CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2023-292 – Rezoning Request

MEETING DATE:
December 4, 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 052-23: 524 W 5th St – Rezoning from District R-3 (Multi-Family Residential) to District R-3 – HP (Multi-Family Residential – Historic Preservation Overlay) – Jennifer Siembieda

BACKGROUND:

The owners are requesting that this property be designated as a local landmark and have the HP zoning overlay added. The home is associated with William B McAntire, who resided at the home. McAntire was a prominent lawyer during Joplin's early days. He was also elected as a municipal Judge.

R-3 HP overlay zoning at this location is appropriate as the property meets the criteria for local landmark designation as reviewed and recommended for approval by the Historic Preservation Commission. The Commission approved the property for recommendation to the Planning and Zoning Commission on criteria 3:

3. Its identification with a person or persons who significantly contributed to the development of the community, county, state, or county.

PLANNING & ZONING COMMISSION TESTIMONY:
Mathew Michael, the applicant's husband, represented this case. Mr. Landis asked if the historical status made the property eligible for grants. Mr. Michael stated that the property was already eligible for grants as it was on the National Historic Registry and the State Historic Registry. Mr. Michael stated this would affect the City's historic registry and zoning.

PUBLIC COMMENT;
There was no comment in favor or opposition of this case.

RECOMMENDATIONS:
Staff recommends approval for Council Bill 2023-292
Planning & Zoning Commission recommends approval for Case 052-23 (6 in Favor, 0 Opposed, 1 Abstained)

ATTACHMENTS
Staff Planning Report
P&Z Commission Minutes
Applicant Materials
Map

Case 052-23

524 W. 5th St-Rezoning from District R-3 (Multi-Family Residential) to District R-3-HP (Multi-Family Residential-Historic Preservation Overlay)-Jennifer Siembieda

Matthew Michael, husband of the applicant, 524 W. 5th Street, Joplin, Missouri, opened the floor for any questions.

Mr. Landis asked if doing the research and obtaining the historical status made the property eligible for grants.

Mr. Michael said the property was already eligible for grants. The property was on the National Historic Registry and the State Historic Registry. The City's historic registry and zoning had not been altered on this property. That simply brought it into alignment with where it should be.

Mr. Kimble asked if there were any questions from the Commission on Case 052-23.

There were none.

Mr. Kimble asked if there was any one to speak in favor of Case 052-23.

There were none.

Mr. Kimble asked if there was any one to speak in opposition of Case 052-23.

There were none.

MR. LANDIS MOVED THAT CASE 052-23 BE APPROVED AND FORWARDED TO THE CITY COUNCIL FOR APPROVAL. MS. PHILLIPS SECONDED THE MOTION. MOTION CARRIED. MS. PHILLIPS ABSTAINED FROM THE VOTE. (6 IN FAVOR, 0 NAY, 1 ABSTAINED)

Z&P Meeting: November 13, 2023
City Council Meeting: December 4, 2023

JOPLIN
PLANNING, DEVELOPMENT, & NEIGHBORHOOD SERVICES

STAFF PLANNING REPORT
Rezoning

CASE 052-23 A request to rezone from District R-3 (Multi-Family Residential) to District R-3 HP (Multi-Family Residential – Historic Preservation Overlay)

LOCATION 524 W 5th St

APPLICANT Jennifer Siembieda

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-3	Single-Family Home	Approximately 0.30 Acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	R-3	C-2	R-3	R-3
Land Use	Single-Family Home	Single-Family Home	Single-Family Home	Apartments

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
5th St	Local	60′
Moffet Ave	Local	60′

UTILITIES

Utilities are 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 request is also consistent with the Future Land Use Map for this area.

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

There will not be any changes in use. The current zoning is suitable for Single-Family Residential. The proposed HP overlay will not cause a change in the use.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning will not be detrimental to nearby property. This request is to add the HP overlay based on the structure's historic significance.

DISCUSSION

The owners are requesting that this property be designated as a local landmark and have the HP zoning overlay added. The home is associated with William B McAntire, who resided at the home. McAntire was a prominent lawyer during Joplin's early days. He was also elected as a municipal Judge.

R-3 HP overlay zoning at this location is appropriate as the property meets the criteria for local landmark designation as reviewed and recommended for approval by the Historic Preservation Commission. The Commission approved the property for recommendation to the Planning and Zoning Commission on criteria:

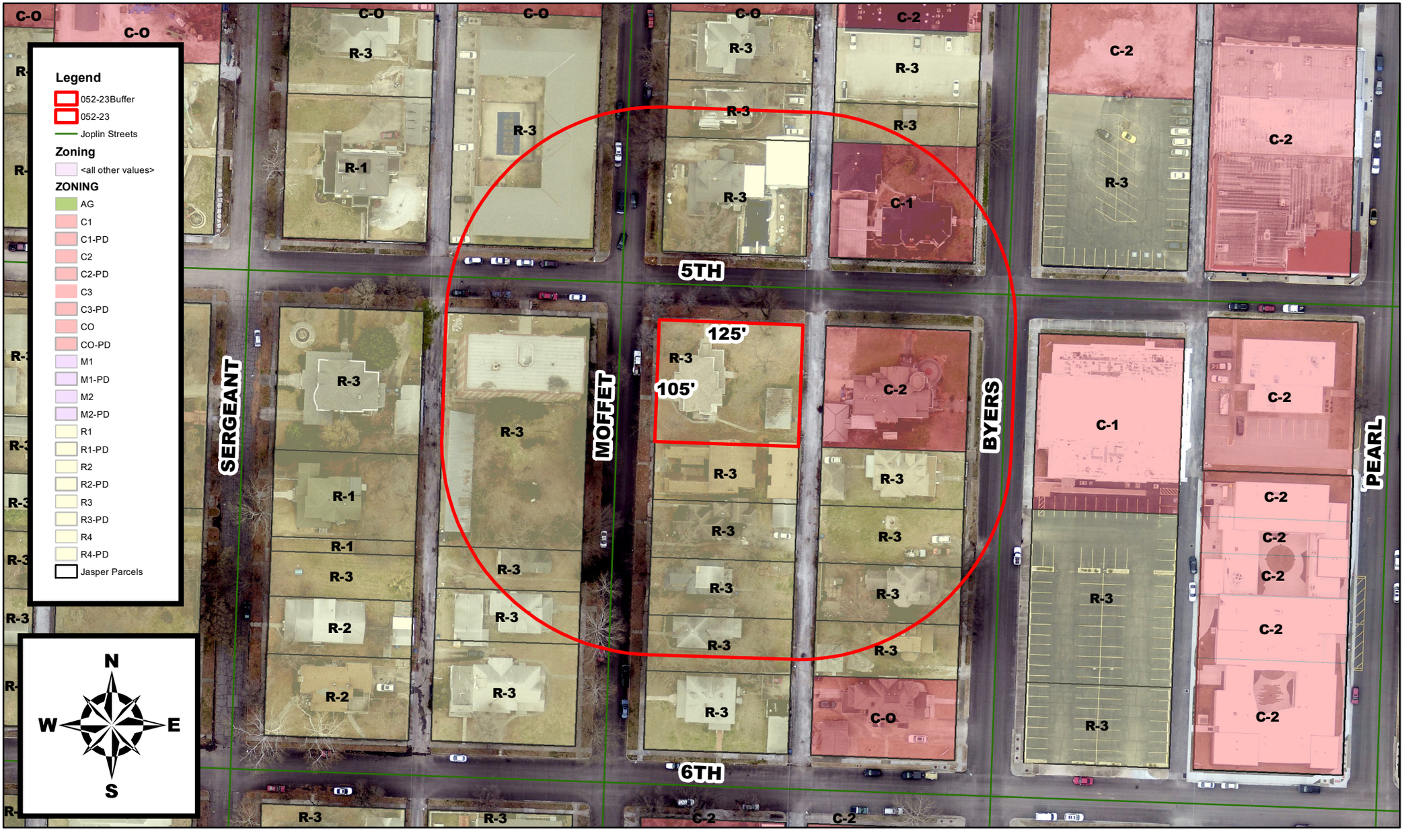
3. Its identification with a person or persons who significantly contributed to the development of the community, county, state, or county.

Staff recommends approval of Case 052-23.

ENCLOSURES

- Map of property
- Application

Case 052-23: Rezoning



524 W 5th St – Rezoning from District R-3 (Multi-Family Residential) to District R-3 – HP (Multi-Family Residential – Historic Preservation Overlay) – Jennifer Siembieda

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.: 052-23
Filing Fee: $550.00 NA
Received: 10/23/23
Date Advertised:
Proj. No.: 23-231
Public Hearing Date: 11/13/23

Applicant: Historic Preservation Commission Phone No.: 417-624-0820

Address: 602 S Main Street Email: twalters@joplinmo.org

Owner: Jennifer Siembieda Phone No.: 530-220-3526

Address: 524 W 5th Street, Joplin MO Email: coloradomatt76@gmail.com

Location of Property: 524 W 5th Street

Present Use of Property: Single Family Residential

Proposed Use of Property: Single Family Residential

Current Zoning: R-3 Requested Zoning: R-3-HP

Surrounding Land Use and Zoning:

	Land Use	Zoning
North	Single Family	R-3
South	Two Family	R-3
East	Single Family	C-2
West	Multi-Family	R-3

Character of the Neighborhood: Murphysburg Historic 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: _____

_____

_____

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: W 5th Street & S Moffett Ave

_____

Classification of Street(s):

Arterial ☐ Collector ☐ Local ☑

Right-of-Way Width: 60 ft

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:

HPC Resolution 2023-04, October 17th the Commission found the property met the criteria for a local landmark due to the Association with William B. McAntire

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:** 10/23/23

JOPLIN | HISTORIC PRESERVATION COMMISSION

HISTORIC PRESERVATION COMMISSION OF THE CITY OF JOPLIN

RESOLUTION NO. 2023-04

WHEREAS, the **Historic Preservation Commission** of the City of Joplin, at a public meeting held on October 17th, 2023, received the Historic Landmark Nomination Form for The William B McAntire House located at 524 W. 5th Street in the City of Joplin, Jasper County, Missouri; and

WHEREAS, the form was presented by Jennifer Siembieda, owner, and found to be in proper form; and

WHEREAS, at a public meeting held on October 17th, 2023, the Historic Preservation Commission found that all the evidence presented in the Nomination Form and developed in research of the existing records supported the requirements of Section 29 of Appendix 29-A (Zoning Code) of the Joplin City Code and that the subject The Wiliam B. McAntire House met one or more of the Criteria for Consideration of Nomination as directed in paragraph 29.10 of that Code;

NOW, THEREFORE, BE IT RESOLVED by the **Historic Preservation Commission** of the City of Joplin, as follows:

That the property on the following described real estate to-wit:

All of Lots Numbered 31 & 32 in Sergeants Subdivision, in the City of Joplin, Jasper County, Missouri;

be recommended by this **Commission** to be designated an "Local Landmark" under the definitions and requirements of Section 29 of Appendix 29-A (Zoning Code) of the Joplin City Code, and that this Resolution with the report and nomination form be sent to the Zoning and Planning Commission of the City of Joplin, and that the appropriate Ordinance designating the above said property Zoning District Overlay "HP" be adopted by the City Council of the City of Joplin.

PASSED BY THE **HISTORIC PRESERVATION COMMISSION** OF THE CITY OF JOPLIN, MISSOURI, this Seventeenth Day of October, 2023.

Jill Halbach
Chairperson

HISTORIC JOPLIN PRESERVATION COMMISSION

STAFF REPORT

APPLICANT:

Jennifer Siembieda

OWNER:

Jennifer Siembieda

ADDRESS AND LANDMARK NAME:

524 W. Fifth Street, Joplin, Missouri 64801
William B McAntire House

PRESENT USE:

Single Family Residential (Zoned R-3)

HISTORIC USE:

Single Family Residence

PHYSICAL DESCRIPTION:

Date of Construction: Established Circa 1905

Architectural Style: Queen Anne

Construction: Date of construction is based upon the 1906 Sandborn map. The 1900 Sandborn map showed a much more modest home in the same location. Typical architectural features for a two an done half story Queen Anne. Historic Wood siding still in place. Significant changes did occur to the porch in the 1979. Glazed wood doors still n place. The three carport garage was added in 1985.

Site: Sergeants Addition to the City of Joplin, Lots 31 & 32.

HISTORICAL SIGNIFICANCE:

1. *Its character, interest, or value as part of the development, heritage, or cultural characteristics of the community, county, state, or country;*

   This category is typically not applied to single family homes being nominated for local landmark status. The house is in the Murphysburg National Register District. This category is applicable to the district as a whole.

2. *Its location as a site of a significant local, county, state, or national event;*

   Not applicable to this nomination

3. *Its identification with a person or persons who significantly contributed to the development of the community, county, state, or country;*

   William B. McAntire was a prominent lawyer at the time of Joplin's founding, and elected as a municipal Judge on successive terms. He was also elected member of the school board. Most of his career he practiced law, while transitioning to real estate the last decade of his life, before dying in 1911. He clearly resided at 524 w 5th Street at the time of the 1900 Census, however at that time, the house was not the one being nominated today as shown by the 1900 Sandborn Map. In 1900 the house on the property was much more modest and had a visibly different footprint. This Queen Anne style house was first shown constructed in the 1906 Sandborn map, and date of construction assumed to be circa 1905. The 1910 Census shows that had moved to the home of Elizabeth Gray, his sister, at 1406 Sargent Avenue. By that time he was in poor health having suffered a stroke and widowed. However, staff conducted a thorough search of Deed Index Sheets of the Jasper County Register's office, and cannot find a warranty deed for the sale of the property described as Sergeants Subdivision Lots 31 & 32 after 1900 to his death and the Deed Index Sheet would be the only index where public record would have been kept. In fact, there is not record of the disposition of this property at all until sold by subsequent owner decades later. His wrote a new will on November 30, 1906 which was recorded in the Deed Index of Jasper County in 1911 on Book 231 page 341, which suggests that his will was used as an instrument to dispose of real property. Since no other record of the sale is found in any other location, it can be presumed this property was disposed of in his will, and therefore was still the owner of the property at time of construction in 1905.

   Finding: The building meets the requirements of criteria 3 for its association with William B McAntire.

4. *Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;*

   The property significantly has many Queen Anne features still remaining, also many removed. The most significant change is the alteration of the porch in 1980 where the simple posts of the Queen Anne style were replaced with more ornate columns that were similar to the surrounding architectural types in Murphysburg. (Permit # 1040 D)

5. *Its identification as the work of a master builder, designer, architect, or landscape architect whose individual work has influenced the development of the community, county, state, or country;*

   Not applicable to this nomination.

6. *Its embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant;*

   Not applicable to this nomination.

7. *Its embodiment of design elements that make it structurally or architecturally innovative;*

   Not applicable to this nomination

8. *Its unique location or singular physical characteristics that make it an established or familiar visual feature;*

Not applicable to this nomination.

9. *Its character as a particularly fine or unique example of a utilitarian structure, including, but not limited to farmhouses, gas stations, or other commercial structures, with a high level of integrity or architectural significance; and/or*

   Not applicable to this nomination.

10. *Its suitability for preservation or restoration.*

Finding: The site meets the requirements for criteria 10 as staff would rate the integrity of the resource as fair or better.

Any structure, property, or area that meets one or more of the above criteria shall also have sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation or restoration. (Ord. No. 86-31, ' 1, 3-17-86)

STAFF RECOMMENDATION:

Staff recommends William B McAntire House, located at 524 W. 5th Street, be forwarded by HPC Resolution to the Planning & Zoning Commission, to be added to the HP zoning overlay, and be designated as a local landmark.

SUPPORTING DOCUMENTS:

Documents included in determination were attached to application.

P & Z Case 052-23
Jennifer Siembieda
(P & Z Recommend Approval)

COUNCIL BILL NO. 2023-292 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-3 (Multi-Family Residential) and including in District R-3 HP (Multi-Family Residential – Historic Preservation Overlay) property as described below and located at 524 W 5th St.

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 R-3 (Multi-Family Residential) the following described property and including in District R-3 HP (Multi-Family Residential – Historic Preservation Overlay).

All of Lots Numbered 31 & 32 in Sergeants Subdivision, 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