CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2021-293 – Rezone C-3 and R-1 to C-3-PD.

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 063-21: 2014 S. Range Line Rd. & 2019 S. Highview Ave. – A request to remove from District C-3 (Commercial) and R-1 (Single-family Residential) and include in District C-3-PD (Commercial Planned Development) for future commercial development – Estacado Interests, LLC

BACKGROUND:
This request to rezone to C-3 is for future commercial development on the site. This zoning designation is shown to be acceptable in the comprehensive plan, and commercial development is appropriate along the Range Line Rd. corridor

Where this property abuts residential districts, a buffer will be required. The proposed development will likely cap the existing stormwater channel that runs on the North side of the property. That change to the channel will require the approval of the U.S. Army Corps of Engineers in order to ensure it meets the required federal regulations

PLANNING & ZONING COMMISSION TESTIMONY:
Devon Therius, 1537 Singleton Blvd., Dallas, TX. We are requesting the proposed property be rezoned to C-3, Commercial. We would like to bring a burger chain from Texas, and both lots need to be zoned C-3. The main building will be on Range Line with a drive back to the Highview side and connecting with Highview.

Ms. Phillips had a question for staff. Understanding that it is in the plan but how can the R-1 property magically be changed to C-3?

Mr. Stanton stated that it isn't magically going to commercial. It is going through the correct process for that to happen. The future land use map does show retail commercial from Range Line west to Highview.

PUBLIC COMMENT; None.

RECOMMENDATIONS:
Staff recommends approval for Case 063-21.
Planning & Zoning Commission recommends approval for Case 063-21 (5 Favor, 1, Abstained, 0 Nays, 1 Absent)

ATTACHMENTS

CB 2021-293, Staff Planning Report, P&Z Commission Minutes

CB 2021-293

Case 063-21: 2014 S. Range Line Rd. & 2019 S. Highview Ave. – A request to remove from District C-3 (Commercial) and R-1 (Single-family Residential) and include in District C-3-PD (Commercial Planned Development) for future commercial development – Estacado Interests, LLC

Mr. Eastman abstained from this case.

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Ms. Phillips stated she was just concerned for Highview.

Ms. Bruckner-Sears asked the Commissioners if they had any other questions? They did not. Ms. Bruckner-Sears asked if there was anyone to speak in favor or against of this case? There was not.

MR. MCCULLOUGH MOVED, SECONDED BY MS. WARREN THAT CASE 063-21 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 063-21 A request to remove from District C-3 (Commercial) and R-1 (Single-family Residential) and include in District C-3-PD (Commercial Planned Development) for future commercial development

LOCATION 2014 S. Range Line Rd. & 2019 S. Highview Ave.

APPLICANT Estacado Interests, LLC

EXISTING CONDITIONS

Zoning	Land Use	Property Size
C-3, C-3-PD, R-1	Vacant	Approximately 1.1 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	C-3/C-1	C-3	C-3/C-3-PD/R-1	R-1
Land Use	Retail/Automotive	Retail	Retail	Single-family Residential/Vacant

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
S. Range Line Rd.	Arterial	135'
S. Highview Ave.	Local	60'

UTILITIES

Utilities in place.

FLOOD PLAIN

This property is within a FEMA mapped Floodplain, Floodway Fringe, and Floodway. Development is subject to the City of Joplin Floodplain Ordinance and will require issuance of floodplain development permit from the City. Any habitable structure within the Floodway Fringe will require an elevation certificate certifying compliance with finished floor elevation being two feet above base flood elevation. Absolutely no development is permitted within the Floodway unless permits are acquired from the U.S. Army Corps of Engineers.

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. 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, C-3-PD, and R-1 is somewhat suitable for this property. The C-3 and C-3-PD are certainly suitable; however, the R-1 designation is only somewhat suitable directly abutting C-3.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning will not be detrimental to nearby property. The property to the South is zoned R-1, so any development on the rear half of the subject property will require a buffer to be placed. Further, the future land use map does show that Retail Commercial be used between Range Line Rd. and Highview Ave. It is possible in the future that the remaining R-1 property on the East side of Highview will subsequently be rezoned to a commercial designation.

DISCUSSION

This request to rezone to C-3 is for future commercial development on the site. This zoning designation is shown to be acceptable in the comprehensive plan, and commercial development is appropriate along the Range Line Rd. corridor. The proposed development would need be oriented toward Range Line Rd.

