CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2020-278-Rezone to District R-2

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 040-20: 1604 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:
The change in zoning to R-2 will not be detrimental to the nearby property. Property that is along the corridor and in the surrounding neighborhood is already largely zoned R-2. A rezoning to R-2 will also decrease the amount of allowed uses currently allowed in C-1 and which tend to be more intense uses than those allowed in R-2.

PLANNING & ZONING COMMISSION TESTIMONY:
Harry Mitchell, 532 S Ozark, Joplin, MO, representing Schuber Mitchell Homes. He would like to be approved to build two (2) three (3) bedroom houses on those two (2) lots. Everything around it is zoned residential.

Mr. Eastman wanted to know if they had to do R-2?

Mr. Stanton stated they are single family homes as a proposed use, however, that neighborhood is completely zoned R-2, which was done at the time due to the density of the neighborhood. In order to conform with the existing neighborhood in its zoning, we did recommend an R-2 zoning.

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 2020-278, Staff Planning Report, P&Z Commission Minutes

CB 2020-278

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Mr. Eastman asked what size, square feet are you wanting to do?

Mr. Mitchell stated it was about 1,100 square feet.

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

MR. KIMBLE MOVED, SECONDED BY MR. EASTMAN THAT CASE 040-20 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 040-20 A request to rezone from C-1 (Neighborhood Commercial) to R-2 (Two-family residential)

LOCATION 1604 E. Central St.

APPLICANT Schuber Mitchell Homes

EXISTING CONDITIONS

Zoning	Land Use	Property Size
C-1	Vacant	Approx. 0.25 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	C-3	R-2	R-2	C-1
Land Use	Single-family Residential	Two-family Residential	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
E. Central St.	Local	50'
S. St. Louis Ave.	Collector	60'

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. However, it would not be inappropriate for this property to mirror the existing neighborhood and the S. St. Louis corridor to the South by rezoning to R-2, especially given the current neighboring uses are residential in nature.

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

The current zoning of C-1 is suitable in this area. While this is an intersection involving a collector-level street, the S. St. Louis corridor is not transitioning to more commercial uses or zoning, nor does it currently consist of much commercial uses or zoning. In addition, the size of the property does limit the number and types of commercial uses that would likely have interest in the property or location.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning to R-2 will not be detrimental to the nearby property. Property that is along the corridor and in the surrounding neighborhood is already largely zoned R-2. A rezoning to R-2 will also decrease the amount of allowed uses currently allowed in C-1 and which tend to be more intense uses than those allowed in R-2.

DISCUSSION

R-2 zoning at this location is appropriate. While the Future Land Use map does show this property to be future retail commercial, a rezoning to R-2 would be consistent with the existing fabric of the neighborhood as well as the corridor of S. St. Louis Ave. to the South.

Staff recommends approval of Case 040-20.

ATTACHMENTS

- Application
- Map

REZONING APPLICATION FORM

RECEIVED 9-22-20

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.: 040-20
Filing Fee: $550.00
Date Advertised:
Date Notices Sent 10-26-20
Public Hearing Date: 11-9-20

APPLICANT: Schuber Mitchell Homes PHONE: 4172915731
ADDRESS: 3331 Range Line ZIP: 64870

OWNER: PHONE:
ADDRESS: ZIP:

LOCATION/ADDRESS OF PROPERTY: 1604 Central

Present Zoning Commercial Requested Zoning: ~~Residential~~ R-2 Acreage:
Present Use of Property: VACANT

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Residential	Residential
South	"	"
East	"	"
West	"	"

Character of the Neighborhood: Older 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?
   If yes, explain: To small for other usage except Res

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
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

IS PLATTING OR REPLATTING REQUIRED IN ORDER TO PROVIDE FOR:

1. Appropriately Sized Lots? NO
2. Properly Sized Street Right-of-Way? _____
3. Drainage Easements? NO
4. Utility Easements:
   - Electricity? NO
   - Gas? NO
   - Sewers? NO
   - Water? NO
5. Additional Comments: This was originally zoned R-1 and for no reason anyone knows it was Rezoned

UNIQUE CHARACTERISTIC OF PROPERTY AND /OR ADDITIONAL COMMENT:

In a area of older Homes that could ~~use~~ a Benefit area

THE FOLLOWING **MUST** ACCOMPANY YOUR APPLICATION:

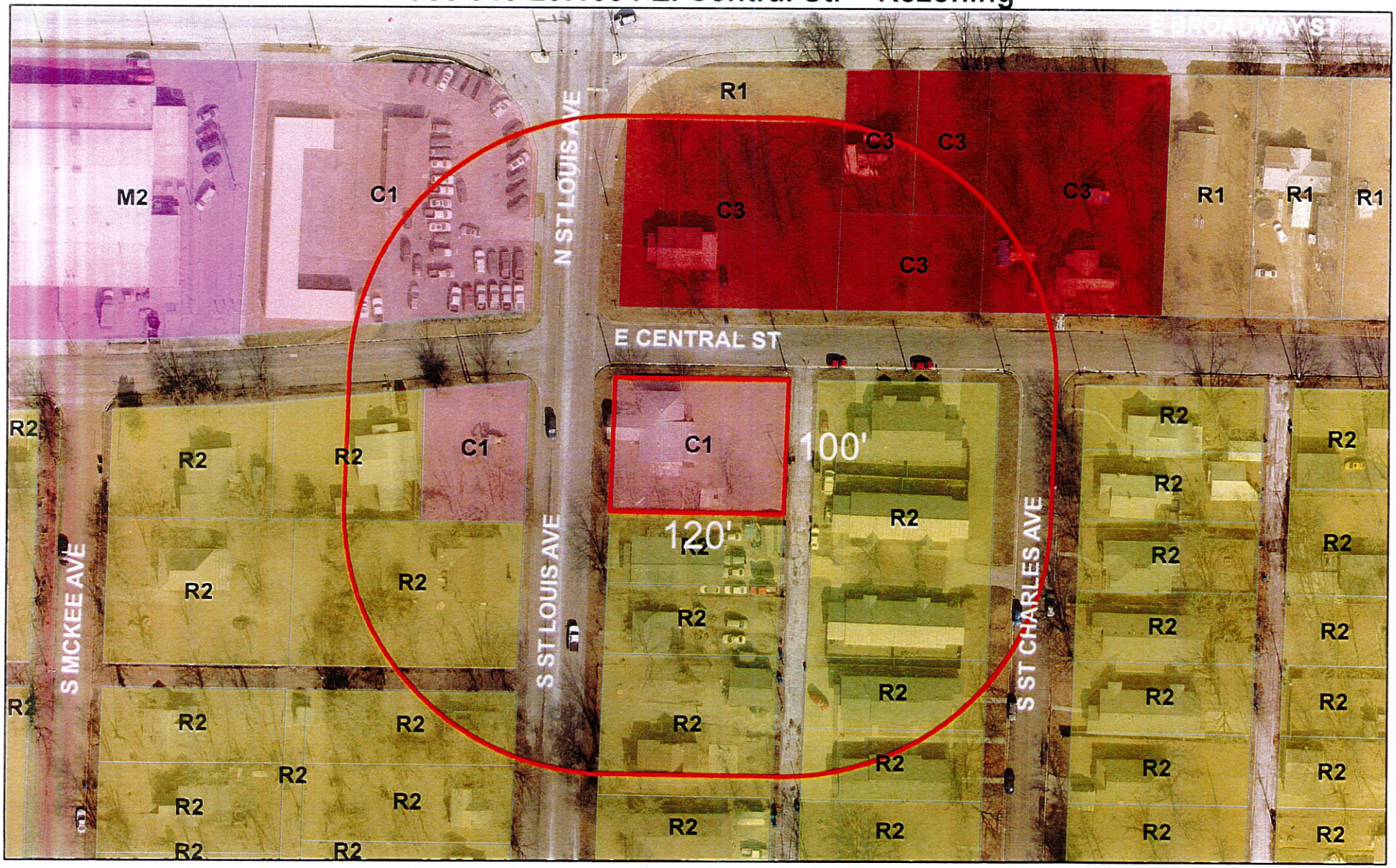
1. One copy of a legal description of the property proposed to be rezoned from a deed or certified survey.
2. One copy of a statement describing the reasoning for the rezoning, the impact of the proposed change, including any traffic conditions that may result; any danger from fire hazards; how the proposed 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: _____ DATE: 9/19/2020

EMAIL: TMitchell@SchuberMitchell.com

TITLE: Land & Purchaser

Case 040-20:1604 E. Central St. - Rezoning



Case 040-20:1604 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.

P & Z Case 040-20
Schuber Mitchell Homes
(P & Z Recommended Approval)

COUNCIL BILL NO. 2020-278 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 and including in District R-2 property as described below and located 1604 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 Lots Numbered Three-hundred Eighty-three (383) and Three-hundred Eighty-four (384) in Y.M.C.A Addition to the City of Joplin, Jasper County, Missouri, being subject to all easements, rights-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_____, 2020, by a vote of _____.

_____
Ryan D. Stanley, Mayor

ATTEST:

_____
Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney