CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2021-291 – Rezone C-3 to R-2.

MEETING DATE:
December 6, 2021

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.

SUMMARY REQUEST:
Case 061-21: 313 N. Buchanan Rd. – A request to remove from District C-3 (Commercial) and include in District R-2 (Two-family Residential) for future residential development – Johnson Real Estate & Consulting LLC.

BACKGROUND:
The current zoning of C-3 is unsuitable for this property. This location is not appropriate for commercial uses permitted in the C-3 district. The property is also ill-shaped to host most commercial uses today.

The change in zoning will not be detrimental to nearby property. The uses permitted in R-2 are significantly less intense than those permitted in the current C-3 district. Furthermore, existing Two-family Residential uses are located at the opposite end of Buchanan Rd.

This request to rezone to R-2 is for future duplex development on the site. No buffer is required in this case. Stormwater management would be required, specifically either an analysis or upgrade to the culvert running under Buchanan Rd. An extension of fire hydrants may be required per the fire marshal.

PLANNING & ZONING COMMISSION TESTIMONY:
Will Perkins, 20598 Hope Lane, Neosho, MO. He is the builder for the owner, Steve Johnson, representing him since he couldn't make it. Basically, he is wanting to build three (3) duplexes and it is a good location.

Mr. Eastman abstained from this case.

Ms. Phillips asked if there was enough room for three (3) duplexes.

Mr. Stanton stated there was. They will not be on individual lots, because of that they will be able to fit in there, just meeting the area requirements.

Ms. Phillips wanted to know if there would be enough parking for six living units.

Mr. Stanton stated there would be. Each unit would be required to have two off-street parking spaces.

PUBLIC COMMENT;
None.

RECOMMENDATIONS:
Staff recommends approval for Case 061-21.
Planning & Zoning Commission recommends approval for Case 061-21 (5 Favor, 1, Abstain, 0 Nays, 1 Absent)

ATTACHMENTS
CB 2021-291, Staff Planning Report, P&Z Commission Minutes

CB 2021-291

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Mr. McCullough wanted to know if the units be detached or attached?

Mr. Perkins stated he really didn't know, there are plans both ways.

Ms. Bruckner-Sears asked if there was anyone who would like to speak in favor of this request? There was not. Ms. Bruckner-Sears asked if there was anyone else that would like to speak in opposition of this request? There was not.

MS. STEELE MOVED, SECONDED BY MR. MCCULLOUGH THAT CASE 061-21 BE FORWARDED TO THE CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL. MOTION CARRIED WITH MS. BRUCKNER-SEARS, MR. MCCULLOUGH, MS. STEELE, MS. PHILLIPS, AND MS. WARREN "AYE"; MR. EASTMAN ABSTAINED. (5 IN FAVOR, 1 ABSTAIN, 1 ABSENT)

Z&P Meeting: November 8, 2021
City Council Meeting: December 6, 2021

STAFF PLANNING REPORT
Rezoning

CASE 061-21 A request to remove from District C-3 (Commercial) and include in District R-2 (Two-family Residential) for future residential development – Johnson Real Estate & Consulting LLC

LOCATION 313 N. Buchanan Rd.

APPLICANT Johnson Real Estate & Consulting, LLC

EXISTING CONDITIONS

Zoning	Land Use	Property Size
C-3	Vacant	Approx. 0.8 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	R-1	R-1/M-2	R-1	R-1
Land Use	Vacant	Single-family Residential/Vacant	Single-family Residential	Vacant

FUTURE LAND USE

Joplin's Future Land Use Map shows this property as future Low-density Residential.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
N. Buchanan Rd.	Local	70'
N. Florida Ave.	Collector	50'

UTILITIES

Utilities in place.

FLOOD PLAIN

This property is not in a flood plain. The proposed development will need do verify the existing culvert under Buchanan Rd. has sufficient capacity to pass 10-year storm event with the new impervious surface being added by the development.

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

This request is consistent with the Comprehensive Plan. The future land use map does indicate future Low-density Residential. Two-family residential still maintains the character of low-density residential. Furthermore, the proposed change coincides with the goals of infill development.

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

The current zoning of C-3 is unsuitable for this property. This location is not appropriate for commercial uses permitted in the C-3 district. The property is also ill-shaped to host most commercial uses today.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning will not be detrimental to nearby property. The uses permitted in R-2 are significantly less intense than those permitted in the current C-3 district. Furthermore, existing Two-family Residential uses are located at the opposite end of Buchanan Rd.

DISCUSSION

This request to rezone to R-2 is for future duplex development on the site. No buffer is required in this case. Stormwater management would be required, specifically either an analysis or upgrade to the culvert running under Buchanan Rd. An extension of fire hydrants may be required per the fire marshal.

The request is found to be consistent with the comprehensive plan and future land use map.

Staff recommends approval of Case 061-21.

ATTACHMENTS

- Application
- Map

SEP 23 PM 1:22

REZONING APPLICATION FORM

Return Form to:
Planner
Joplin City Hall
602 S. Main Street
Joplin, Missouri 64801
417-624-0820 Ext. 1511
FAX 417-625-4738

For Office Use Only

Case No.: 061-21
Filing Fee: $550.00
Date Advertised: 10-23-21
Date Notices Sent 10-18-21
Public Hearing Date: 11-8-21

APPLICANT: Johnson Real Estate & Consulting LLC PHONE: 417 850 7391
ADDRESS: 9303 Illinois Joplin MO 64804 EMAIL: STjohnson59@gmail.com

OWNER: Steve Johnson PHONE: Same
ADDRESS: Same EMAIL:

LOCATION/ADDRESS OF PROPERTY: 313 Buchanan Rd Joplin MO 64801.

Present Zoning Requested Zoning: R2 Acreage: .818
Present Use of Property: Vacant Land.

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Vacant, Gas Station	R1
South	Residential + Multi Family	R1
East	Residential	R1/M2
West	Vacant City Prop.	R1

Character of the Neighborhood: A Couple Older homes that face Florida ST. Newer Duplexes South of Those homes.

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? (yes)
   If yes, explain: Currently area is housing as Single Fam + Multi Fam

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: Buchanan Rd & Florid Ave
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?
   NO, will access from Buchanan Rd.

IS PLATTING OR REPLATTING REQUIRED IN ORDER TO PROVIDE FOR:

1. Appropriately Sized Lots? ~~Yes~~ NO
2. Properly Sized Street Right-of-Way? ~~Yes~~ NO.
3. Drainage Easements? ~~Yes~~ NO
4. Utility Easements:
   - Electricity? ~~Yes~~ NO
   - Gas? ?
   - Sewers? ~~Yes~~ NO
   - Water? ~~Yes~~ NO
5. Additional Comments: _____

UNIQUE CHARACTERISTIC OF PROPERTY AND/OR ADDITIONAL COMMENT:

_____

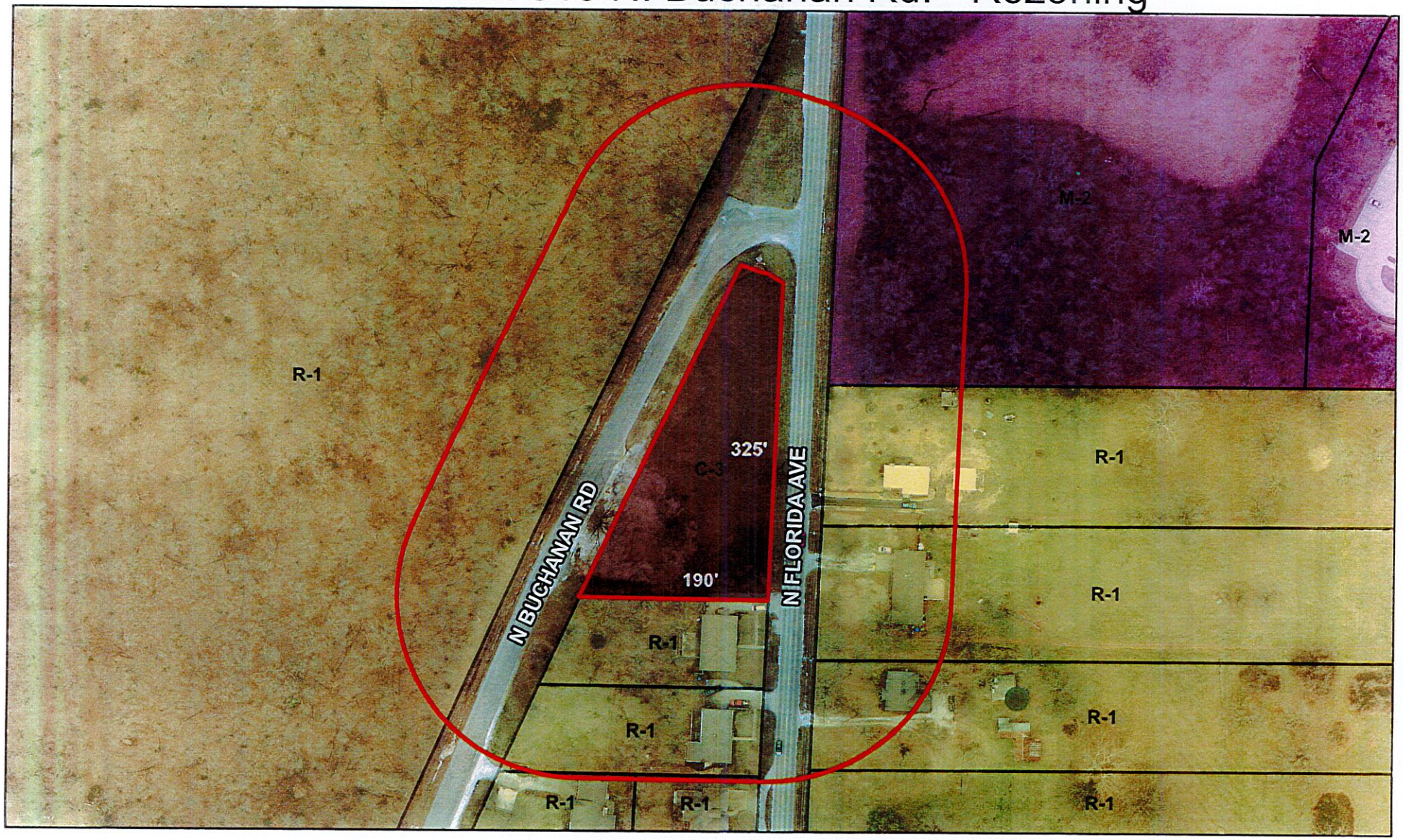
THE FOLLOWING **MUST** ACCOMPANY YOUR APPLICATION:

1. One copy of a legal description of the property proposed to be rezoned from a deed or certified survey. Must be legible.
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 and Agent Affidavit, if applicant applying for the rezoning is not the owner of the property be rezoned

SIGNATURE: Stu Johnson DATE: 9-

TITLE: Owner.

Case 061-21: 313 N. Buchanan Rd. - Rezoning



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N

0 55 110 220 330 440 Feet

P & Z Case 061-21
Johnson Real Estate & Consulting LLC
(P & Z Recommended Approval)

COUNCIL BILL NO. 2021-291 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 C-3 (Commercial) and including in District R-2 (Two-family Residential) property as described below and located at 313 N. Buchanan Rd., 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 R-2:

All of Lot Numbered One (1) and the North 20 feet of Lot Numbered Two (2) in O.F. Nichols 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_____, 2021, by a vote of _____.

_____
Ryan D. Stanley, Mayor

ATTEST:

_____
Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney