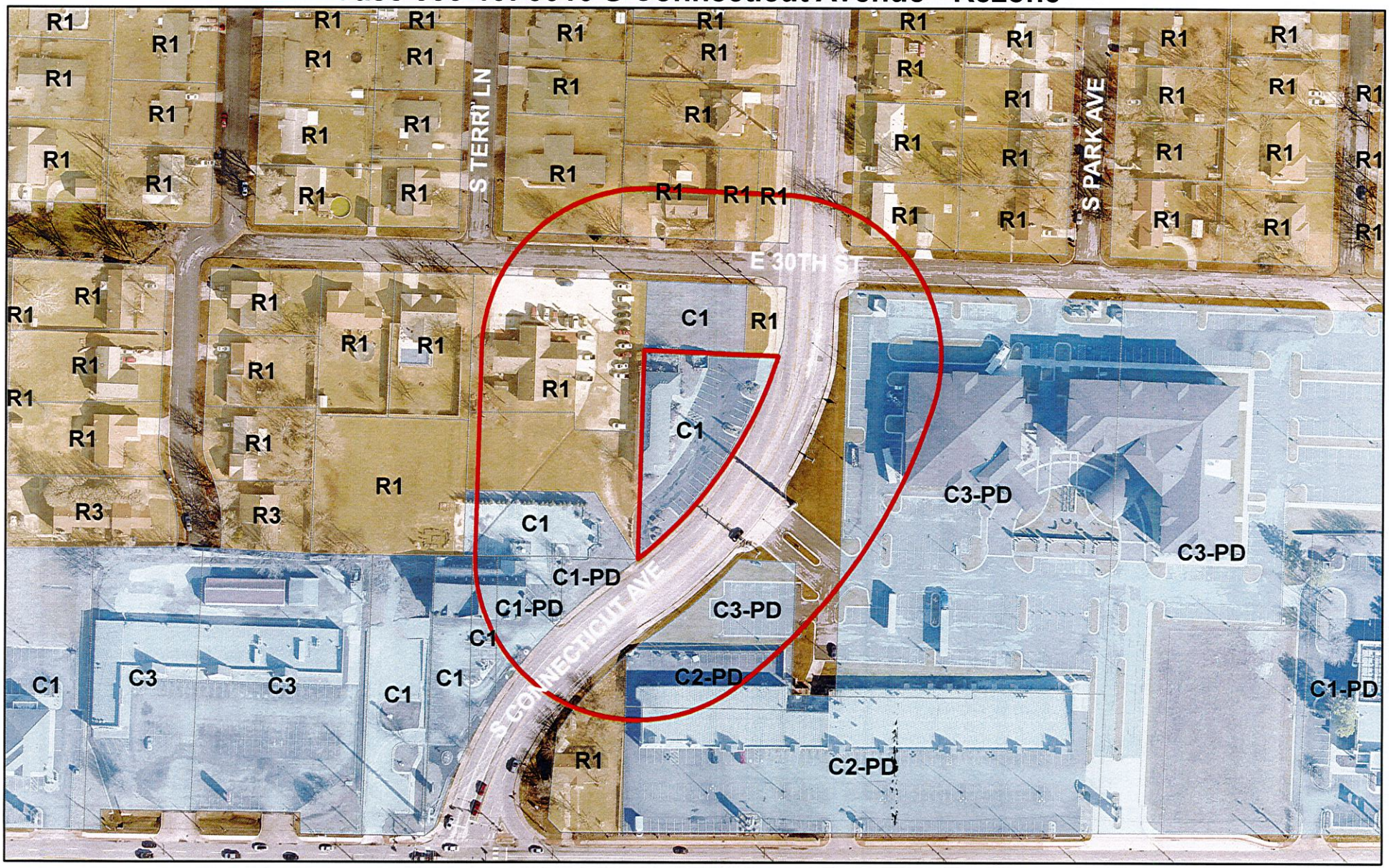
UNIQUE CHARACTERISTIC OF PROPERTY AND ADDITIONAL COMMENT:
Location is well suited for a variety of commercial uses.

SIGNATURE: _____ DATE: 7/15/19

BY: DK Property LLC

TITLE: Manager

Case 033-19: 3010 S Connecticut Avenue - Rezone



Case 033-19: 3010 S. Connecticut Ave. – A request to remove from District C-1 (Neighborhood Commercial) and include in District C-O (Commercial) for the purpose of future commercial development – David Sweeney

P & Z Case 033-19
David Sweeney
(P & Z Recommend Approval)

COUNCIL BILL NO. 2019-277 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 C-1 and including in District C-3 property as described below and located 3010 S. Connecticut Ave, 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:

All of the South 80.0 feet of the North 160.0 feet of lot 54 in Southmorland Acres Addition in the City of Joplin, Jasper County, Missouri, except Connecticut Avenue Right-of-Way described as beginning at the Northeast corner of the above tract; thence N89°57'24"W along the North line of said tract, 19.86 feet; thence Southwesterly along a curve with an intersection angle of 54°31'06" and a radius of 418.37 feet, 84.35 feet, to the South line of said tract; thence S89°57'24"E, 46.20 feet, to the Southeast corner of said tract; thence North, 80.0 feet, to the point of beginning. And beginning 160.0 feet South of the Northeast corner of lot 54 in Southmorland Acres Addition in the City of Joplin, Jasper County, Missouri. Thence West 175.00 feet; thence South, 82.75 feet; thence East 175.00 feet; thence North 79.54 feet, to the point of beginning, except Connecticut Avenue Right-of-Way described as beginning at the Northeast corner of above described tract; thence N89°57'24"W along the North line of said tract, 46.20 feet; thence Southwesterly along a curve with an intersection angle of 54°31'06" and a radius of 418.37 feet, 94.45 feet, to the South line of said tract; thence N88°59'41"E, 94.07 feet, to the Southeast corner of said tract; thence North, 79.54 feet, to the point of beginning. And all of the South 80.0 feet of the North one-half of lot 54 in Southmorland Acres Addition in the City of Joplin, Jasper County, Missouri, except Connecticut Avenue Right-of-Way described as beginning at the Northeast corner of the above described tract: thence S88°59'41"W along the North line of said tract, 94.07 feet; thence Southwesterly along a curve with an intersection angle of 54°31'06" and a radius of 418.37 feet, 115.13 feet, to the Southwest corner of the above described tract, thence N88°59'41"E along the South line of said tract, 119.30 feet; thence Northeasterly along a curve with an intersection angle of 54°31'06" and a radius of 498.37 feet, 94.48 feet, to the East line of said tract; thence North, 4.83 feet, to the point of beginning. And except any part of the South 80.0 feet of the North one-half of lot 54 in Southmorland Acres Addition in the City of Joplin, Jasper County, Missouri, lying East of Connecticut Ave.,

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_____, 2019, by a vote of _____.

Gary L. Shaw, Mayor

ATTEST:

Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

Peter C. Edwards, City Attorney