CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2019-278-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 034-19: 3220 Belle Center Rd. – A request to remove from District R-1 (Single-family Residential) and include in District C-3 (Commercial) for the operation of an indoor children's training swimming pool – Leslie Harrison.

BACKGROUND:
The C-3 zone that is requested by the applicant permits more intense development as well as more uses, including the indoor swimming pool facility that the applicant intends to operate. While there are few commercial uses and zoning districts in this corner of the city, this corner is in transition. Much of the current area is vacant, with some residential uses tucked away from the main thoroughfares.

PLANNING & ZONING COMMISSION TESTIMONY:
Leslie Harrison, 420 W. Kansas, Pittsburg, KS. She stated she was wanting to change the zoning so she would be able to put up a metal building to house an indoor swimming pool to teach survival training to babies and young as 6 months up to 6 years. The program will hopefully grow to children of all ages.

Mr. Ramsour asked how large the pool would be.

Ms. Harrison state it would be 18 x 33.

PUBLIC COMMENT:
None.

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

RECOMMENDATION:
Staff recommends Case 034-19 for approval, 7 in Favor, 0 Nays.

ATTACHMENTS
CB 2019- 278, Staff Planning Report, P&Z Commission Minutes

CB 02019-278

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Mr. Ramsour asked how large the pool would be.

Ms. Harrison state it would be 18 x 33.

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. EASTMAN MOVED, SECONDED BY MRS. BRUCKNER-SEARS, FOR CASE 034-19 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 034-19 A request to rezone from R-1 (Single-family Residential) to C-3 (Commercial) for the operation of an indoor children's training swimming pool.

LOCATION 3220 Belle Center Rd.

APPLICANT Leslie Harrison

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-1	Vacant	2.14 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	Outside City Limits	M-2	M-2	Outside City Limits
Land Use	Vacant	Vacant	Vacant	Residential

FUTURE LAND USE

The City of Joplin's future land use map classifies this area as future industrial.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
W Belle Center Rd.	Collector	60'
N Cleveland Ave.	Local	60'

UTILITIES Sewer would need to be extended to this property at the owners expense.

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 R-1 is suitable for future residential development. The R-1 district does restrict the intensity of residential development and prohibits many 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 on this site in which any potential developer can mitigate the conflict of commercial uses with other uses in accordance with the City's buffer requirements.

DISCUSSION

The R-1 district does not allow for the use for which the applicant desires. The C-3 zone that is requested by the applicant permits more intense development as well as more uses, including the indoor swimming pool facility that the applicant intends to operate. While there are few commercial uses and zoning districts in this corner of the city, this corner is in transition. Much of the current area is vacant, with some residential uses tucked away from the main thoroughfares. However, on both N Schifferdecker Ave. and Belle Center Rd., commercial and light industrial uses are beginning to develop in and out of the city limits.

The C-3 zoning requested by the applicant is not inappropriate given nearby commercial and manufacturing uses along the corridor. Any increases in traffic to the site will be adequately handled by the current capacity of Belle Center Rd. on which the site has frontage.

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

Staff recommends approval of Case 034-19.

ATTACHMENTS

- Application
- Map

REZONING APPLICATION FORM

RECEIVED 8-1-14

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.: 034-19
Filing Fee: $500.00
Date Advertised: 8-25-19
Date Notices Sent 8-23-19
Public Hearing Date: 9-9-19

APPLICANT: Leslie Harrison PHONE: 620-704-2089
ADDRESS: 420 W. Kansas Pittsburg, KS. ZIP: 66762
OWNER: PHONE:
ADDRESS: ZIP:
LOCATION OF PROPERTY: 3220 Belle Center Road
LEGAL DESCRIPTION: waiting on seller

Present Zoning R1 Requested Zoning: C2 Acreage: 2.14
Present Use of Property: unoccupied

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Commercial	Outside
South	Vacant	M2
East	~~Residen~~ Vacant	M2
West	Residential	outside

CHARACTER OF THE NEIGHBORHOOD: mostly M2, with a few residential, the zoning is mixed. This property is surrounded by trees & outside of zoning.

RELATIONSHIP TO EXISTING ZONING PATTERN:

1. Would proposed change create a small, isolated district unrelated to surrounding districts?
   not to M2, but yes to R1
2. Are there substantial reasons why the property cannot be used in accord with existing zoning?
   If yes, explain: We will teach from 7am to 8pm & will have more than 20 students a day

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: ~~Belle Center Road~~ Belle Center Road
2. Classification of Street(s):
   Arterial_____ Collector X Local _____
3. Right-of-Way Width: 20-40 feet
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? unknown @ this time
   - Water? no
5. Additional Comments:

UNIQUE CHARACTERISTIC OF PROPERTY AND ADDITIONAL COMMENT:

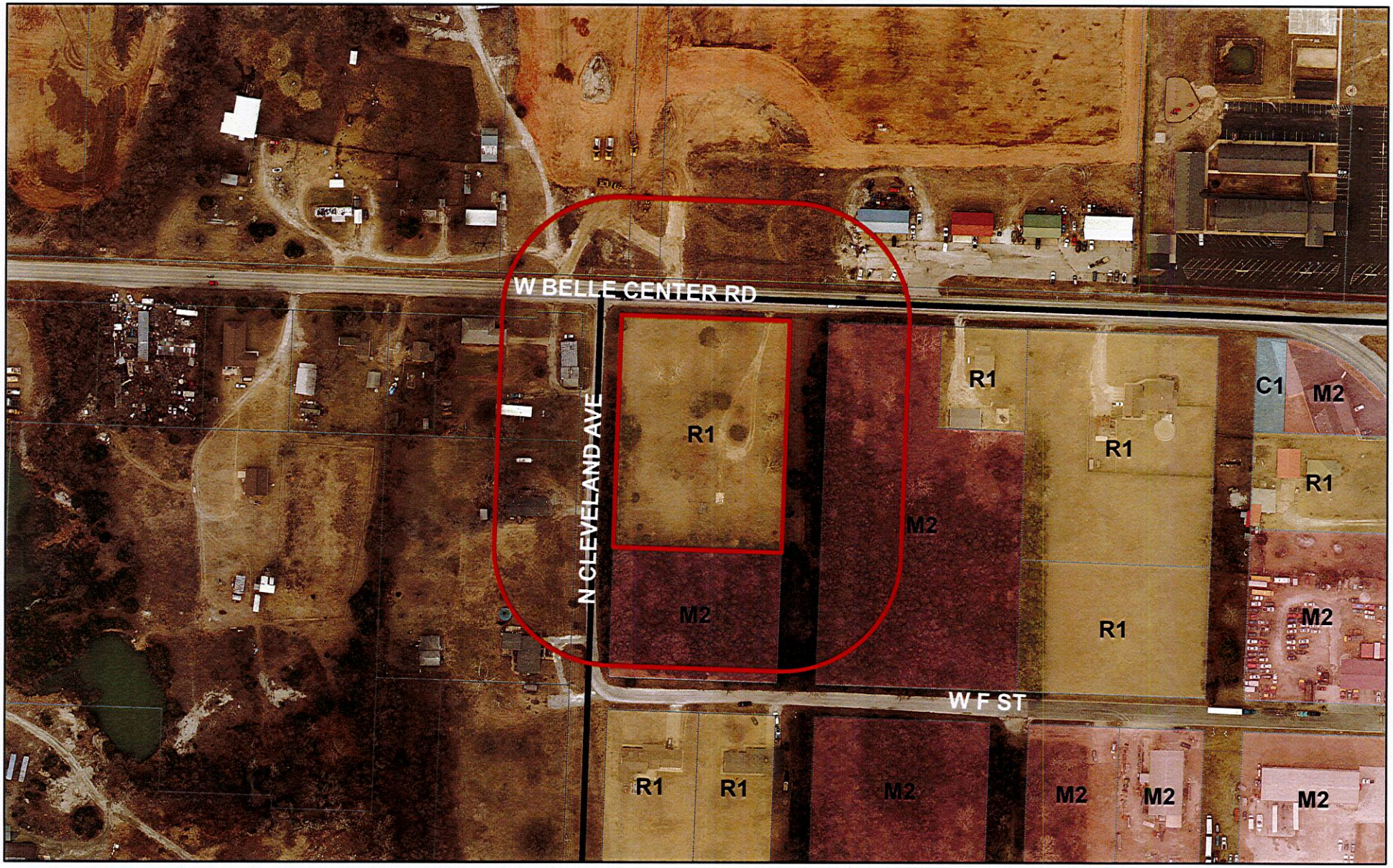
Im not exactly sure of the best fitting zone request. Plan to have aesthetics of a home, larger than daytime hours of operation, land is large enough for future home OR Rental.

SIGNATURE: Leslie Harrison DATE: 8/1/19

BY: Leslie Harrison

TITLE: purchaser

Case 034-19: 3220 Belle Center Road - Rezone



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Joplin City Limits

0 100 200 400 600 800 Feet

N

P & Z Case 034-19
Leslie Harrison
(P & Z Recommended Approval)

COUNCIL BILL NO. 2019-278 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 and including in District C-3 property as described below and located 3220 Belle Center 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. 2004-256 is hereby amended by the following described property and including in District C-3:

All of a tract of land beginning at the Northeast corner of parcel 7, miscellaneous lot 1 in the Northeast Quarter, Northeast Quarter of Section 5, Township 27, Range 33, in the City of Joplin. Thence South 330 feet, West 279.68 feet, North 330 feet, East to the point 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_____, 2019, by a vote of _____.

_____
Gary L. Shaw, Mayor

ATTEST:

_____
Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney