CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2020-277-Rezone to District C-1

MEETING DATE:
December 7, 2020

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 039-20: 1521 E. 20th St. – A request to remove from District C-O (Commercial Office) and include in District C-1 (Neighborhood Commercial) for financial services offices – Thomas D. Herrod.

BACKGROUND:
The change in zoning to C-1 will not be detrimental to the nearby property. C-1 zoning at this location is appropriate considering the existing makeup of the corridor with many existing zoning districts and uses that are compatible with C-1 zoning. In addition, the request is consistent with the Comprehensive Plan and the Future Land Use map. Lastly, C-1 zoning is appropriate along an arterial corridor like E. 20th St.

PLANNING & ZONING COMMISSION TESTIMONY:
Tom Herrod, 5200 Blessing Lane, Joplin, MO. Just requesting a rezoning from C-O to C-1 to accommodate the new office building. The building will be a single unit, professional office building. Sitting in about the same location as the prior building before the tornado and traffic should be minimal.

PUBLIC COMMENT:
None.

FUNDING SOURCE:
These payments are included in the FY 2019-20 budget of the Community Planning Fund.

RECOMMENDATIONS:
Planning & Zoning Commission recommends approval, (5 in Favor, 1 Absent).
Planning & Zoning Staff recommends approval.

ATTACHMENTS:
CB 2020-277, Staff Planning Report, P&Z Commission Minutes

CB 2020-277

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Mr. Ramsour wanted to know if that is south of the alley?

Mr. Herrod stated it was.

Mr. Ramsour asked the commissioners if they had any other questions for Mr. Herrod. They did not. Mr. Ramsour asked if there was anyone else that would like to speak in favor of this case? Mr. Ramsour asked if there was anyone in opposition to the case? There was not.

MR. EASTMAN MOVED, SECONDED BY MR. MCCULLOUGH THAT CASE 039-20 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MR. RAMSOUR, MRS. STEELE, MR. MCCULLOUGH, MR. EASTMAN AND MR. KIMBLE VOTING "AYE". (5 IN FAVOR, 1 ABSENT).

Z&P Meeting: November 9, 2020
City Council Meeting: December 7, 2020

STAFF PLANNING REPORT
Rezoning

CASE 039-20 A request to rezone from C-O (Non-retail Commercial) to C-1 (Neighborhood Commercial)

LOCATION 1521 E. 20th St.

APPLICANT Thomas D. Herrod

EXISTING CONDITIONS

Zoning	Land Use	Property Size
C-O	Vacant	Approx. 0.25 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	R-1	C-1	R-3	C-O
Land Use	Single-family Residential	Vacant/Parking	Multi-family	Parking/Office

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. 20th St.	Arterial	70'
S. Vermont Ave.	Local	50'

UTILITIES

Utilities do not need to be extended to this property. Utilities are currently in place.

FLOOD PLAIN

This property is not in the flood plain.

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

The request is consistent with the comprehensive plan. The future land use map does show this property to be future retail commercial. This property will also be subject to the 20th Street Corridor Development Standards. When plans are submitted, the development will need to be consistent with policies such as sidewalks, landscaping, and façade treatment, among others.

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

The current zoning of R-O is suitable in this area. However, on a quarter acre lot, the setbacks that are required in the C-O district significantly limit not only how large a structure might be on this site, but also the location of the building on the site. One reason the applicant is applying for this rezoning is to address that limitation.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning to C-1 will not be detrimental to the nearby property. Property that is along the corridor is already a mix of C-O, C-1, and C-2 zoning as well as some high-density multifamily across 20th St. A change to C-1 zoning is an increase in the potential intensity of uses from C-O. The most significant difference from C-O to C-1 will be the low-intensity retail and restaurant uses.

DISCUSSION

C-1 zoning at this location is appropriate considering the existing makeup of the corridor with many existing zoning districts and uses that are compatible with C-1 zoning. In addition, the request is consistent with the Comprehensive Plan and the Future Land Use map. Lastly, C-1 zoning is appropriate along an arterial corridor like E. 20th St.

Staff recommends approval of Case 039-20.

ATTACHMENTS

- Application
- Map

REZONING APPLICATION FORM

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.: 039-20
Filing Fee: $550.00
Date Advertised:
Date Notices Sent: 10-26-20
Public Hearing Date: 11-9-20

APPLICANT: THOMAS D. HERROD PHONE: 417-825-3394
ADDRESS: 5200 BLESSINGS LANE JOPLIN ZIP: 64801

OWNER: HERROD DEVELOPMENT Co., LLC PHONE: 417-825-3394
ADDRESS: 5200 BLESSINGS LANE JOPLIN ZIP: 64801

LOCATION/ADDRESS OF PROPERTY: 1521 EAST 20th STREET

Present Zoning: C-O Requested Zoning: C-1 Acreage: .25
Present Use of Property: EMPTY LOT

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	EMPTY LOT	R1
South	APARTMENTS	R3
East	EMPTY LOT	C1
West	BUSINESS	C0 OR C1?

Character of the Neighborhood: NEW COMMERCIAL BUSINESS DEVELOPMENTS FROM TORNADO REBUILDING

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: IN ORDER TO MAXIMIZE THE SITE POTENTIAL THE CO SETBACKS ARE TO RESTRICTIVE.

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: 20th STREET & VERMONT
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, THE ORIGINAL USE WAS SATISFACTORY

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: _____

UNIQUE CHARACTERISTIC OF PROPERTY AND/OR ADDITIONAL COMMENT:
THE PROPOSED BUILDING PROJECT WILL COMPLEMENT THE 20th STREET DEVELOPMENT, WITH ARCHITECTURAL FEATURES AND COLOR SCHEMES.

THE FOLLOWING MUST ACCOMPANY YOUR APPLICATION:

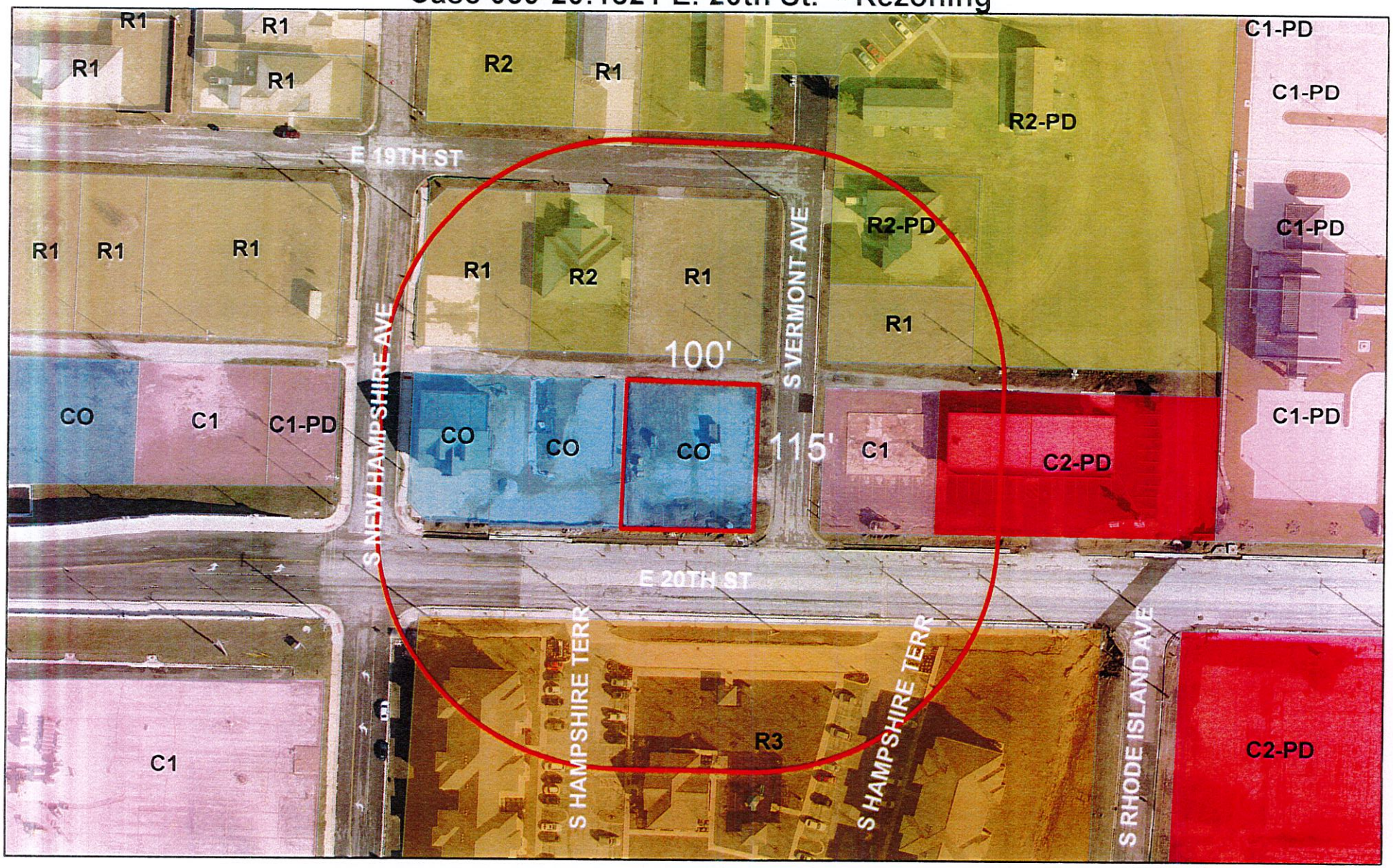
1. One copy of a legal description of the property proposed to be rezoned from a deed or certified survey.
2. One copy of a statement describing the reasoning for the rezoning, the impact of the proposed change, including any traffic conditions that may result; any danger from fire hazards; how the proposed 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] DATE: 10/7/2020

EMAIL: hdc@mchsi.com

TITLE: OWNER OF HERROD DEVELOPMENT CO., LLC

Case 039-20:1521 E. 20th St. - Rezoning



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P & Z Case 039-20
Thomas Herrod
(P & Z Recommended Approval)

COUNCIL BILL NO. 2020-277 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-O and including in District C-1 property as described below and located 1521 E. 20th 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 C-1:

All of Lots Numbered Sixteen (16) and Seventeen (17) in J.W. Ratcliffe's Subdivision of Lots 21, 22, 23, and 24 in Banker's 3rd Addition 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_____, 2020, by a vote of _____.

_____
Ryan D. Stanley, Mayor

ATTEST:

_____
Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney