CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2023-288 – Rezoning Request

MEETING DATE:
November 6, 2023

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
Assistant City Manager – Tony Robyn
City Manager – Nicholas Edwards

FUNDING SOURCE:
These payments are included in the FY2023 budget of the Community Planning Fund.

SUMMARY REQUEST:
Case 045-23: 1221 N Brownell Ave – Rezoning – A request to rezone from District R-1 (Single-Family Residential) to District R-2 (Two-Family Residential) – Anna Chen

BACKGROUND:
The owner of this property is wanting to develop duplexes. There is currently one single-family house on one of the lots. The owner was informed that due to minimum density restrictions, they could develop one duplex fronting Bronell Ave, and two duplexes fronting Florida Ave. The owner was also informed that they did not have a large enough lot to develop a duplex north of the existing single-family dwelling. The owner said that they planned on building a single-family dwelling on the north most lot and leaving the existing single-family dwelling.

The Future Land Use Map identifies the neighborhood as Low-Density Residential. N Florida Ave is an Arterial Street. R-2 is a suitable district for Low-Density Residential and is compatible with the existing neighborhood. Due to the location of the property along N Florida, and R-2 already being present in the neighborhood, this site is compatible with R-2 zoning.

Three houses West there is R-2 property and a duplex. Further West duplexes are spread out throughout the neighborhood. The neighborhood also sits along an Arterial Street. Low-Density Residential Neighborhoods are suitable for a mix of single-family and two-family development.

PLANNING & ZONING COMMISSION TESTIMONY:

Ms. Chen represented her case. Mr. Landis asked if there would be access off Florida or if they would both be accessed from Brownell. Ms. Chen stated that would depend on City requirements. Mr. Bellairs stated that when he consulted Ms. Chen, the plan was to have two duplexes fronting Florida and one Duplex fronting Brownell and leave the existing single-family home.

PUBLIC COMMENT;

Mr. Kimble opened the floor to public comments. There were none.

RECOMMENDATIONS:

Staff recommends approval for Council Bill 2023-288
Planning & Zoning Commission recommends approval for Case 045-23 (7 in Favor, 0 Opposed)

ATTACHMENTS

Staff Planning Report
P&Z Commission Minutes
Applicant Materials
Map

Case 045-23

1221 N. Brownell Ave-Rezoning-A request to rezone from District R-1 (Single-Family Residential) to District R-2 (Two-Family Residential)-Anna Chen

Anna Chen, 1221 N. Brownell, Joplin, Missouri. She stated as the population grows in the Joplin area, they realize the severe shortage of affordable housing so they would like to build some smaller duplexes on the lot. They were thinking about building two bedrooms/two-bathroom units not more than 1000 square feet. The floor plans would be similar to 207 and 205 N. Oliver Ave. These units would not have a garage. They felt these kind of floor plans would be more affordable to smaller families.

Mr. Kimble asked if there were any questions from the Commission.

Mr. Landis asked if there would be one access off Brownell and one access off Florida or are they both off Brownell.

Ms. Chen stated if it was required to have two accesses then they will have two accesses. It depended on the City requirements.

Mr. Bellairs stated if he may interject that when they spoke, she talked about doing a total of three duplexes. In the predevelopment meeting they discussed two off Florida and one-off Brownell. That was the objective because they wanted to leave the one single family house.

Mr. Kimble asked if there were any further questions from the Commission.

There were none.

Mr. Kimble asked if there was any one to speak in favor of Case 045-23.

There were none.

Mr. Kimble asked if there was any one to speak in opposition of Case 045-23.

There were none.

MR. ROSENBERG MOVED THAT CASE 045-23 BE APPROVED AND FORWARDED TO THE CITY COUNCIL FOR APPROVAL. MR. JACKSON SECONDED THE MOTION. MOTION CARRIED. (7 IN FAVOR, 0 NAY)

JOPLIN
PLANNING, DEVELOPMENT, & NEIGHBORHOOD SERVICES

STAFF PLANNING REPORT
Rezoning

CASE 045-23 A request to rezone from District R-1 (Single-Family Residential) to District R-2 (Two-Family Residential)

LOCATION 1221 N Brownell Ave, Joplin, Missouri 64801

APPLICANT Anna Chen

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-1	Vacant/Single-Family Dwelling	Approximately .75 Acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	R-1	R-1	R-1	R-1
Land Use	Single-Family Dwelling	Single-Family Dwelling	Single-Family Dwelling	Single-Family Dwelling

FUTURE LAND USE

The property is identified as Low-Density Residential on the future land use map.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
N Florida Ave	Arterial	60′
E Manitou St	Local	50′
N Brownell Ave	Local	40′

UTILITIES

The site has access to utilities. Sanitary Sewer can be accessed off N Brownell Ave and N Florida Ave.

FLOOD PLAIN

This property is not in the flood plain.

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

The Future Land Use Map identifies the neighborhood as Low-Density Residential. N Florida Ave is an Arterial Street. R-2 is a suitable district for Low-Density Residential and is compatible with the existing neighborhood. Due to the location of the property along N Florida, and R-2 already being present in the neighborhood, this site is compatible with R-2 zoning.

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

This property is suitable for single-family or two-family development. Three houses West there is R-2 property and a duplex. Further West duplexes are spread out throughout the neighborhood. The neighborhood also sits along an Arterial Street. Low-Density Residential Neighborhoods are suitable for a mix of single-family and two-family development.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning will not be detrimental to nearby property. The existing neighborhood has a mix of housing styles including single-family homes and duplexes. The maximum number of duplexes that can be developed is 3, with only one being accessed off of Brownell Ave, a local street, the other two with access off of Florida Ave, which already receives higher levels of traffic.

DISCUSSION

The owner of this property is wanting to develop duplexes. There is currently one single-family house on one of the lots. The owner was informed that due to minimum density restrictions, they could develop one duplex fronting Bronell Ave, and two duplexes fronting Florida Ave. The owner was also informed that they did not have a large enough lot to develop a duplex north of the existing single-family dwelling. The owner said that they planned on building a single-family dwelling on the north most lot and leaving the existing single-family dwelling.

Staff recommends approval of Case 045-23.

ENCLOSURES

- Map of property
- Application

Rezoning Procedures

Applicability. The rezoning process provides review of changes to the boundary of zoning districts (map amendment) that may be necessary to implement the comprehensive plan, to account for changed conditions in the general area, or to reflect a change in public policies with respect to future development. Application for a rezoning may be initiated by the property owner, the City Council, or the Planning Commission.

Review Criteria. A rezoning shall be reviewed according to the following criteria:

1. The application is consistent with the comprehensive plan, and any official plan or program developed under the guidance of that plan.
2. The application supports the character of the neighborhood, considering the design of streets, civic spaces, and other open spaces; the scale, pattern, and format of buildings; the zoning of property and intent of other zoning districts in the vicinity; and the compatibility, transitions, and integration of existing and potential future uses.
3. The suitability of the subject property for the uses to which it has been restricted.
4. The application furthers the intent of the proposed zoning district and the general purposes of these regulations.
5. The application demonstrates compliance with all substantive standards and guidance of the proposed zoning district; or, where no proposed development application is associated with the application, there is a likelihood of development that complies with all substantive standards can be demonstrated.
6. The ability of the City or other government agencies to provide any services, facilities or programs that may be necessary if the application is approved.
7. The effect of approval on surrounding property, including the likelihood that surrounding areas may be developed in accordance with current zoning or future plans.
8. The recommendations of professional staff or other reviews associated with the application.

Review Procedures. In addition to the general requirements in Table 2-1 and Section 2.01, the following requirements are specific to zoning map amendment applications.

1. Applications may be accompanied by one of the following complementary applications: a Site Plan, a Special Use Permit, or a Concept Plan of a similar nature to that required in Section 2.04 for Planned Developments.
2. Applications may be accompanied by any plat that is necessary for the project.
3. The City Council may recommend the application be returned to Planning Commission for further study or additional information at its next regular meeting. Failure by the Planning Commission to consider or revise its recommendation shall be considered a resubmission of its original recommendation.
4. The Planning Commission may recommend, or City Council may approve a lessor change than was proposed in the notice, whether in extent of property or project area, or in the scale, intensity, or other substantive standards for proposed project and zoning change.

Effect of Decision. Rezoning shall be approved by the City Council in the form of an ordinance. Approved changes shall be indicated on the Official Zoning Map by the Director within 30 days following approval. Any application that includes a required site plans or other similar applications

(except Concept Plans), may proceed to building permits after the effective date of the ordinance and upon satisfying all other conditions of the approval. If the applicant fails to obtain a building permit within one year of the effective date of the ordinance approving the change, the Director may schedule a hearing to reconsider and revert the zoning to the previous classification, subject to all procedures and criteria of the original change.

Rezoning Application

Return Form to:
Planner
Joplin City Hall
602 S. Main Street
Joplin, Missouri 64801
417-624-0820 Ext. 1511
Zoning-Planning@JoplinMO.org

Office Use Only
Case No.: 045-23
Filing Fee: $550.00
Received: 8/31/23
Date Advertised:
Proj. No.: 23-211
Public Hearing Date: 10/9/23

Applicant: Anna chen Phone No.: 417-793-2773
Address: 1805 E Natalie Lane. Joplin MO 64801 Email:
Owner: Anna chen Phone No.: 417-793-2773
Address: 1805 E Natalie Lane. Joplin MO 64801 Email: annachenjoplin@gmail.com
Location of Property: 1221 N Brownell. Joplin MO 64801
Present Use of Property: one old house. the rest is vacant land
Proposed Use of Property: small duplexes
Current Zoning: R1 Requested Zoning: R2

Surrounding Land Use and Zoning:

	Land Use	Zoning
North		
South		
East		
West		

Character of the Neighborhood: Wooded area. with three houses nearby

Relationship to Existing Zoning Pattern:

Yes	No	
☐	☑	Would proposed change create a small, isolated district unrelated to surrounding districts?
☐	☐	Are there substantial reasons why the property cannot be used in accord with existing zoning?

If yes, explain: _____

_____

_____

Conformance with Comprehensive Plan:

Yes	No	
☑	☐	Consistent with Development Policies?
☑	☐	Consistent with Future Land Use Map?

Traffic Conditions:

Yes	No	
☐	☑	Will turning movements caused by the proposed use create an undue traffic hazard?

Street(s) with Access to Property: _____

_____

Classification of Street(s):

Arterial ☐ Collector ☐ Local ☑

Right-of-Way Width: _____

Subdivision Platting:

Yes	No	
☐	☐	Is platting required?
☐	☐	Are lots appropriately sized?
☐	☐	Is street right-of-way appropriately sized?

☐ ☐ Are drainage and utility easements adequately sized and provided?

Additional Platting Comments: _____

_____

_____

Unique Characteristic of Property and/or Additional Comment:

_____

_____

_____

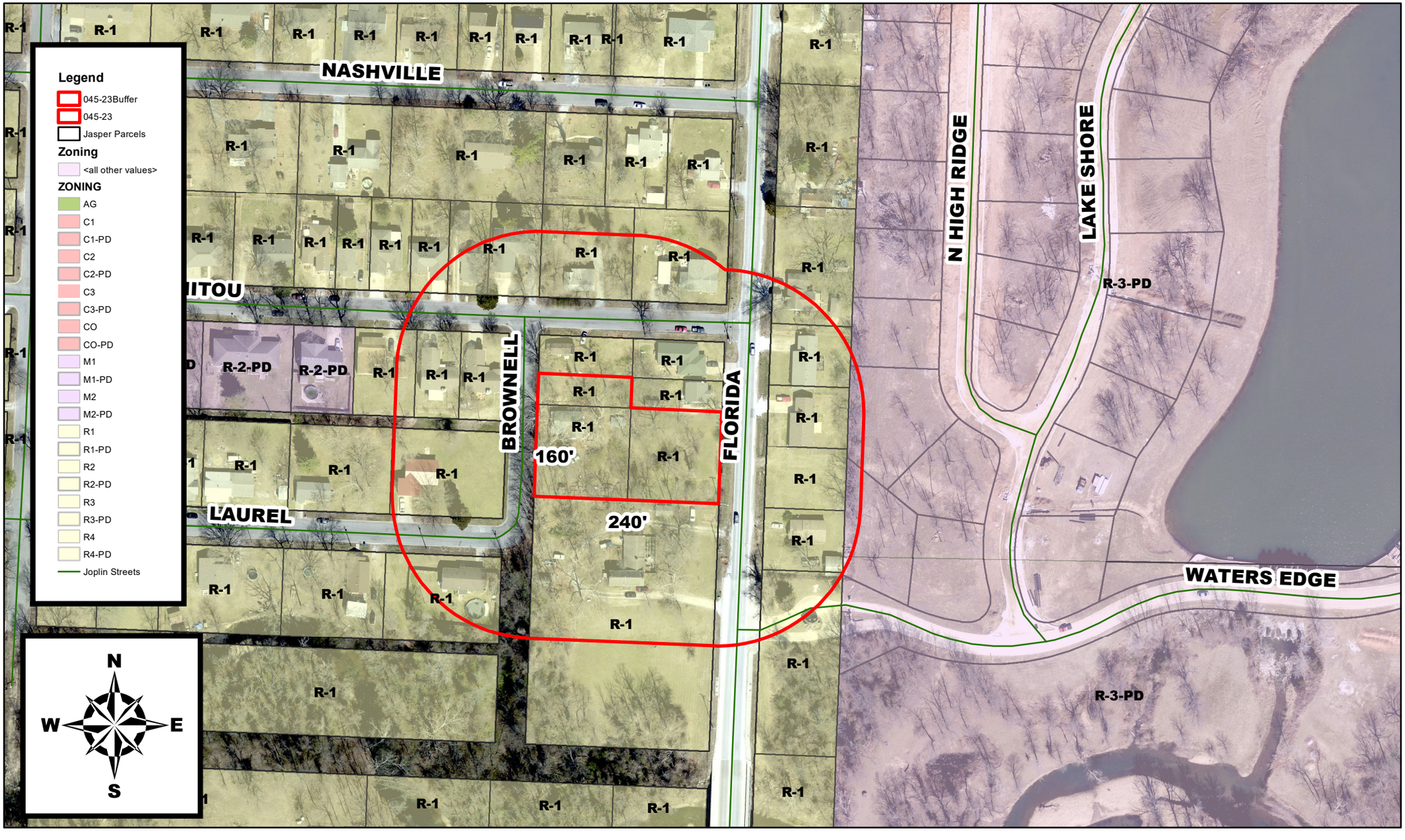
Submission of Documents: The following documents are **required** at time of submission.

Yes	No	
☑	☐	Completed and signed application.
☑	☐	One copy of a legal description of the property proposed to be rezoned from a deed or certified survey. Must be legible.
☑ Attached	☐	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.
☐	☐	Owner Affidavit and Agent Affidavit, if applicant applying for the rezoning is not the owner of the property be rezoned.

Applications that are incomplete or missing required documents will not be processed or scheduled on an agenda to the Planning & Zoning Commission until corrected and resubmitted.

Signature: _____ **Date:** 8/21/23

Case 045-23: Rezoning



1221 N Brownell Ave – Rezoning – A request to rezone from District R-1 (Single-Family Residential) to District R-2 (Two-Family Residential) – Anna Chen

P & Z Case 045-23
Anna Chen
(P & Z Recommended Approval)

COUNCIL BILL NO. 2023-288 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 R-1 (Single-Family Residential) to District R-2 (Two-Family Residential) property as described below and located at 1221 N Brownell Ave.

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 R-1 (Single-Family Residential) the following described property and including in District R-2 (Two-Family Residential).

TRACT 1: ALL OF LOTS NUMBERED 402, 403, AND 404, IN CASTLE ROCK SUBDIVISION, A PART OF THE SOUTH HALF OF SECTION 36, AND THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 28, RANGE 33, NOW A PART OF THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI.

TRACT 2: ALL OF LOTS NUMBERED 383, 384, AND 385, IN CASTLE ROCK SUBDIVISION, A PART OF THE SOUTH HALF OF SECTION 36, AND THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 28, RANGE 33, NOW A PART OF THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI.

TRACT 3: ALL OF LOT NUMBERED THREE HUNDRED EIGHTY-TWO (382) IN CASTLE ROCK SUB-DIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION THIRTY-FIVE (35) AND PART OF THE SOUTHWEST QUARTER AND PART OF THE SOUTHEAST QUARTER OF SECTION THIRTY-SIX (36), TOWNSHIP TWENTY-EIGHT (28), RANGE THIRTY-THREE (33), NOW IN THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI.

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_____, 2023, by a vote of _____.

_____

Douglas W. Lawson, Mayor

ATTEST:

_____

Holly Nagy, City Clerk

APPROVED AS TO FORM:

_____

Peter C. Edwards, City Attorney