CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2019-282-Rezone to Neighborhood Commercial District (C-1)

MEETING DATE:
December 2, 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 038-19: 3209 Connecticut Ave. – A request to remove from District R-1 (Single-family Residential) and include in District C-1 (Neighborhood Commercial) for future commercial development. – Business Investments, LLC.

BACKGROUND:
This zoning change should not detrimentally affect nearby property. Any potential developer will need to mitigate the conflict of commercial uses with other uses in accordance with the City's buffer requirements.

The applicant's request to rezone to a C-1 Neighborhood Commercial zone is not inappropriate for this property considering the intent of C-1 districts is to provide neighborhood level uses such as banks, offices, and small shops. Uses in this district are to not generate large amounts of traffic.

Considering the property's frontage along Connecticut Avenue, a collector, as well as its location near the major intersection of Connecticut and 32nd St., a commercial use oriented toward this street is appropriate.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Richard Ruestman, 5562 Riverside Dr., Joplin, MO. I am a member of Business Investments, LLC. I made this request for rezoning from R-1 to C-1. It would seem to be a natural fit based on the surrounding commercial properties.

Mr. Eastman asked if there was a use for the building? Mr. Ruestman stated there was not and just keep it a rental building right now, but it is not occupied at this time.

Mr. Eastman stated he has a question for Troy Bolander. Anticipating the future, how far south will you allow Commercial to go on Connecticut Street?

Mr. Troy Bolander stated part of the changes at the intersection is that the former commercial insurance building to the north was demolished because of the intersection improvement. This is an area in transition with the widening of Connecticut and widening of the bridge. One could make a valid point that it could go just as far south as it does across the street.

PUBLIC COMMENT;
None.

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

RECOMMENDATIONS:
Planning & Zoning Commission recommends approval, 6 in favor, 0 Nays, 1 Absent.
Staff recommends approval of Case 038-19.

ATTACHMENTS
CB 2019- 282, Staff Planning Report, P&Z Commission Minutes

CB 2019-282

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Mr. Ramsour asked commissions if they had any questions for Mr. Ruestman?

Mr. Eastman asked if there was a use for the building?

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Mr. Eastman asked if there were no opposition from neighbors.

Mr. Bolander stated as far as we know we have not received any opposition.

Mr. Ramsour asked Commissioners if there were any other questions for Mr. Ruestman. There was not. Mr. Ramsour asked if there was anyone that would like to speak in favor of this case? There was not. Is there was anyone who would like to speak in opposition to this case? There was not.

MR. DERMOTT MOVED, SECONDED BY MR. MCCULLOUGH, FOR CASE 038-19 BE FORWARDED TO THE CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL. MOTION CARRIED, MR. RAMSOUR, MR. DERMOTT, MRS. KOELKEBECK, MRS. STEELE, MR. EASTMAN, AND MR. MCCULLOUGH, VOTING "AYE. (6 IN FAVOR, 0 NAYS, 1 ABSENT).

Z&P Meeting: November 11, 2019
City Council Meeting: December 2, 2019

STAFF PLANNING REPORT
Rezoning

CASE 038-19 A request to rezone from R-1 (Single-family Residential) to C-1 (Neighborhood Commercial) for future commercial development.

LOCATION 3209 Connecticut Ave.

APPLICANT Business Investments, LLC

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-1	Single-family	0.25 Acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	C-O/C-1	R-1	R-1	C-2-PD
Land Use	Vacant/Restaurant	Daycare	Single-family	Strip Commercial

FUTURE LAND USE

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

TRANSPORTATION

Streets with access	Classification	Right-of-way width
Connecticut Ave.	Collector	65'

UTILITIES Utilities are provided to the site.

FLOOD PLAIN 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. However, it is proximate to a major intersection that is being improved for greater traffic flow, which would detract from residential uses.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

This zoning change should not detrimentally affect nearby property. Any potential developer will need to mitigate the conflict of commercial uses with other uses in accordance with the City's buffer requirements. The C-1 district is designed to be used amongst residential uses, hence its title, Neighborhood Commercial. Uses in these districts are restricted to light uses that generate little traffic and nuisance.

DISCUSSION

The applicant's request to rezone to a C-1 Neighborhood Commercial zone is not inappropriate for this property considering the intent of C-1 districts is to provide neighborhood level uses such as banks, offices, and small shops. Uses in this district are to not generate large amounts of traffic commonly seen in the intense commercial uses along Range Line Road, for instance.

In addition, considering the property's frontage along Connecticut Avenue, a collector, as well as its location near the major intersection of Connecticut and 32nd St., a commercial use oriented toward this street is appropriate. The alley that abuts this property will assist in access management.

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

Staff recommends approval of Case 038-19.

ATTACHMENTS

- Application
- Map

Z&P Meeting: November 11, 2019
City Council Meeting: December 2, 2019

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REZONING APPLICATION FORM

RECEIVED 10-17-19

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.: 038-19
Filing Fee: $500.00
Date Advertised: 10-27-19
Date Notices Sent 10-24-19
Public Hearing Date: 11-11-19

APPLICANT: Business Investments LLC PHONE: 417-438-6300
ADDRESS: ~~3500 Connecticut~~ ZIP: 64804
OWNER: Business Investments PHONE: 417-438-6300
ADDRESS: PO Box 2291 Joplin, MO. ZIP: 64803
LOCATION OF PROPERTY: 3209 connecticut Joplin MO 64804
LEGAL DESCRIPTION: See attached

Present Zoning R-1 Requested Zoning: ~~CO~~ C-1 Acreage:
Present Use of Property: rental

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	CO	
South	R1	
East	R1	
West	Bank & shopping center	

CHARACTER OF THE NEIGHBORHOOD: commercial

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: See Plat

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. Consistent with Development Policies? See Plat
2. Consistent with Future Land Use Map? I believe so

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:_____
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?
   _____

~~IS PLATTING OR REPLATTING REQUIRED TO PROVIDE FOR:~~

1. ~~Appropriately Sized Lots?~~_____
2. ~~Properly Sized Street Right-of-Way?~~_____
3. Drainage Easements?_____
4. Utility Easements:
   - Electricity?_____
   - Gas?_____
   - Sewers?_____
   - Water?_____
5. Additional Comments:_____
   _____
   _____

UNIQUE CHARACTERISTIC OF PROPERTY AND ADDITIONAL COMMENT:

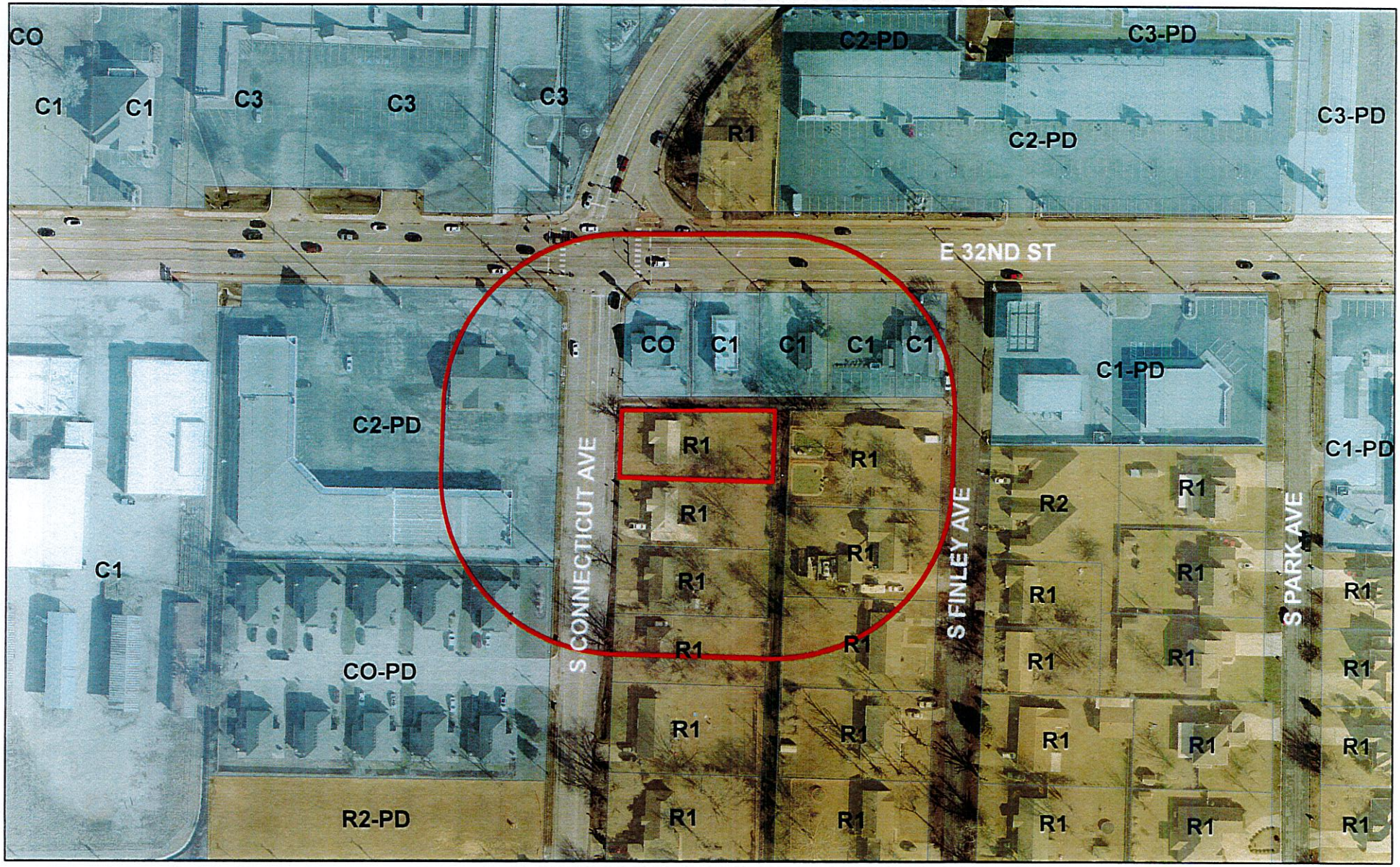
_____
_____
_____

SIGNATURE: Business Inv. LLC DATE: Oct 10, 2019

BY: R.W. Rustman member

TITLE: _____

Case 038-19: 3209 Connecticut Ave. - Rezone



Case 038-19: 3209 Connecticut Ave. - A request to remove from District R-1 and include in District C-1 for the purpose of future commercial development - Business Investments, LLC

0 62.5 125 250 375 500 Feet

N

P & Z Case 038-19
Business Investments, LLC
(P & Z Recommended Approval)

COUNCIL BILL NO. 2019-282 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-1 property as described below and located 3209 Connecticut Ave, City of Joplin, Newton 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-1:

All of Lot Numbered One (1) except for the South 24 feet thereof in J.A. Finley's Second Addition to the City of Joplin, Newton County, Missouri, according to the recorded plat thereof.

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