Where this property abuts residential districts, a buffer will be required. The proposed development will likely cap the existing stormwater channel that runs on the North side of the property. That change to the channel will require the approval of the U.S. Army Corps of Engineers in order to ensure it meets the required federal regulations. Additional development adjacent to the floodway itself will require approval from the City Engineering Department for development in a flood plain.

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

Staff recommends approval of Case 063-21.

ATTACHMENTS

- Application
- Map

REZONING APPLICATION FORM

devan@estacadointerests.com

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.: 06-21 #1
Filing Fee: $550.00
Date Advertised: 10-29-21
Date Notices Sent 10-18-21
Public Hearing Date: 11-8-21

APPLICANT: Estacado Interests, LLC PHONE: 940.550.8068
ADDRESS: 1537 Singleton Blvd. Dallas, TX 75212 EMAIL: devan@estacadointerests.com

OWNER: Gray Partnership, LLC PHONE:
ADDRESS: 3904 S Sequoia Ave. Broken Arrow, OK 74011 EMAIL: tulsacjohnston@gmail.com

LOCATION/ADDRESS OF PROPERTY: 2014 S Rangeline Rd. Joplin, MO

Present Zoning 1/2 C3-PD, 1/2 C3 Requested Zoning: C3 Acreage: 1.09
Present Use of Property: Vacant

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Vacant/Office Building	C3/C1
South	Car Rental	1/2 C3-PD, 1/2 C3
East	Drug Store	C3
West	Vacant	R-1

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? Yes
   If yes, explain: Need to remove current split zoning on lot

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: South Rangeline Rd.
2. Classification of Street(s):
   Arterial X Collector _____ Local _____
3. Right-of-Way Width: 130'
4. Will turning movements caused by the proposed use create an undue traffic hazard?
   No

IS PLATTING OR REPLATTING REQUIRED IN ORDER TO PROVIDE FOR:

1. Appropriately Sized Lots? No
2. Properly Sized Street Right-of-Way? No
3. Drainage Easements? No
4. Utility Easements:
   - Electricity? No
   - Gas? No
   - Sewers? No
   - Water? No
5. Additional Comments: N/A

UNIQUE CHARACTERISTIC OF PROPERTY AND/OR ADDITIONAL COMMENT:

Split zoning parcel

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: 10/07/2021

TITLE: Manager

REZONING APPLICATION FORM

devan@estacadointerests.com

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.: 063-21 #2
Filing Fee: $550.00
Date Advertised:
Date Notices Sent
Public Hearing Date:

APPLICANT: Estacado Interests, LLC PHONE: 940.550.8068
ADDRESS: 1537 Singleton Blvd. Dallas, TX 75212 EMAIL: devan@estacadointerests.com
OWNER: Richard S Hammer and Norma L Hammer Family Revocable Trust PHONE:
ADDRESS: 629 Trumpet Cir Birmingham, AL EMAIL: jkhgraham@gmail.com

LOCATION/ADDRESS OF PROPERTY: 2019 S Highview Joplin, MO

Present Zoning R1 Requested Zoning: C3 Acreage: 1.25
Present Use of Property: Vacant

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Oil Change Facility	C-3
South	Vacant	R-1
East	Vacant	C3-PD
West	Vacant/Residential	R-1

Character of the Neighborhood: Commercial/Residential

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: Need a commercial access drive to connect to property adjacent on East border (2014 S. Rangeline)

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: S Highview
2. Classification of Street(s):
   Arterial_____ Collector_____ Local X
3. Right-of-Way Width: 60'
4. Will turning movements caused by the proposed use create an undue traffic hazard?
   No

IS PLATTING OR REPLATTING REQUIRED IN ORDER TO PROVIDE FOR:

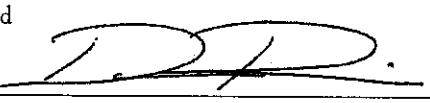
1. Appropriately Sized Lots? No
2. Properly Sized Street Right-of-Way? No
3. Drainage Easements? No
4. Utility Easements:
   - Electricity? No
   - Gas? No
   - Sewers? No
   - Water? No
5. Additional Comments: N/A

UNIQUE CHARACTERISTIC OF PROPERTY AND/OR ADDITIONAL COMMENT:

