**CITY OF JOPLIN**
**COUNCIL AGENDA ITEM**

**ITEM:**
CB 2021-292 – Rezone C-1 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 062-21: 1524 E. Central St. – A request to remove from District C-1 (Neighborhood Commercial) and include in District R-2 (Two-family Residential) for future residential development – Schuber Mitchell Homes.

**BACKGROUND:**
This request to rezone to R-2 is for future residential development on the site. While the development is likely to be single-family residential, R-2 is consistent with the zoning of this area. Additionally, as S. St. Louis Ave. is a collector-level corridor, the higher density designation would be appropriate.

**PLANNING & ZONING COMMISSION TESTIMONY:**
Terry Mitchell, 303 Sunnybrook Dr., Carl Junction, MO. We would like to build a single-family home on this property.

**PUBLIC COMMENT;**
None.

**RECOMMENDATIONS**:
Staff recommends approval for Case 062-21.
Planning & Zoning Commission recommends approval for Case 062-21 (6 Favor, 0 Nays, 1 Absent)

**ATTACHMENTS**
CB 2021-292, Staff Planning Report, P&Z Commission Minutes

CB 2021-292

Case 062-21: 1524 E. Central St. – A request to remove from District C-1 (Neighborhood Commercial) and include in District R-2 (Two-family Residential) for future residential development – Schuber Mitchell Homes

Terry Mitchell, 303 Sunnybrook Dr., Carl Junction, MO. We would like to build a single-family home on this property.

Ms. Bruckner-Sears asked the commissioners if they had any questions? They did not. 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.

**MR. EASTMAN MOVED, SECONDED BY MR. MCCULLOUGH THAT CASE 062-21 BE FORWARDED TO THE CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL. MOTION CARRIED WITH MS. BRUCKNER-SEARS, MR. EASTMAN, MR. MCCULLOUGH, MS. STEELE, MS. PHILLIPS, AND MS. WARREN "AYE" (6 IN FAVOR, 1 ABSENT)**

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

# STAFF PLANNING REPORT
## Rezoning

**CASE 062-21** A request to remove from District C-1 (Neighborhood Commercial) and include in District R-2 (Two-family Residential) for future residential development – Schuber Mitchell Homes

**LOCATION** 1524 E. Central St.

**APPLICANT** Schuber Mitchell Homes

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### EXISTING CONDITIONS

| Zoning | Land Use | Property Size |
|---|---|---|
| C-1 | Vacant | Approx. 0.15 acres |

### SITE CONTEXT

| | North | East | South | West |
|---|---|---|---|---|
| Existing Zoning | C-1 | R-2 | R-2 | R-2 |
| Land Use | Restaurant | Single-family Residential | Single-family Residential | Single-family Residential |

### 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 |
|---|---|---|
| E. Central St. | Local | 50' |
| S. St. Louis Ave. | Collector | 60' |

### UTILITIES

Utilities in place.

**FLOOD PLAIN**

This property is not in a flood plain.

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**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 Retail Commercial; however, this portion of St. Louis Ave. is predominately residential, and we have seen this portion, from Central St. south to E. 3rd St. transition to more residential uses. 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-1 is unsuitable for this property. This location is not appropriate for most commercial uses permitted in the C-1 district. The property is also too small 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-2 district. Furthermore, existing Two-family Residential uses are located in this area.

**DISCUSSION**

This request to rezone to R-2 is for future residential development on the site. While the development is likely to be single-family residential, R-2 is consistent with the zoning of this area. Additionally, as S. St. Louis Ave. is a collector-level corridor, the higher density designation would be appropriate.

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

*Staff recommends approval of Case 062-21.*

**ATTACHMENTS**

- Application
- Map

RECEIVED
10-6-21

# 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.: 06Z-21
Filing Fee: $550.00
Date Advertised: 10-23-21
Date Notices Sent 10-18-21
Public Hearing Date: 11-8-21

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APPLICANT: Schuber Mitchell PHONE: 417 291 5731
ADDRESS: 3330 N. Range Line EMAIL: TMitchell@schubermitchell.com

OWNER: _____ PHONE: _____
ADDRESS: _____ EMAIL: _____

LOCATION/ADDRESS OF PROPERTY: Legal TAYLOR ADD N 104' EX E 24.18' South west corner Cental & St louis 1524 E Central

Present Zoning M-1 Requested Zoning: R1 Acreage: .163
Present Use of Property: VACANT

SURROUNDING LAND USE AND ZONING:

| | Land Use | Zoning |
|---|---|---|
| North | Office | C |
| South | Resedential | R-1 |
| East | " | R-2 |
| West | " | R-1 |

Character of the Neighborhood: _____

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: Not Big enough And Sets in Residential Are

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: St Louis & Central
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 IN ORDER 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/OR ADDITIONAL COMMENT:

_____
_____
_____

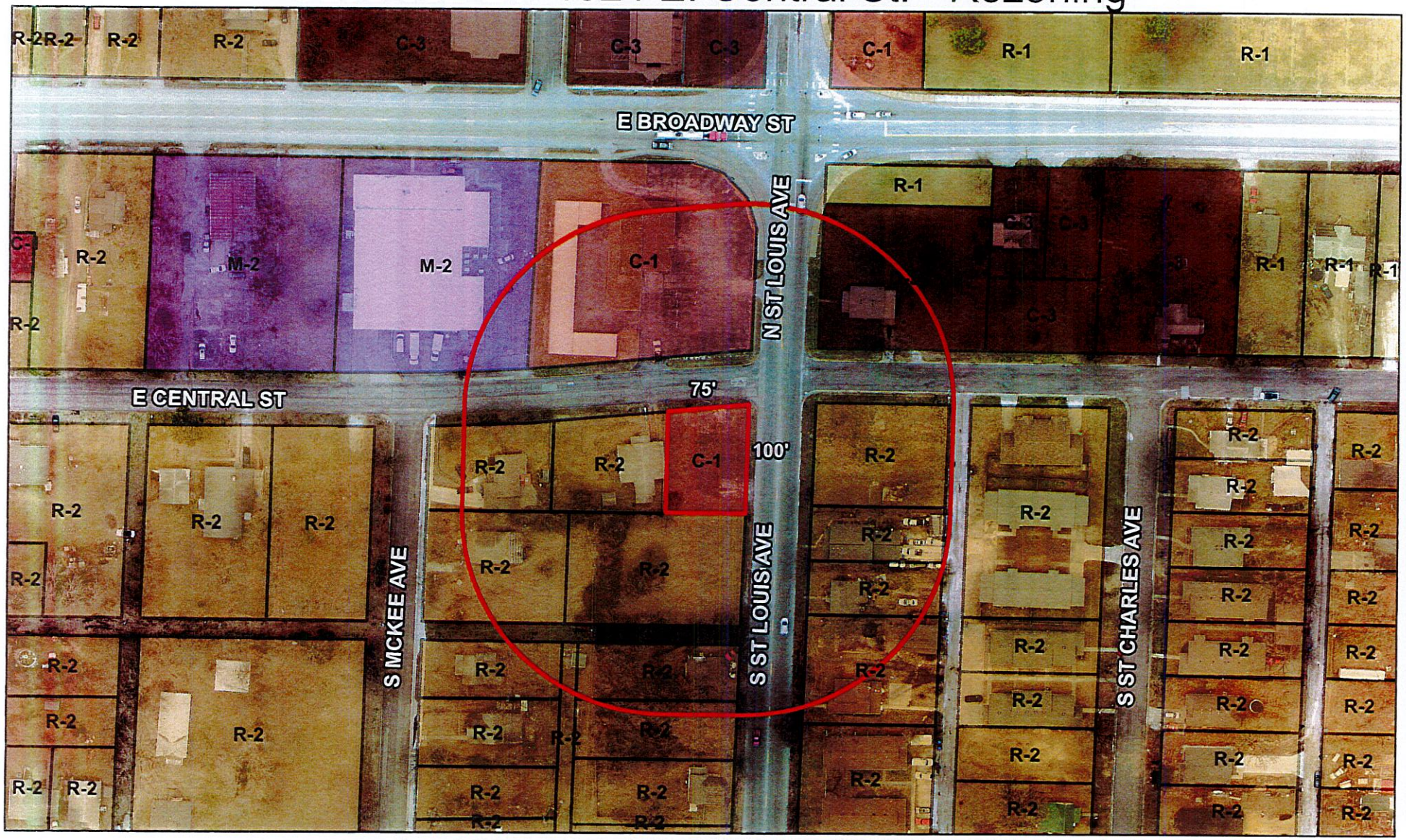
THE FOLLOWING **MUST** ACCOMPANY YOUR APPLICATION:

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: _____ DATE: 10/4/21

TITLE: Land acquisition

# Case 062-21: 1524 E. Central St. - Rezoning

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P & Z Case 062-21
Schuber Mitchell Homes
(P & Z Recommended Approval)

COUNCIL BILL NO. 2021-292 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-1 (Neighborhood Commercial) and including in District R-2 (Two-family Residential) property as described below and located at 1524 E. Central St., 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 the North 104.00 feet of Lot Numbered Sixty-eight (68) Except the East 24.18 feet in Taylors Addition to East Joplin City, now in the City of Joplin, Jasper County, Missouri according to the recorded plat thereof, and Except any part taken or deeded for Road Right-of-way taken off of the East and North sides thereof, being subject to all easements, right-of-ways, and reservations of record.

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