CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2022-286 – Zoning District Change

MEETING DATE:
November 7, 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 057-22: Rezoning – 2323 S. Highview Ave – A request to remove from District M-2 (Heavy Industrial) and include in District C-3 (Commercial) for future commercial development – Jack Frost

BACKGROUND:
The change in zoning will not be detrimental to nearby property. Properties that are directly adjacent contain an existing commercial use, a vacant property and residential use across the right-of-way. While access is limited to a local street, Highview Ave right-of-way exceed the standards width by 10′ for the street classification to accommodate higher volume. This request to rezone to C-3 is along the S. Highview Ave. The Comprehensive Plan does indicate that this is retail commercial corridor.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Jack Frost, 15 Quail Ridge, Joplin, Missouri. Mr. Frost proposed to change this facility from industrial to commercial. He stated they sold the property under a commercial listing not an industrial listing. He stated they discovered during a pre-development meeting that this rezoning would need to occur. He stated this is the first step in the process.

PUBLIC COMMENT;
There were none.

RECOMMENDATIONS:
Staff recommends approval for Council Bill 2022-286.
Planning & Zoning Commission recommends approval for Case 057-22 (7 in Favor, 0 Opposed)

ATTACHMENTS

Staff Planning Report
P&Z Commission Minutes
Applicant Materials
Map

Case 057-22: Rezoning

2323 S. Highview Ave.-A request to remove from District M-2 (Restricted Industrial) and include in district C-3 (Commercial) for future commercial development-Jack Frost.

Mr. Jack Frost, 15 Quail Ridge, Joplin, Missouri. Mr. Frost proposed to change this facility from industrial to commercial. He stated they sold the property under a commercial listing not an industrial listing. He stated they discovered during a pre-development meeting that this rezoning would need to occur. He stated this is the first step in the process. Mr. Frost made himself available to answer any questions the Commission may have.

Mr. Kimble asked if there were any questions from the Commission on Case 057-22.

There were none.

Mr. Kimble asked if anyone wanted to speak in favor of Case 057-22.

There were none.

Mr. Kimble asked if anyone wanted to speak in opposition of Case 057-22.

There were none.

MR. JACKSON MOVED THAT CASE 057-22 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MS. WARREN SECONDED THE MOTION. MOTION CARRIED. (7 IN FAVOR, 0 NAYS)

Z&P Meeting: October 10, 2022
City Council Meeting: November 7, 2022

JOPLIN
PLANNING, DEVELOPMENT, & NEIGHBORHOOD SERVICES

STAFF PLANNING REPORT
Rezoning

CASE 057-22 A request to remove from District M-2 (Heavy Industrial) and include in District C-3 (Commercial) for future commercial development

LOCATION 2323 S. Highview Ave.

APPLICANT Jack E. Frost

EXISTING CONDITIONS

Zoning	Land Use	Property Size
M-2	Vacant Storage	0.86 Acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	C-3	C-3	R-1	R-3-PD
Land Use	Vacant	Commercial	Commercial	Apartments

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
S. Highview Ave.	Local	60′

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. The property is located on the western extent, while not on, the South Range Line Corridor. C-3 zoning is appropriate in that context.

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

The current zoning of M-2 is not suitable for the property. The heavy industrial zoning is a conflicting use with the surrounding commercial and residential uses.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning will not be detrimental to nearby property. Properties that are directly adjacent contain an existing commercial use, a vacant property and residential use across the right-of-way. While access is limited to a local street, Highview Ave right-of-way exceed the standards width by 10′ for the street classification to accommodate higher volume.

DISCUSSION

This request to rezone to C-3 is along the S. Highview Ave. The Comprehensive Plan does indicate that this is retail commercial corridor.

Staff recommends approval of Case 057-22.

ENCLOSURES

- Map of property
- Application

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.: 057-22
Filing Fee: $550.00
Received: 9/1/22
Date Advertised: _____
Proj. No.: 22-0119
Public Hearing Date: 10-10-2022

Applicant: Jack E. Frost Phone No.: 417-439-5700
Address: 15 Quail Ridge Joplin Mo 64804 Email: jfrost@roperauto.com
Owner: Jack E. Frost Phone No.: 417-439-5700
Address: 15 Quail Ridge Joplin, Mo. 64804 Email: jfrost@roperauto.com
Location of Property: 2323 S. Highview Joplin, Mo. 64804
Present Use of Property: non-used, recent purchase Zoned M-1
Proposed Use of Property: Commercial Business Zoned C-3
Current Zoning: M-1 Requested Zoning: C-3

Surrounding Land Use and Zoning:

	Land Use	Zoning
North	C3 / open lot	C3
South	C3 / 3 story building	C3
East	C3 / Strip Mall	C3
West	R Duplexes	R

Character of the Neighborhood: _____

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: commercial zoning needed to use building as desired

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: Highview

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:

_____

_____

_____

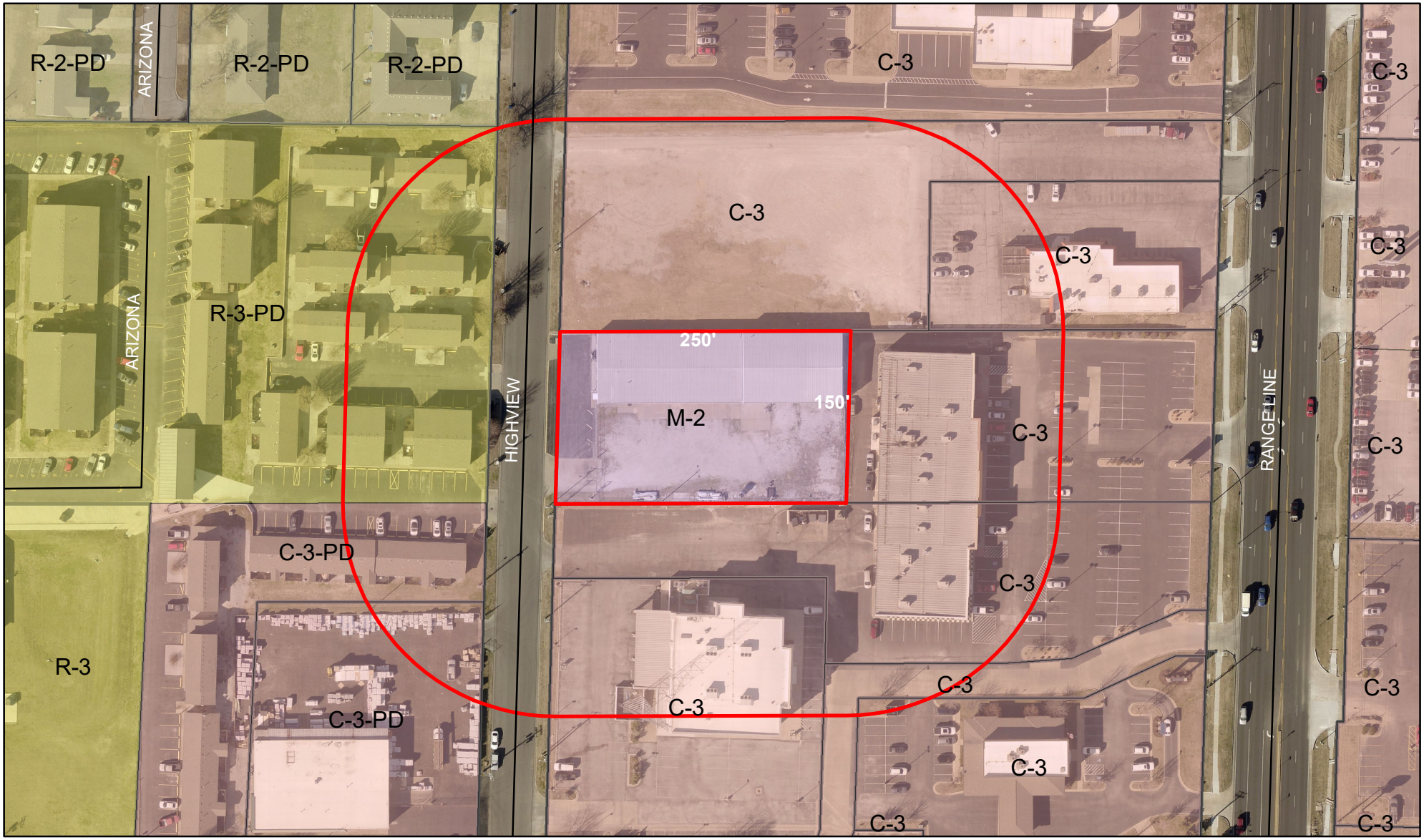
Submission of Documents: The following documents are **required** at time of submission.

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.
☑	☐	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:** 8/31/2022

Case 057-22: Rezoning - 2323 S Highview Ave.



2323 S Highview Ave. - A request to remove from District M-2 (Heavy Industrial) and include in District C-3 (Commercial) for future commercial development - Jack Frost

N

0 50 100 200 300 400 Feet

P & Z Case 057-22
Jack Frost
(P & Z Recommended Approval)

COUNCIL BILL NO. 2022-286 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 M-2(Heavy Industrial) and including in District C-3 (Commercial) property as described below and located at 2323 S. Highview 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. 2022-274 is hereby amended by removing from District M-2 (Heavy Industrial) the following described property and including in District C-3 (Commercial).

All that part of miscellaneous tract 27 in section 13, township 27, range 33, in the City of Joplin, Jasper County, Missouri, described as follows: Commencing at the northeast corner of the southeast quarter (SE1/4) of the northeaster quarter (NE1/4) of said section 13, thence south along the east line of the southeast quarter (SE1/4) of the northeast quarter (NE1/4) 552.40 Feet, thence south 88°12' West 376.62 feet to the true point of beginning, thence south 88°12' West 250 feet to the east right-of-way line of Highview Avenue 150 feet, thence east 250 feet, thence south 150 feet to the point of beginning, except any part thereof taken, deeded or used for road purposes, commonly known as 2323 Highview, Joplin, MO.

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