Residential lot immediately surrounded by C3 on two sides

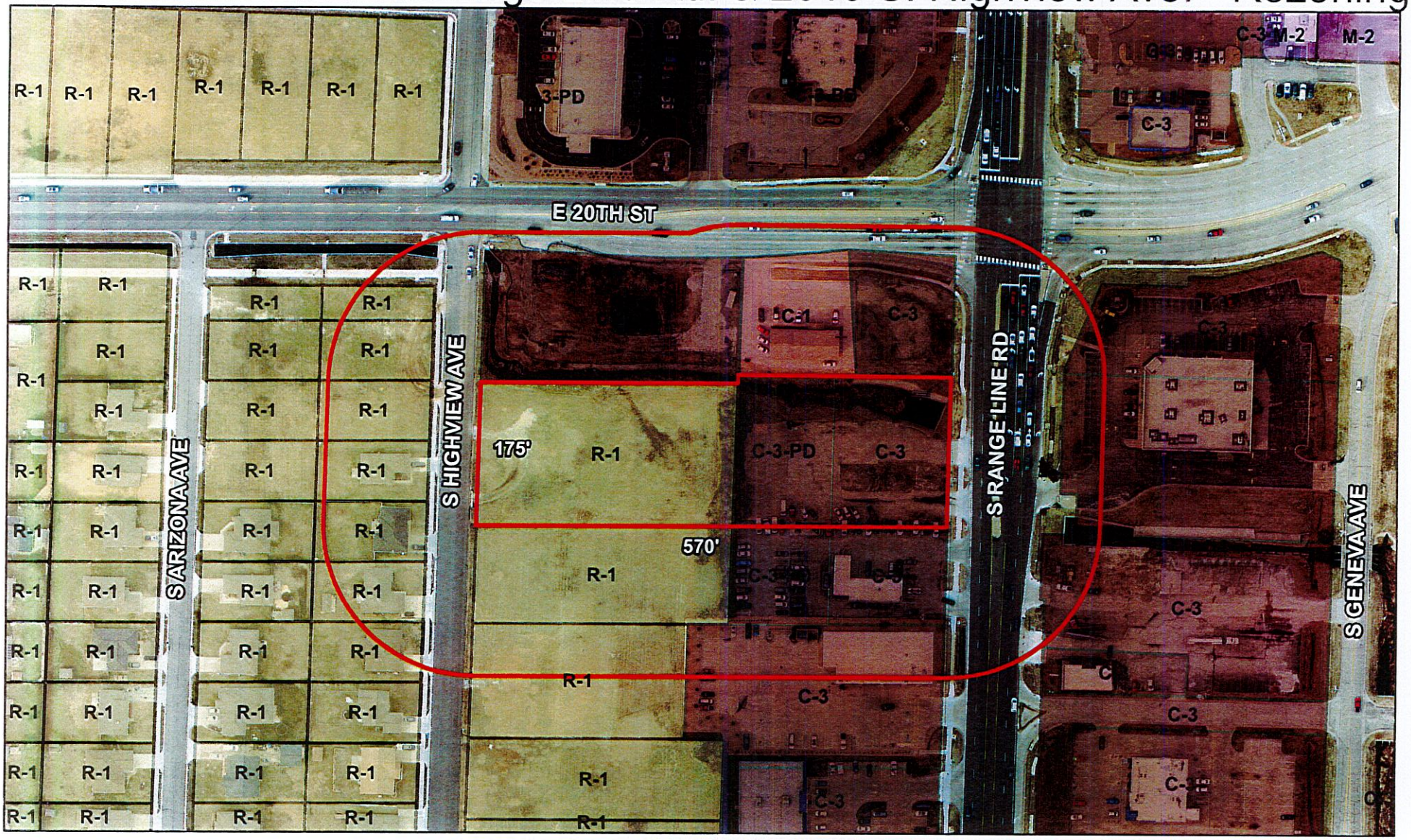
THE FOLLOWING MUST ACCOMPANY YOUR APPLICATION:

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: 10/07/2021

TITLE: Manager

Case 063-21: 2014 S. Range Line Rd. & 2019 S. Highview Ave. - Rezoning



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N

0 65 130 260 390 520 Feet

P & Z Case 063-21
Estacado Interests, LLC
(P & Z Recommended Approval)

COUNCIL BILL NO. 2021-293 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 R-1 (Single-family Residential) and including in District C-3-PD (Commercial Planned Development) property as described below and located at 2014 S. Range Line Rd. & 2019 S. Highview Ave. 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-3-PD.

Tract 1: All of the South one hundred seventy-five feet (S 175') of Lot Numbered One (1) in KINDRED'S SUBDIVISION to the City of Joplin, Jasper County, Missouri, (also known as 2014 S. Rangeline, Joplin, Missouri) and All of Lot Number Fifteen (15) in Kindred's Sub-division to the City of Joplin, Jasper 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_____, 2021, by a vote of _____.

_____
Ryan D. Stanley, Mayor

ATTEST:

_____
Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney