CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2019-283-Rezone to Central Business District Planned Development (C-2-PD)

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 039-19: Corner of Newman Road and Cattleman Drive – A request to remove from District M-2 (Heavy Industrial) and include in District C-2-PD (Planned Development Central Business Commercial) for multi-family development. – Samuel M. Coryell

BACKGROUND:
The Joplin Stockyard property used to occupy this site, but due to its intense use, moved out of town. In addition, recent residential developments near and on portions of this site have begun a transition away from industrial uses to more high density residential and commercial uses.

The applicant's request to rezone to a C-2-PD Planned Development Central Business District zone is not inappropriate for this property considering it is the intent of the developers to develop their site with dense multi-family units. The C-2-PD district has unique properties such as lower setback requirements and taller height restrictions that are appropriate for the applicant's proposed development as well as for this area in general.

PLANNING & ZONING COMMISSION TESTIMONY:
Brad Ferguson, Olsson Associates, 702 S Main Street, Joplin, MO. I am here on behalf of the land owner and Mr. Coryell. They would like to do a multi-family development just north of the existing complex that is shown.

Mr. Ramsour asked if there were any environmental issues on that property?

Mr. Ferguson stated he doesn't know if that has been investigated at this point.

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 039-19.

ATTACHMENTS
CB 2019- 283, Staff Planning Report, P&Z Commission Minutes

CB 2019-283

Case 039-19: Corner of Newman Road and Cattleman Drive – A request to remove from District M-2 (Heavy Industrial) and include in District C-2-PD (Planned Development Central Business Commercial) for multi-family development. – Samuel M. Coryell

Brad Ferguson, Olsson Associates, 702 S Main Street, Joplin, MO. I am here on behalf of the land owner and Mr. Coryell. They would like to do a multi-family development just north of the existing complex that is shown.

Mr. Ramsour asked if there were any environmental issues on that property?

Mr. Ferguson stated he doesn't know if that has been investigated at this point.

Mrs. Steele stated there is only one ingress/egress is there eventually going to handle just that one?

Mr. Ferguson stated that there are future plans to extend one of those roads to the west.

Mr. Ramsour asked Commissioners if there were any other questions for Mr. Ferguson. 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. EASTMAN MOVED, SECONDED BY MRS. STEELE, FOR CASE 039-19 BE FORWARDED TO THE CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL. MOTION CARRIED, MRS. KOELKEBECK, MRS. STEELE, MR. RAMSOUR, MR. DERMOTT, 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 039-19 A request to rezone from M-2 (Heavy Industrial) to C-2-PD (Planned Development Central Business District) for future commercial development.

LOCATION Corner of Newman Road and Cattleman Drive.

APPLICANT Samuel M. Coryell

EXISTING CONDITIONS

Zoning	Land Use	Property Size
M-2	Vacant	11.4 Acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	M-2	M-2	M-2	M-2
Land Use	Industrial	Industrial	Multi-family/Vacant	Industrial

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
Newman Rd.	Collector	65'
Cattleman Dr.	Private	N/A

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 M-2 is suitable for future industrial development. The M-2 district does permit the most intense industrial development and prohibits few uses. The Joplin Stockyard property used to occupy this site, but due to its intense use, moved out of town. In addition, recent residential developments near and on portions of this site have begun a transition away from industrial uses to more high density residential and commercial uses.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

This zoning change should not detrimentally affect nearby property. The uses permitted in the C-2-PD zoning district will have negligent negative affect on nearby properties.

DISCUSSION

The applicant's request to rezone to a C-2-PD Planned Development Central Business District zone is not inappropriate for this property considering it is the intent of the developers to develop their site with dense multi-family units. The C-2-PD district has unique properties such as lower setback requirements and taller height restrictions that are appropriate for the applicant's proposed development as well as for this area in general. While not part of the Central Business District of Joplin, the Planned Development overlay allows the City Council the ability to approve site plans on this property so that the C-2 zoning district classification is not misused.

In addition, considering the property's frontage along Newman Road, a collector, a commercial use oriented toward this street is appropriate. Multi-family on this site is also appropriate, given the access points that this property has.

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

Staff recommends approval of Case 039-19.

ATTACHMENTS

- Application
- Map

REZONING APPLICATION FORM

RECEIVED 10-18-19

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.: 039-19
Filing Fee: $500.00
Date Advertised: 10-27-19
Date Notices Sent 10-24-19
Public Hearing Date: 11-11-19

APPLICANT: Samuel M. Coryell and/or Assigns PHONE: 417-840-7946
ADDRESS: 1531 E. Bradford Parkway Suite 305 Springfield, MO ZIP: 65804
OWNER: Historic Stockyards Properties, LLC / Steve Owens, Managing Partner PHONE: 417-434-4986
ADDRESS: 550 W. High Street, Aurora MO ZIP: 64836
LOCATION/ADDRESS OF PROPERTY: Cattleman Drive
LEGAL DESCRIPTION: See survey attachment

Present Zoning M-2 Requested Zoning: C2-PD Acreage: 11.4 (See attached survery)
Present Use of Property: Vacant Land (5.91 of tract A will be for multifamily)

SURROUNDING LAND USE AND ZONING: See attachment: Historic Stockyard Overall

	Land Use	Zoning
North	By Zone	M2 - C3
South	By Zone	M2 - R1 - C3PD
East	By Zone	M2 - C3 - C2PD - C3PD
West	By Zone	M2

CHARACTER OF THE NEIGHBORHOOD: Mostly undeveloped with some distribution, Manufacturing, and Multi-family.

RELATIONSHIP TO EXISTING ZONING PATTERN:

1. Would proposed change create a small, isolated district unrelated to surrounding districts?
   No, there are similar zoning districts and uses in the area.
2. Are there substantial reasons why the property cannot be used in accord with existing zoning?
   If yes, explain: Current zoning does not allow proposed Height and Density

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: Cattlemen Drive - Private - w/ Ingress/Egress
2. Classification of Street(s):
   Arterial_____ Collector_____ Local _____
3. Right-of-Way Width: 60' Ingress/Egress
4. Will turning movements caused by the proposed use create an undue traffic hazard?
   NO

IS PLATTING OR REPLATTING REQUIRED TO PROVIDE FOR: NO

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:

THE FOLLOWING MUST ACCOMPANY YOUR APPLICATION:

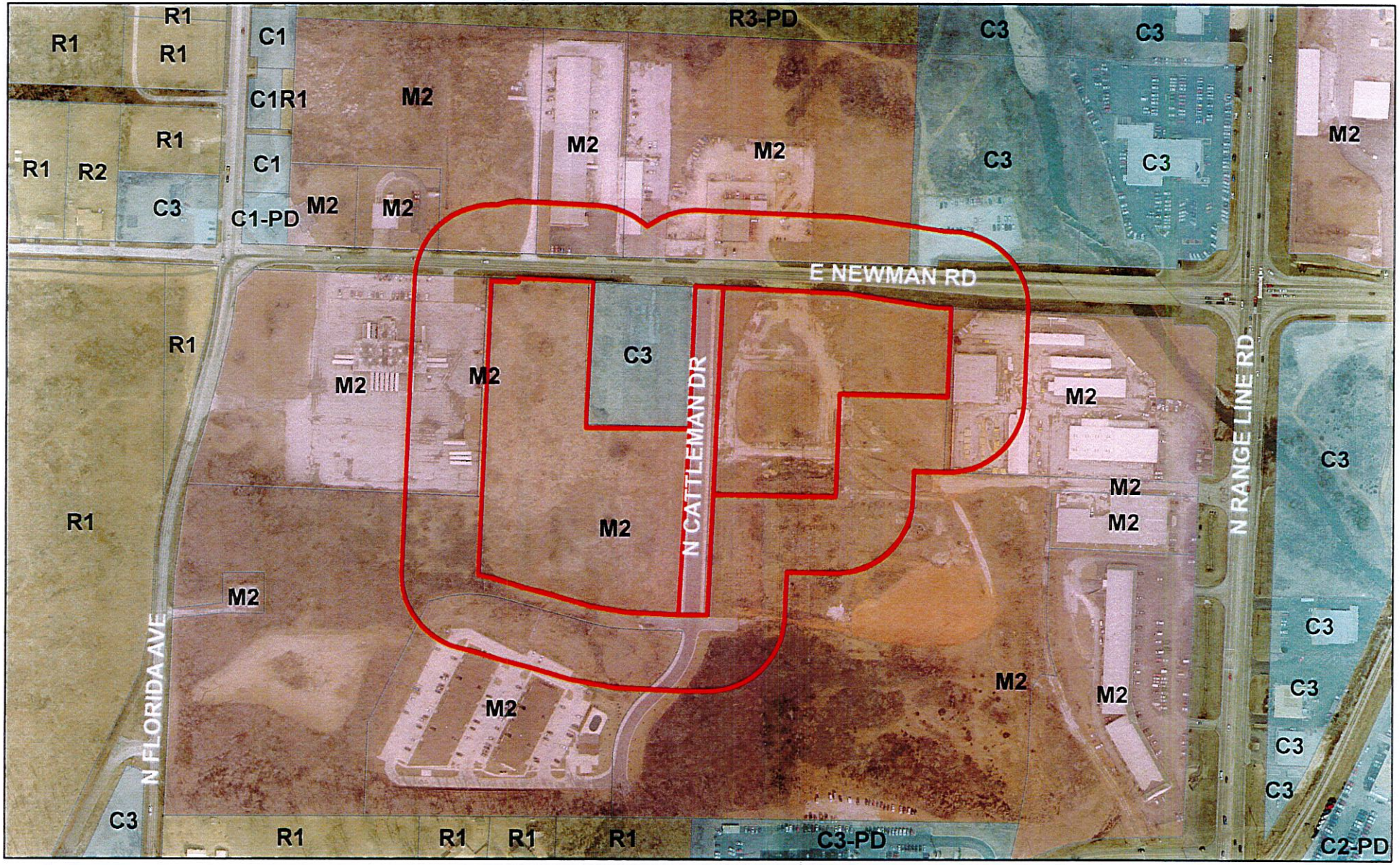
1. One copy of a legal description of the property proposed to be rezoned (deed or certified survey).
2. One copy of a statement describing the reasoning for the rezoning, the impact of the proposed change, including any traffic conditions that may result; any danger from fire hazards; how the proposed 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: [signature] Assign/Agent DATE: October 15th 2019

BY: Samuel M. Coryell and/or Assigns

TITLE: Applicant

Case 039-19: Intersection of Newman Road and Cattleman Dr. - Rezone

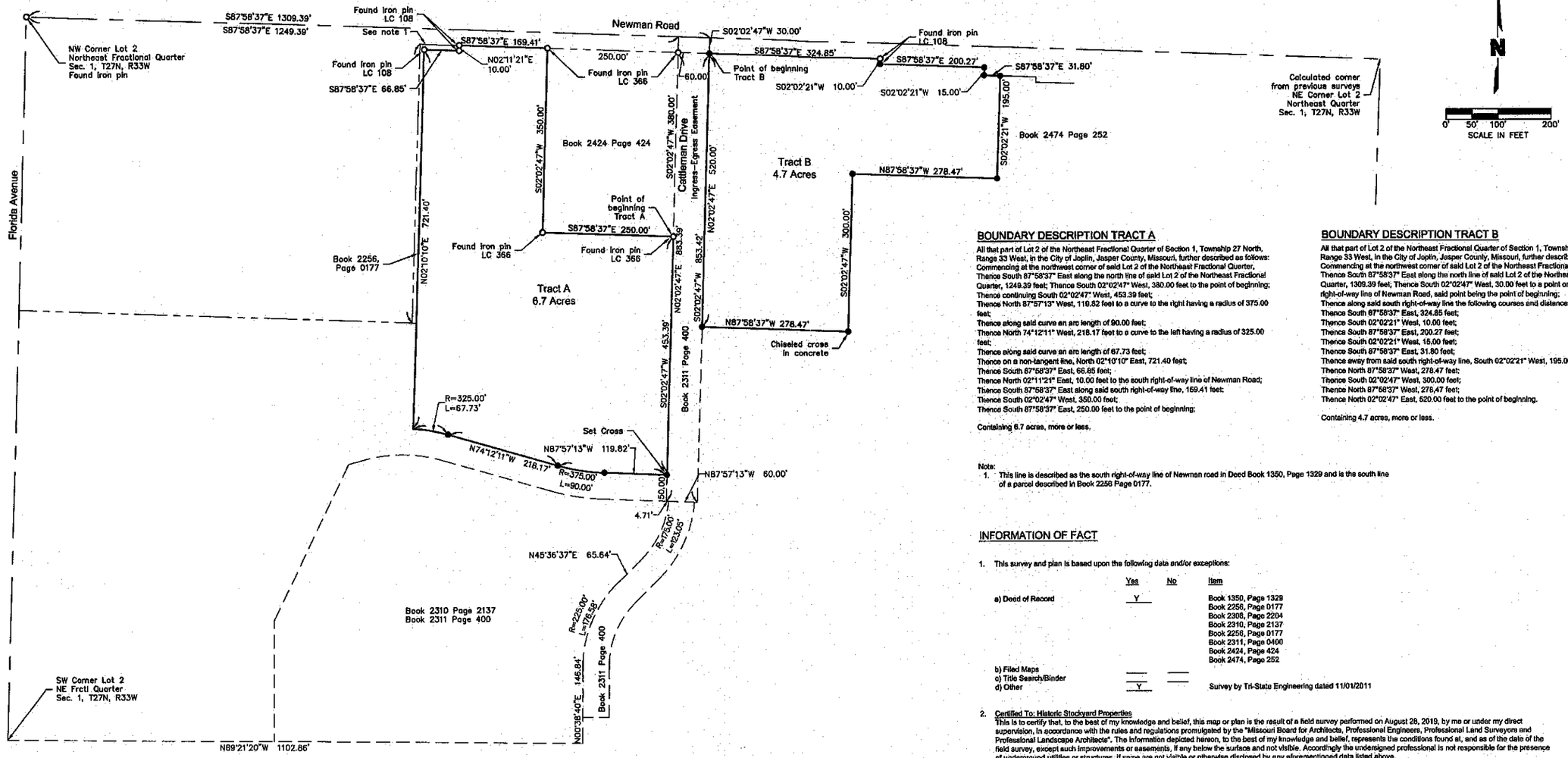


Case 039-19: Intersection of Newmand Road and Cattleman Dr. - A request to remove from District M-2 and include in District C-2-PD for the purpose of multi-family development - Samuel M. Coryell

0 125 250 500 750 1,000 Feet

N

HISTORIC STOCKYARDS PROPERTIES, LLC
SECTION 1, TOWNSHIP 27 NORTH, RANGE 33 WEST
CITY OF JOPLIN, JASPER COUNTY, MISSOURI



BOUNDARY DESCRIPTION TRACT A

All that part of Lot 2 of the Northeast Fractional Quarter of Section 1, Township 27 North, Range 33 West, in the City of Joplin, Jasper County, Missouri, further described as follows: Commencing at the northwest corner of said Lot 2 of the Northeast Fractional Quarter, Thence South 87°58'37" East along the north line of said Lot 2 of the Northeast Fractional Quarter, 1249.39 feet; Thence South 02°02'47" West, 380.00 feet to the point of beginning; Thence continuing South 02°02'47" West, 453.39 feet; Thence North 87°57'13" West, 119.82 feet to a curve to the right having a radius of 375.00 feet; Thence along said curve an arc length of 90.00 feet; Thence North 74°12'11" West, 218.17 feet to a curve to the left having a radius of 325.00 feet; Thence along said curve an arc length of 67.73 feet; Thence on a non-tangent line, North 02°10'10" East, 721.40 feet; Thence South 87°58'37" East, 66.85 feet; Thence North 02°11'21" East, 10.00 feet to the south right-of-way line of Newman Road; Thence South 87°58'37" East along said south right-of-way line, 169.41 feet; Thence South 02°02'47" West, 350.00 feet; Thence South 87°58'37" East, 250.00 feet to the point of beginning;

Containing 6.7 acres, more or less.

BOUNDARY DESCRIPTION TRACT B

All that part of Lot 2 of the Northeast Fractional Quarter of Section 1, Township 27 North, Range 33 West, in the City of Joplin, Jasper County, Missouri, further described as follows: Commencing at the northwest corner of said Lot 2 of the Northeast Fractional Quarter, Thence South 87°58'37" East along the north line of said Lot 2 of the Northeast Fractional Quarter, 1309.39 feet; Thence South 02°02'47" West, 30.00 feet to a point on the south right-of-way line of Newman Road, said point being the point of beginning; Thence along said south right-of-way line the following courses and distances; Thence South 87°58'37" East, 324.85 feet; Thence South 02°02'21" West, 10.00 feet; Thence South 87°58'37" East, 200.27 feet; Thence South 02°02'21" West, 15.00 feet; Thence South 87°58'37" East, 31.80 feet; Thence away from said south right-of-way line, South 02°02'21" West, 195.00 feet; Thence North 87°58'37" West, 278.47 feet; Thence South 02°02'47" West, 300.00 feet; Thence North 87°58'37" West, 278.47 feet; Thence North 02°02'47" East, 520.00 feet to the point of beginning.

Containing 4.7 acres, more or less.

Note:
1. This line is described as the south right-of-way line of Newman road in Deed Book 1350, Page 1329 and is the south line of a parcel described in Book 2256 Page 0177.

INFORMATION OF FACT

1. This survey and plan is based upon the following data and/or exceptions:

	Yes	No	Item
a) Deed of Record	Y		Book 1350, Page 1329 Book 2256, Page 0177 Book 2305, Page 2204 Book 2310, Page 2137 Book 2256, Page 0177 Book 2311, Page 0400 Book 2424, Page 424 Book 2474, Page 252
b) Filed Maps			
c) Title Search/Binder			
d) Other	Y		Survey by Tri-State Engineering dated 11/01/2011

2. Certified To: Historic Stockyard Properties
This is to certify that, to the best of my knowledge and belief, this map or plan is the result of a field survey performed on August 28, 2019, by me or under my direct supervision, in accordance with the rules and regulations promulgated by the "Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects". The information depicted hereon, to the best of my knowledge and belief, represents the conditions found at, and as of the date of the field survey, except such improvements or easements, if any below the surface and not visible. Accordingly the undersigned professional is not responsible for the presence of underground utilities or structures, if same are not visible or otherwise disclosed by any aforementioned data listed above.

3. This survey or plan is made for and certified to the parties named hereon for the purpose(s) stated. No other purpose is intended nor implied. The undersigned professional is neither responsible nor liable for the use of this plan beyond its intended purpose.

4. The use of the word "certify" or "certification" constitutes an expression of professional opinion regarding those facts or findings which are the undersigned professional's knowledge, information and belief, and in accordance with the commonly accepted procedure consistent with the applicable standards of practice, and does not constitute a warranty or guarantee either expressed or implied.

5. Missouri Standards for Boundary Surveys Property Type: Urban

CERTIFICATE OF SURVEY AND ACCURACY

Know all men by these presents:

That I, Steven G. Lewis do hereby certify to Historic Stockyard Properties, that this survey was prepared under my supervision from an actual survey of the land herein described, prepared by Olsson, Inc., August 28, 2019, and signed by Steven G. Lewis, P.L.S. 2514, and that the monuments and lot corner pins shown herein were placed under the personal supervision of Steven G. Lewis, P.L.S. 2514, in accordance with the current "Missouri Standards For Property Boundary Surveys".

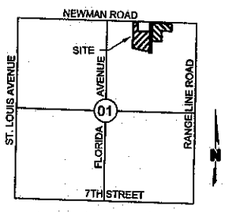
Steven G. Lewis, MO LS 2514
Olsson, MO LC 366

August 28, 2019
Date

Ingress-egress easement

All that part of Lot 2 of the Northeast Fractional 1/4 of Section 1, Township 27 North, Range 33 West, in the City of Joplin, Jasper County, Missouri, further described as follows:
Commencing at the Southwest Corner of said Lot 2 of the Northeast Fractional 1/4;
Thence South 89°21'20" East, 30.00 feet along the South Line of said Lot 2 to a point on the East Line of Florida Avenue;
Thence continuing South 89°21'20" East, 1072.85 feet along the South Line of said Lot 2;
Thence North 00°38'40" East, 146.84 feet to a curve to the right having a radius of 225.00 feet;
Thence along said curve an arc length of 178.58 feet;
Thence North 45°36'37" East, 65.64 feet to a curve to the left having a radius of 175.00 feet;
Thence along said curve an arc length of 123.05 feet;
Thence North 87°57'13" West, 4.71 feet to the point of beginning;
Thence North 02°02'47" East, 853.37 feet to a point on the South right-of-way line of Newman Road, from which point the northwest corner of said northeast fractional 1/4 bears North 02°01'23" East, 30.00 feet and North 87°58'37" West, 1249.39 feet;
Thence South 87°58'35" East, along said South right-of-way line of Newman Road, 60.00 feet;
Thence South 02°02'47" West, 853.42 feet;
Thence North 87°57'13" West, 60.00 feet to the point of beginning;

Containing 4.7 Acres more or less



SEC. 1, T-27-N, R-33-W
LOCATION MAP
SCALE: 1"=2000'

LEGEND
○ Found Iron Monument (As Noted)
● Set 1/2" Rebar w/Plastic Cap (unless otherwise noted)

PREPARED FOR	PREPARED BY
HISTORIC STOCKYARDS PROPERTIES, LLC 726 BRECKENRIDGE ROAD MT VERNON, MO 64712	OLSSON, INC. 702 SOUTH MAIN JOPLIN, MO 64802

BASIS OF BEARINGS
Grid North based on the Missouri Coordinate System of 1983, West Zone.

olsson
Olsson - Survey
Missouri Certificate of Authority #2514
702 S. Main Street
Joplin, MO 64801
TEL 417.781.0643 www.olsson.com

STATE OF MISSOURI
STEVEN G. LEWIS
2514
REGISTERED LAND SURVEYOR

REVISIONS

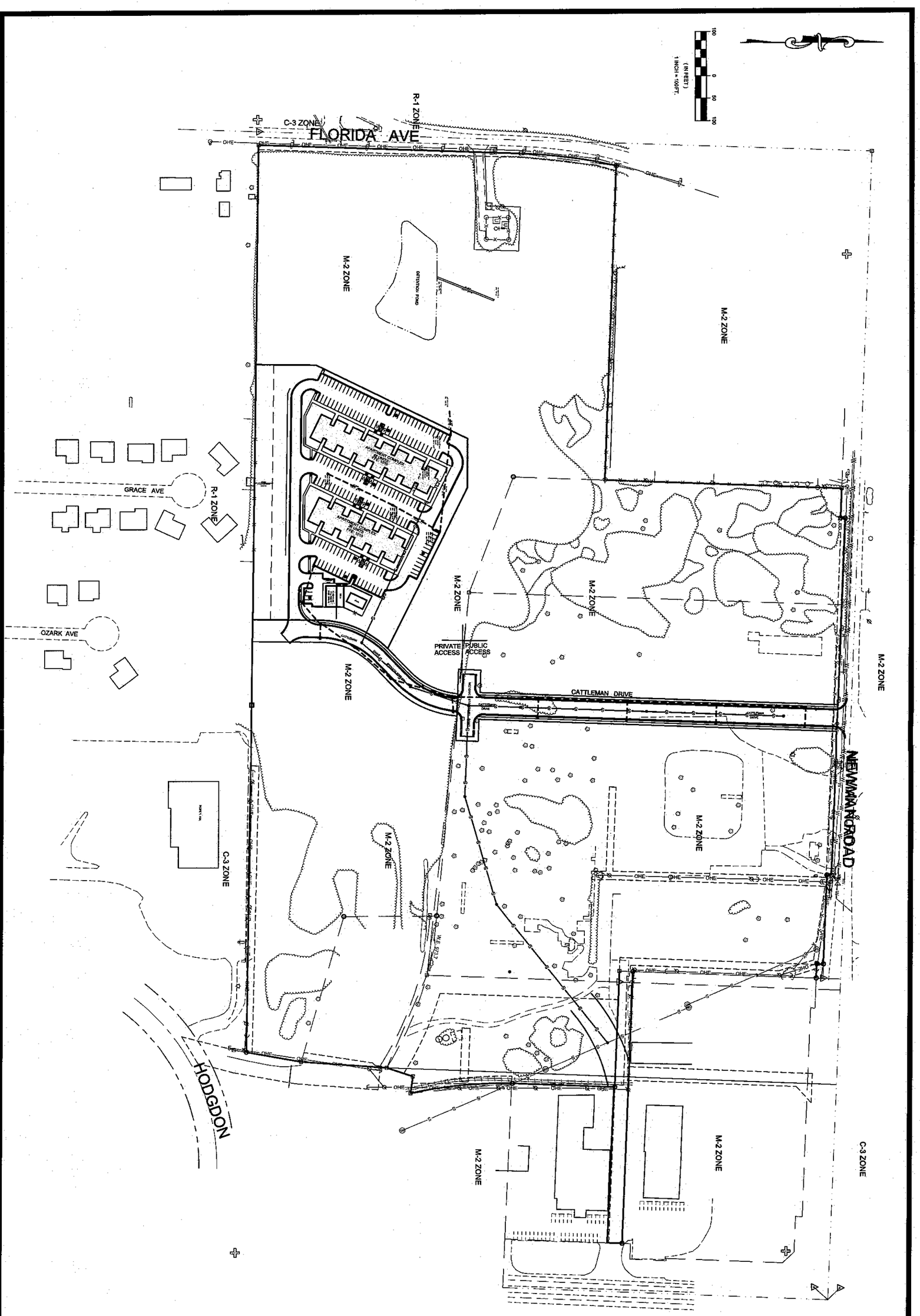
REV. NO.	DATE	REVISIONS DESCRIPTION	BY

HISTORIC STOCKYARD PROPERTIES
BOUNDARY SURVEY
SECTION 1, TOWNSHIP 27, NORTH, RANGE 33 WEST
JASPER COUNTY
JOPLIN, MISSOURI
2019

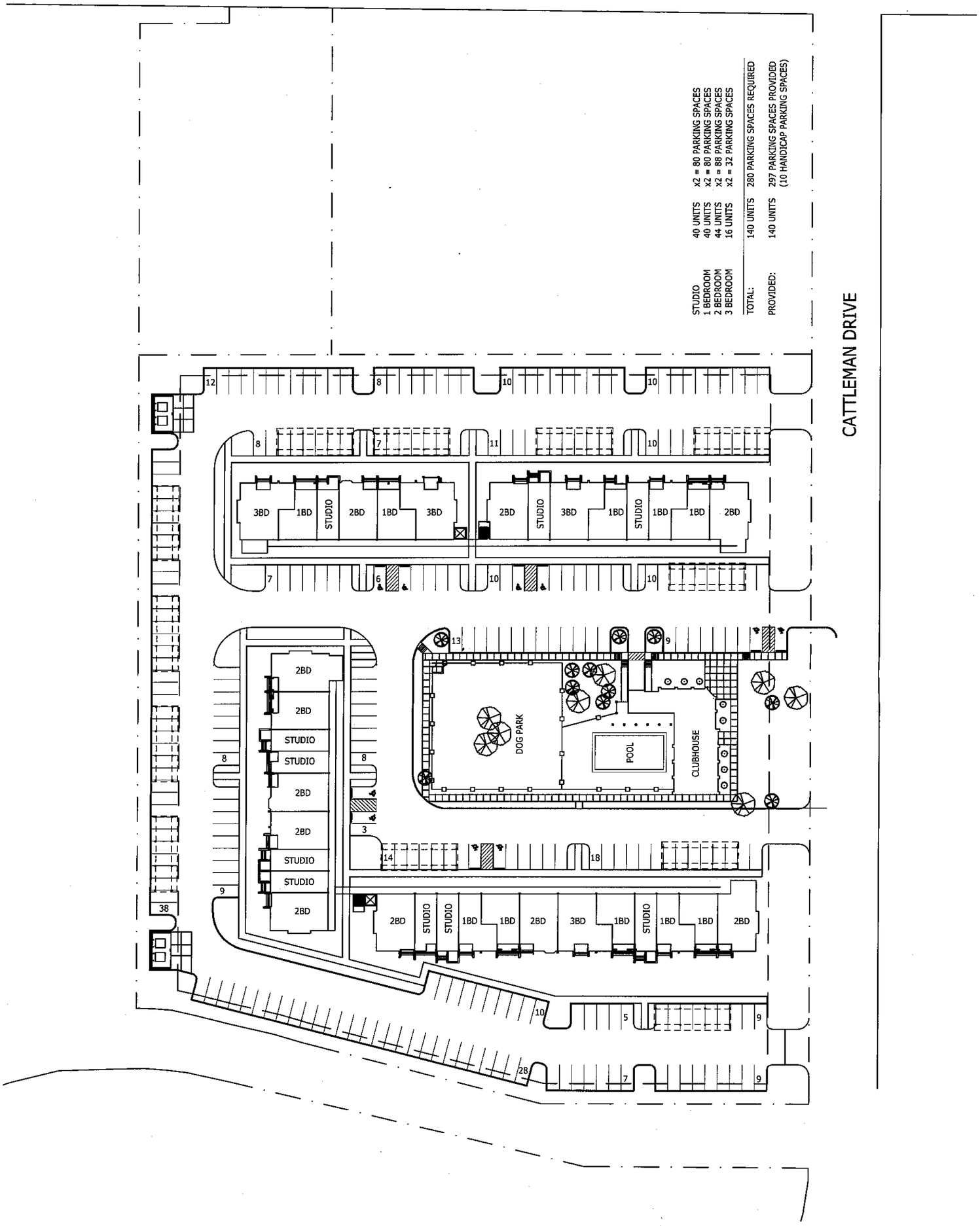
drawn by: DVH
checked by:
approved by:
QA/QC by:
project no.: 019-2688
drawing no.: V_TBLK_0192688
date: 8/6/19

SHEET 1 of 1

DWG: F:\2019\2501-3000\019-2688\40-Design\Survey\SRVY\Sheets\V_TBLK_0192688.dwg USER: dhenderson
DATE: Aug 28, 2019 1:05pm XREFS: V_XBNDY_0192688


FLORIDA AVE
C-3 ZONE
R-1 ZONE
M-2 ZONE
GRACE AVE
OZARK AVE
CATTLEMAN DRIVE
PRIVATE ACCESS
PUBLIC ACCESS
NEWMAN ROAD
HODGDON
C-3 ZONE
M-2 ZONE
R-1 ZONE
M-2 ZONE
M-2 ZONE
M-2 ZONE
M-2 ZONE
M-2 ZONE
M-2 ZONE
M-2 ZONE
C-3 ZONE
M-2 ZONE
M-2 ZONE
M-2 ZONE
M-2 ZONE
M-2 ZONE
M-2 ZONE
M-2

EAST NEWMAN ROAD



1A
A1.1

PROPOSED SITE PLAN

scale:

N

Coryell Joplin

Cattleman Drive
Joplin, MO

G:\19-xxx Coryell Joplin\01 Design Information\Prelim DWG Sketches\hdg_logo_text_RGB.jpg

P & Z Case 039-19
Samuel M. Coryell
(P & Z Recommended Approval)

COUNCIL BILL NO. 2019-283 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 M-2 and including in District C-2-PD property as described below and located Corner of Newman Road and Cattleman Drive, 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-2-PD:

All that part of Lot 2 of the Northeast Fractional Quarter of Section 1, Township 27 North, Range 33 West, in the City of Joplin, Jasper County, Missouri, further described as follows: commencing at the Northwest corner of said Lot 2 of the Northeast Fractional Quarter, thence S87°58'37"E along the North line of said Lot 2 of the Northeast Fractional Quarter, 1249.39 feet; thence S02°02'47"W, 380.00 feet to the point of beginning; thence continuing S02°02'47"W, 453.39 feet; thence N87°57'13"W, 119.82 feet to a curve to the right having a radius of 375.00 feet; thence along said curve an arc length of 90.00 feet; thence N74°12'11"W, 218.17 feet to a curve to the left having a radius of 325.00 feet; thence along said curve an arc length of 67.73 feet; thence on a non-tangent line, N02°10'10"E, 721.40 feet; thence S87°58'37"E, 66.85 feet; thence N02°11'21"E, 10.00 feet to the South right-of-way line of Newman Road; thence S87°58'37"E along said South right-of-way line, 169.41 feet; thence S02°02'47"W, 350.00 feet; thence S87°58'37"E, 250.00 feet to the point of beginning, containing 6.7 acres, more or less; And all that part of Lot 2 of the Northeast Fractional Quarter of Section 1, Township 27 North, Range 33 West, in the City of Joplin, Jasper County, Missouri, further described as follows: commencing at the Northwest corner of said Lot 2 of the Northeast Fractional Quarter, thence S87°58'37"E along the North line of said Lot 2 of the Northeast Fractional Quarter, 1309.39 feet; thence S02°02'47" W, 30.00 feet to a point on the South right-of-way line of Newman Road, said point being the point of beginning; thence along said South right-of-way line the following courses and distances; thence S87°58'37"E, 324.85 feet; thence S02°02'21"W, 10.00 feet; thence S87°58'37"E, 200.27 feet; thence S02°02'21"W, 15.00 feet; thence S87°58'37"E, 31.80 feet; thence away from said South right-of-way line, S02°02'21"W, 195.00 feet; thence N87°58'37"W, 278.47 feet; thence S02°02'47"W, 300.00 feet; thence N87°58'37"W, 278.47 feet; thence N02°02'47"E, 520.00 feet to the point of beginning, containing 4.7 acres, more or less; And all that part of Lot 2 of the Northeast Fractional ¼ of Section 1, Township 27 North, Range 33 West, in the City of Joplin, Jasper County, Missouri, further described as follows: commencing at the Southwest corner of said Lot 2 of the Northeast Fractional ¼; thence S89°21'20"E, 30.00 feet along the South line of said Lot 2 to a point on the East line of Florida Avenue; thence continuing S89°21'20"E, 1072.85 feet along the South line of said Lot 2; thence N00°38'40"E, 146.84 feet to a curve to the right having a radius of 225.00 feet; thence along said curve an arc length

of 176.58 feet; thence N45°36’37”E, 65.64 feet to a curve to the left having a radius of 175.00 feet; thence along said curve an arc length of 123.05 feet; thence N87°57’13”W, 4.71 feet to the point of beginning; thence N02°02’47”E, 853.37 feet to a point on the South right-of-way line of Newman Road, from which point the Northwest corner of said Northeast Fractional ¼ bears North 02°01’23”E, 30.00 feet and N87°58’37”W, 1249.39 feet; thence S87°58’35”E, along said South right-of-way line of Newman Road, 60.00 feet; thence S02°02’47W, 853.42 feet; thence N87°57’13”W, 60.00 feet to the point of beginning; containing 4.7 acres more or less,.

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