CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2021-289 – Rezone C-O to C-3.

MEETING DATE:
November 1, 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 056-21: Approximately 175 feet North of the intersection of S. Connecticut Ave. and E. 24th St. – A request to remove from District C-O (Non-retail Commercial) and include in District C-3 (Commercial) for future Commercial development – Benchmark Estate, LLC.

BACKGROUND:
This request to rezone to C-3 is for future C-store development. The proposed development will be required to meet the S. Connecticut design guidelines from the Comprehensive Plan. These are significantly more stringent than our base development guidelines from the Zoning Code. There will be required buffers on the three property lines that do not abut Connecticut.

This portion of Connecticut – being south of 20th St. to 32nd St. – is undergoing a transition from more residential uses to more commercial and high-density residential uses

PLANNING & ZONING COMMISSION TESTIMONY:
TJ Ghandi, Discount Smokes and Liquor, 25 Coleridge, Joplin, MO. The property is located next to Ozark Prosthetics and Orthotics and they do own the property. This will be Discount Express, which will be a C-Store about 5,000 square feet building with 8 dispensers.

Mr. Kimble stated that the entrance and exit is really close to the stoplight. Are there any hazards there? Coming in and exiting by the intersection?

Mr. Stanton stated they would review that in more detail, if it is too close then the traffic engineer will be looking at it.

PUBLIC COMMENT;
None.

RECOMMENDATIONS:
Staff recommends approval for Case 056-21.
Planning & Zoning Commission recommends approval for Case 056-21 (6 Favor, 0 Nays, 1 Absent)

ATTACHMENTS
CB 2021-289, Staff Planning Report, P&Z Commission Minutes

CB 2021-289

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Mr. Eastman asked the Commissioners if they had any other questions? They did not. Mr. Eastman asked if there was anyone to speak in favor or against of this case? There was not.

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Mr. Stanton stated they would review that in more detail, if it is too close then the traffic engineer will be looking at it.

Mr. Eastman asked the Commissioners if they had any other questions? They did not. Mr. Eastman asked if there was anyone to speak in favor or against of this case? There was not.

MR. KIMBLE MOVED, SECONDED BY MS/ STEELE THAT CASE 056-21 BE FORWARDED TO THE CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MS. STEELE, MR. EASTMAN, MR. MCCULLOUGH, MR. KIMBLE, MS. PHILLIPS, AND MS. WARREN "AYE", (6 IN FAVOR, 1 ABSENT)

Z&P Meeting: October 11, 2021
City Council Meeting: November 1, 2021

STAFF PLANNING REPORT
Rezoning

CASE 056-21 A request to remove from District C-O (Non-retail Commercial) and include in District C-3 (Commercial) for future Commercial development

LOCATION Approximately 175 feet North of the intersection of S. Connecticut Ave. and E. 24th St.

APPLICANT Benchmark Estate, LLC

EXISTING CONDITIONS

Zoning	Land Use	Property Size
C-O	Vacant	Approx. 1.18 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	C-O	C-O	R-1	R-1
Land Use	Office/Medical	Single-family Residential	Substation	Vacant

FUTURE LAND USE

Joplin's Future Land Use Map shows this property as future Commercial Opportunity Area.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
S. Connecticut Ave.	Collector	60'

UTILITIES

Utilities in place.

FLOOD PLAIN

This property is not in a flood plain.

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

This request is consistent with the Comprehensive Plan. The future land use map does indicate future Commercial Opportunity Area. This request is consistent with the infill goals as well.

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

The current zoning of C-O is suitable for this property.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning will not be detrimental to nearby property. A buffer will be required where this property abuts C-O and R-1 zoning.

DISCUSSION

This request to rezone to C-3 is for future C-store development. The proposed development will be required to meet the S. Connecticut design guidelines from the Comprehensive Plan. These are significantly more stringent than our base development guidelines from the Zoning Code. There will be required buffers on the three property lines that do not abut Connecticut.

This portion of Connecticut – being south of 20th St. to 32nd St. – is undergoing a transition from more residential uses to more commercial and high density residential uses, as indicated by the Commercial Opportunity Area designation on the future land use map. Most of the property between 20th and 24th is now zoned C-O, C-1, or C-3.

The request is found to be consistent with the comprehensive plan and future land use map.

Staff recommends approval of Case 056-21.

ATTACHMENTS

- Application
- Map

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.: 056-21
Filing Fee: $550.00
Date Advertised:
Date Notices Sent 10-4-21
Public Hearing Date: 10-11-21

APPLICANT: Benchmark Estate LLC. PHONE: 469.258.9749
ADDRESS: ZIP:

OWNER: Benchmark Est. LLC. PHONE:
ADDRESS: 25- Gearidge Dr. ZIP: 64804

LOCATION/ADDRESS OF PROPERTY: 2318 Connecticut

Present Zoning CO Requested Zoning: C-3 Acreage: 1.18
Present Use of Property:

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Joplin PROSTHETICS	CO.
South	Empire Sub station	R1
East	VACANT	CO.
West	VACANT	CO.

Character of the Neighborhood: Mixed Used --- PROF. Offices ---
2- C. Stores --- Multi & single family --- Railline ---

RELATIONSHIP TO EXISTING ZONING PATTERN:

1. Would proposed change create a small, isolated district unrelated to surrounding districts?
   We Do not Think it would.
2. Are there substantial reasons why the property cannot be used in accord with existing zoning?
   If yes, explain: Underground Fuel Tanks Drive through.

CONFORMANCE WITH COMPREHENSIVE PLAN:

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

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: CONNECTICUT 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 IN ORDER TO PROVIDE FOR:

1. Appropriately Sized Lots? NO.
2. Properly Sized Street Right-of-Way? NO.
3. Drainage Easements? TBD.
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.
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

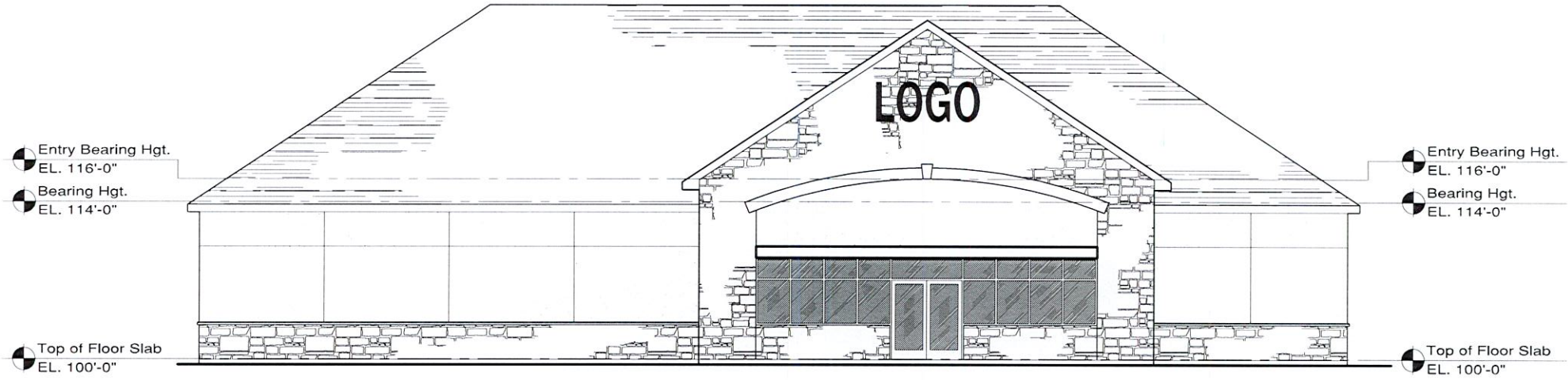
SIGNATURE: _____ DATE: 9/9/21

EMAIL: tJgandhi786@gmail.com.

TITLE: President.

2318 Connecticut Rezoning Request - Benchmark, Inc

We are requesting the rezoning of this property in order to construct a convenience store with underground fuel tanks and with a drive-through. The immediate area currently has Casey's General store and Zips convenience store along Connecticut Avenue. Directly north of the property is Joplin Prosthetics who are the owners of the land we seek to rezone. Directly south of the property is a Liberty substation that also wraps along the west or rear of this parcel. This parcel is located on the west side of Connecticut that would not directly impact or meet any residential property. Connecticut Avenue has a turn lane we believe will handle the traffic flow created as a convenience store business traffic comes and goes rather quickly. The benefits to Joplin would be economic growth, sales tax revenue and additional employment opportunities.



East Elevation

SCALE: NTS

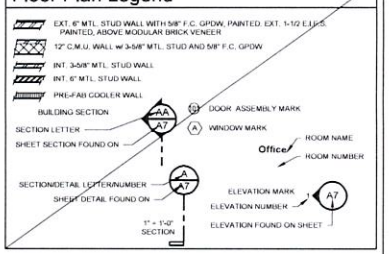
Floor Plan Notes

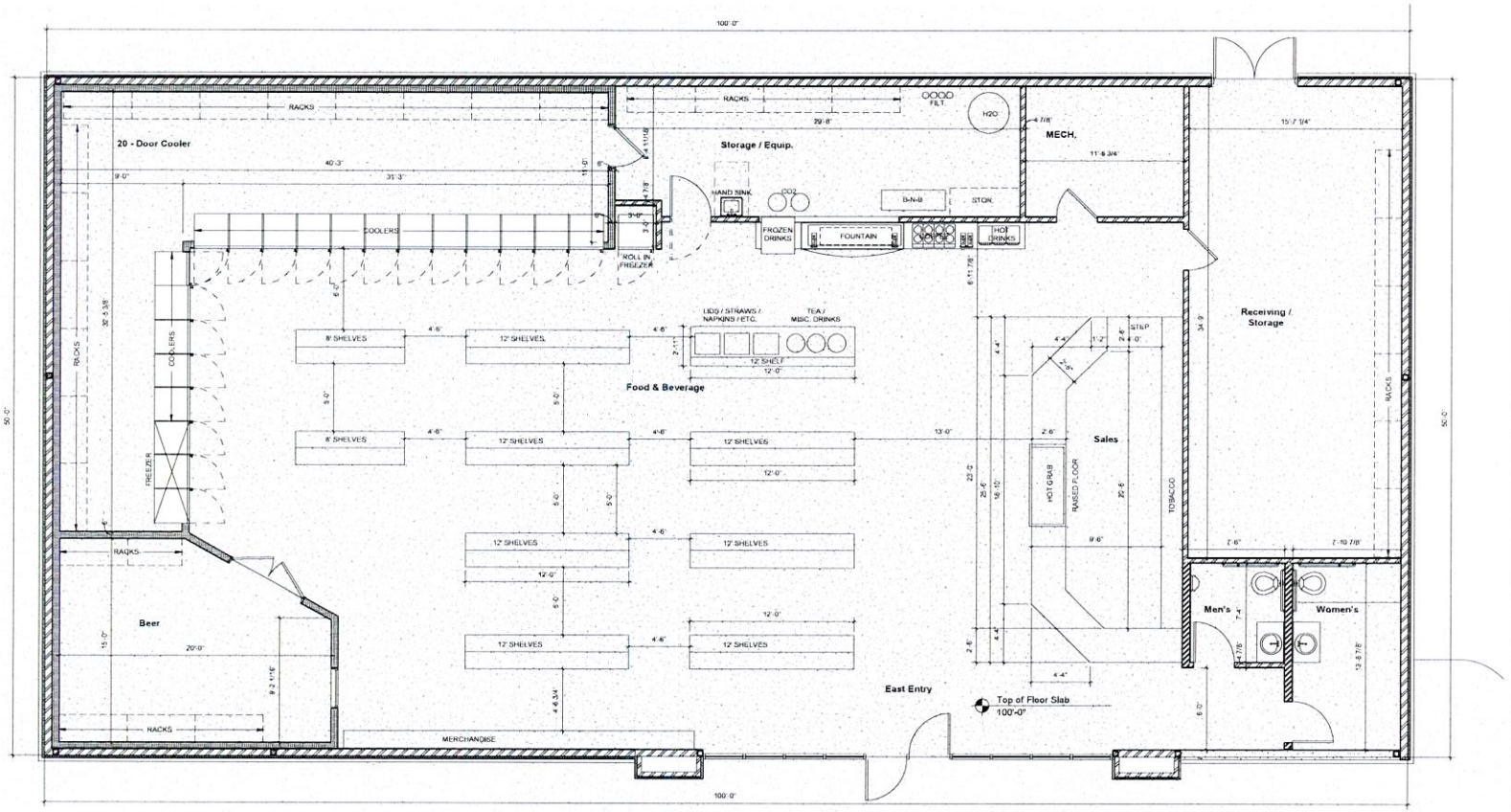
1. CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONDITIONS.
2. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS
3. SEE ROOM FINISH SCHEDULE/NOTES FOR FINISHES.
4. PROVIDE ADEQUATE BLOCKING IN WALLS FOR TOILET ACCESSORIES, PARTITIONS, SHELVING, MILLWORKS, ETC. VERIFY WITH OWNER OF ANY BLOCKING REQUIREMENTS OF ANY OWNER INSTALLED ITEMS.
5. FURNITURE & WINDOW TREATMENTS ARE NOT IN CONTRACT (N.I.C.) UNLESS OTHERWISE NOTED ON DRAWINGS.
6. MILLWORK CONTRACTOR SHALL FIELD VERIFY FINAL DIMENSIONS.
7. PROVIDE & INSTALL SOUND BATT INSULATION AT ALL INTERIOR WALLS
8. SEE PLUMBING, MECHANICAL, & ELECTRICAL SHEETS FOR IN-SLAB REQUIREMENTS.

Floor Plan Abbreviations

(N.I.C.)	NOT IN CONTRACT. FURNISHED AND INSTALLED BY OTHERS.
(TYP.)	TYPICAL
(RR)	RESTROOM
(DEMO)	DEMOLITION, DEMOLISH OR REMOVE
A.F.F.	ABOVE FINISH FLOOR
F.C. GPDW	FIRE CODE GYPSUM DRYWALL
F.E.	FIRE EXTINGUISHER
D.S.	DOWNSPOUT
F.D.	FLOOR DRAIN (SEE PLUMBING PLANS)
T.B.D.	TO BE DETERMINED
S.B.	SOUND BATT INSULATION

Floor Plan Legend





Floor Plan

SCALE: 1/4" = 1'-0"

5,000 SF

HUNTER & MILLARD ARCHITECTS, INC.
1501 S. Main Street
Joplin, MO 64804
417.624.8872
hunterandmillard.com
Missouri Certificate of Authority: A-2008008317

Revisions	By

New Construction For:

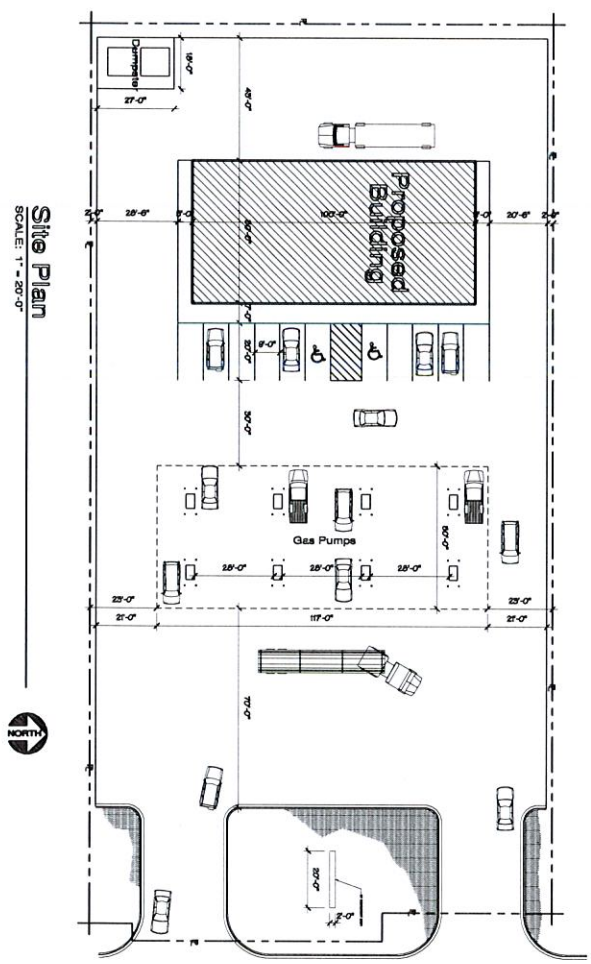
Turtle Stop C-Store

Seneca, Missouri

PRELIMINARY

Elliott D. Hunter, Architect
Missouri A-4617

Drawn By	
Checked By	
Date	8-20-2021
Scale	As indicated
Job Number	21xx
Floor Plan	A1



Drawn By	
Checked By	
Date	
Scale	1/8" = 1'-0"
Job Number	2154
Floor Plan	1

Preliminary
07.12.2021

New Construction for

Gas Station

2312 S Connecticut Ave. Joplin, MO

REVISIONS	BY

HUNTER & MILLARD ARCHITECTS, INC.

1801 S. Main Street
Joplin, MO 64804
(417) 624-8872
hunterandmillard.com

Missouri Certificate of Authority: A-2008008317



East Elevation

SCALE: NTS

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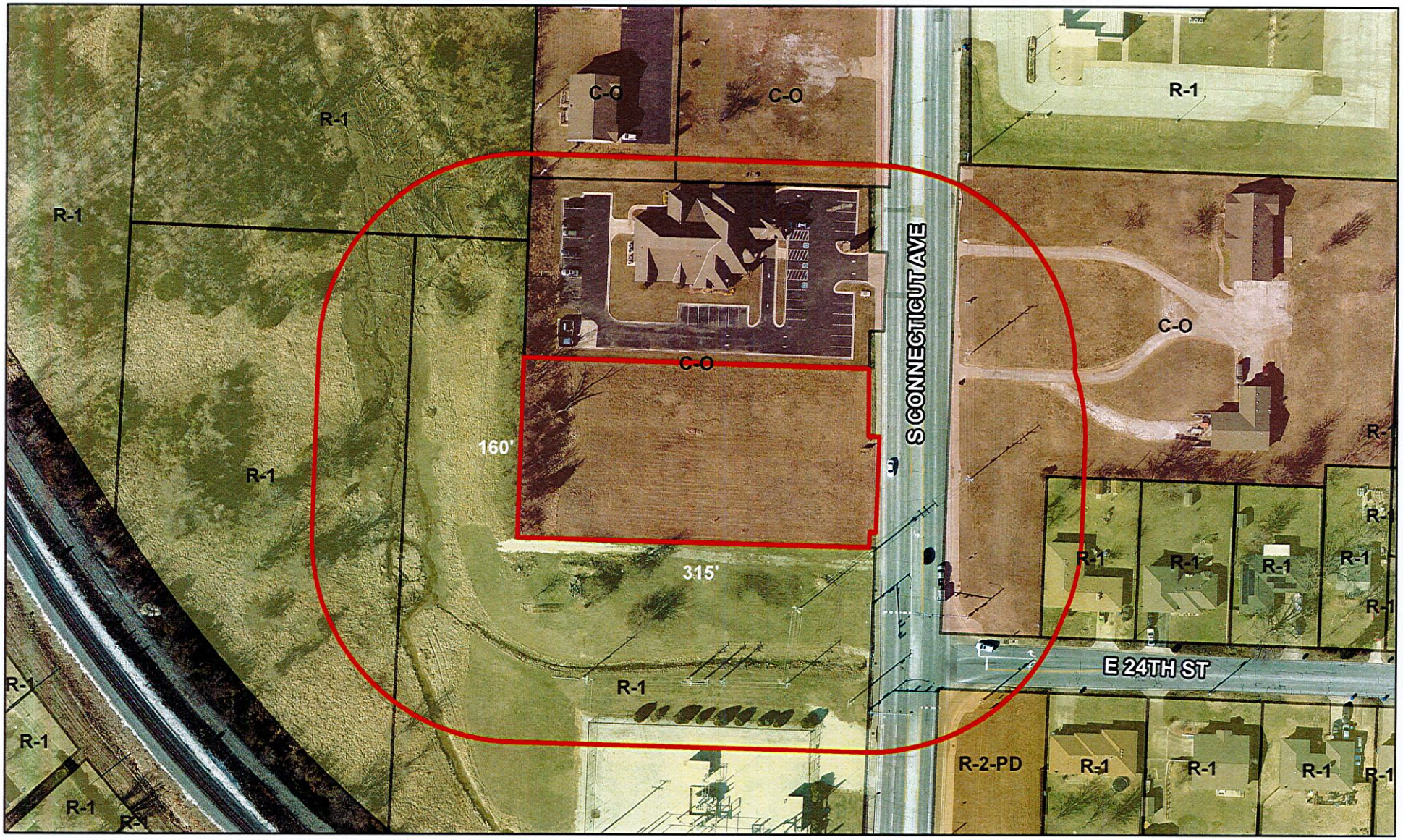

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N

0 50 100 200 300 400 Feet

P & Z Case 056-21
Benchmark Estate, LLC.
(P & Z Recommended Approval)

COUNCIL BILL NO. 2021-289 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-O (Non-retail Commercial) and including in District C-3 (Commercial) property as described below and located at approximately 175 feet of the intersection of S. Connecticut Ave and E. 24th Street.

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:

A part of the Lot Ninety (90), Southmorland Acres, an addition to the City of Joplin, Missouri described as follows: commencing at the Northeast Corner of said Lot 90, thence South 01°58'54" West, along the East line of said Lot 90, 578.10 feet to the point of Beginning; thence South 01°58'54" West, along said East line of Lot 90, 166.75 feet to an existing iron pin; thence North 78°50'46" West 319.00 feet; thence North 01°25'53" East, 165.00 feet to an iron pin (PLS-2007017965); thence South 88°04'12" East, 319.00 feet to the Point of Beginning, except any part taken or deeded for road purposes.

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