CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2020-281-Rezone to District R-1-HP

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 043-20: Parkway Cemetery – A request to remove from District R-1 (Single-family Residential) and include in District R-1-HP (Single-family Residential Historic Preservation) for Historic Preservation – City of Joplin.

BACKGROUND:
The Historic Preservation Commission approved the cemetery for recommendation to the Planning and Zoning Commission on criteria:

1. Its character, interest, or value as part of the development heritage, or cultural characteristics of the community, county, state, or county.
2. Its location as a site of significant local, county, state or national event.
3. Its identification with a person or persons who significantly contributed to the development of the community, county, state, or county.
4. Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials.
6. Its embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant.
10. Suitability of preservation or restoration.

The overlay will not have any changes or restrictions in the use of nearby property.

PLANNING & ZONING COMMISSION TESTIMONY:
Ms. Sullivan stated that Parkway Cemetery is associated with many members of our local African American Community who contributed significantly to greater Joplin, such as Melissa and Charles Cooper, The Meeks family, Ms. Susie Mae Reeves, Dr. Harold E. Brazil, who was a Tuskegee Airman. It also is architecturally significant and does have other significance and meets numerous criteria that is set by Preservation Commission.

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 2020-281, Staff Planning Report, P&Z Commission Minutes

CB 2020-281

Case 043-20: Parkway Cemetery – A request to remove from District R-1 (Single-family Residential) and include in District R-1-HP (Single-family Residential Historic Preservation) for Historic Preservation – City of Joplin

Ms. Sullivan stated that Parkway Cemetery is associated with many members of our local African American Community who contributed significantly to greater Joplin, such as Melissa and Charles Cooper, The Meeks family, Ms. Susie Mae Reeves, Dr. Harold E. Brazil, who was a Tuskegee Airman. It also is architecturally significant and does have other significance and meets numerous criteria that is set by Preservation Commission.

Mr. Ramsour asked if the Commissioners had any questions for Ms. Sullivan? They did not. Mr. Ramsour asked if there is anyone else to speak in favor of this case? There was not. Mr. Ramsour asked if there is anyone to speak in opposition of this case? There was not.

MR. MCCULLOUGH MOVED, SECONDED BY MR. KIMBLE THAT CASE 043-20 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MR. RAMSOUR, MS. 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 043-20 A request to rezone from R-1 (Single-family Residential) to R-1-HP (Single-family Residential Historic Preservation)

LOCATION Parkway Cemetery

APPLICANT City of Joplin

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-1	Cemetery	Approx. 25 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	C-1-PD	C-O-PD/C-2-PD	R-1	R-1
Land Use	Office/Banking	Vacant	Single-family Residential	Cemetery

FUTURE LAND USE

Joplin's Future Land Use Map shows this property as future single-family residential.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
S McClelland Blvd	Arterial	70'

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 used for a residential which is appropriate for continued use as a cemetery.

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

The current zoning of R-1 is suitable in this area. The current and intended future use as a cemetery is consistent with the zoning.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning to R1-HP overlay will not be detrimental to the nearby property. The overlay will not have any changes or restrictions in the use of nearly property.

DISCUSSION

R1-HP overlay zoning at this location is appropriate considering current use as a cemetery and the property meeting the criteria for local landmark designation as reviewed and recommended for approval by the Historic Preservation Commission. The Commission approved the cemetery for recommendation to the Planning and Zoning Commission on criteria:

1. Its character, interest, or value as part of the development heritage, or cultural characteristics of the community, county, state, or county.
2. Its location as a site of significant local, county, state or national event.
3. Its identification with a person or persons who significantly contributed to the development of the community, county, state, or county.
4. Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials.
6. Its embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant.
10. Suitability or preservation or restoration.

Staff recommends approval of Case 043-20.

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.: 043-20
Filing Fee: $550.00
Date Advertised:
Date Notices Sent 10-26-20
Public Hearing Date: 11-9-20

APPLICANT: City of Joplin PHONE: 417-624-0820
ADDRESS: 602 S. Main Street ZIP: 64801

OWNER: City of Joplin PHONE:
ADDRESS: ZIP:

LOCATION/ADDRESS OF PROPERTY: Parkway Cemetery

Present Zoning R-1 Requested Zoning: R1-HP Acreage: 25
Present Use of Property: Cemetery

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Commercial	C1-PD
South	Residential	Out of City Limits
East	Hospital	CO-PD
West	Cemetery	R1

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? no
   If yes, explain:

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: McClelland Blvd
2. Classification of Street(s):
   Arterial x Collector _____ Local _____
3. Right-of-Way Width: 100'
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: _____

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.
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: Thom Walters DATE: 10-21-20

EMAIL: twalters@joplinmo.org

TITLE: City Planner

HISTORIC JOPLIN PRESERVATION COMMISSION
602 S Main Street, Joplin, MO 64801 (417)624-0820

HPC Case No. 2019-10

Meeting Date: 7-16-19

LOCAL LANDMARK NOMINATION FORM

LOCATION

Address: 33rd & McClelland Blvd. (east side), Joplin, MO, 64804

Property Name (historic or common): Parkway Cemetery

OWNER INFORMATION

Name: City of Joplin, Missouri

Phone: 417-624-0820

Address: 602 S. Main St., Joplin, MO 64801

FORM PREPARED BY (if other than owner)

Name: Jill Sullivan

Phone: 417-365-1420

Address: 721 N. Sergeant Ave., Joplin, MO 64801

Relationship to Owner: Commissioner, Joplin Historic Preservation Commission

*A notarized letter of consent from the legal owner is required.

CLASSIFICATION

Present Use: Cemetery

Historic Use (if known): Cemetery

Public or Private: Public

Occupied or Unoccupied: N/A

ARCHITECTURAL and PHYSICAL DESCRIPTION (attach a separate sheet if needed)

Construction Date: Established 1933

Architect and/or Builder (if known): City of Joplin, FERA, and WPA

Building Materials (foundation, walls, roof, etc.): The fence and gate are made of stone; the picnic tables are made of cement; the information kiosk is made of wood; tombstone materials vary.

Architectural Style: This cemetery does not adhere to any one specific architectural style, but, through the headstones, illustrates varying architecture features, as noted in the Cemetery Survey Form included in the supporting documentation for this nomination. **Please see Cemetery Survey Form in supporting documentation.**

Site Description (property and surrounding area): Newton County, Township 27, Range 33, Section 21. The cemetery's terrain slopes into a wooded area. FERA/WPA-era picnic tables and large, lush lawn to the south of the cemetery plots. Cemetery has a FERA/WPA-era stone entranceway and is surrounded by a stone fence/wall of that same era. The surrounding area includes development, such as bank, hospital, offices, etc. **Please see copies of original Plat filings in supporting documentation.**

HISTORICAL SIGNIFICANCE

1. Its character, interest, or value as part of the development, heritage, or cultural characteristics of the community, county, state, or country: Cemeteries are cultural wonders in their own right that reflect the broad spectrum of the heritage and the values of the communities in which they lay. Indeed, Joplin's cemeteries are reflections of the settling of our city. Like our historic architecture and landmark sites, our historic cemeteries are important factors in the telling of the development, values, and cultural character of our city. Additionally, cemeteries may be considered a facet of Heritage Tourism, defined as "traveling to experience the places, artifacts and activities that authentically represent the stories and people of the past." Cemeteries are among the places visited often by heritage tourists, illustrating that people have a deep interest in learning about the past through cemeteries. Additionally, Parkway Cemetery is unique in that it reflects a portion of our community that is historically marginalized and under-represented—Joplin's black community. Parkway Cemetery is an integral part of Joplin's history, especially Black History, as it is a monument to Joplin's black community. Not only is Parkway the first and only cemetery designed for exclusive use by Joplin's black citizens, but it served as a community gathering place during a time when black people and African Americans – locally, regionally, and nationally – had very few options available to them due to segregation in America. This important community aspect of Parkway is illustrated in the very layout of the cemetery grounds, which originally included camping and picnic areas. Also, these characteristics of Parkway are highlighted and documented in oral histories collected from and/or told by members of Joplin's black community. The large, lush lawn and picnic tables to the south of the cemetery are still available for use today. **Please see Attachment A.**

2. Its location as a site of a significant local, county, state, or national event: The creation and early maintenance of Parkway came about as the result of an unfortunate event—the Great Depression (1929-39). At a time when work was scarce, first the Federal Emergency Relief Administration (FERA) and then the Works Progress Administration

(WPA) put people to work in Joplin. Parkway's entranceway, stone walls, and picnic tables were created as result of this federal program. Thus, Parkway Cemetery is part of the nation-wide legacy left by the national FERA/WPA program. **Please see Attachment A.**

3. Its identification with a person or persons who significantly contributed to the development of the community, county, state, or country: Parkway Cemetery is associated with numerous activists, boundary-breakers, church leaders, civic/community leaders, educators, law enforcement officers, war veterans, and others who are either interred at the cemetery or are the family and friends of those who are. Examples include, though are not limited to, Melissa and Charles Cuther; the Meeks family; Ms. Susie May Reaves; Dr. Harold E. Brazil (a Tuskegee Airman); veterans from both World Wars, Korea, and Vietnam; and founders and former members of numerous civic groups. Additionally, Parkway is associated with current members of Joplin's black community who continue to preserve Parkway's legacy, such as Ms. Betty Smith. **Please see Attachment A.**

4. Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials: The native stone walls, native stone entryway, and the cement picnic tables at Parkway Cemetery are an embodiment of FERA/WPA architecture and are valuable for the study of the architectural legacy left by that federal program.

5. Its identification as the work of a master builder, designer, architect, or landscape architect whose individual work has influenced the development of a community, county, state, or country: N/A

6. Its embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturallysignificant: Like other cemeteries in Joplin (and cemeteries in general), the design, detailing, materials, and craftsmanship of the monuments within Parkway Cemetery embody a variety of architecturally significant types. For example, the FERA/WPA-era stone entranceway, fence/wall, and picnic tables. Further examples include the headstones/monuments themselves, the materials from which they are made, and the detail and decorative carvings found on them. Municipal cemeteries, such as Parkway, are meant to be useful to generations of residents. Thus, the entirety of the monuments within will not adhere to *one* particular style or type. Within Parkway, one may find monuments comprised of materials that were in common use at the time the monuments were made, including metals, stones, concrete, and homemade. A wide variety of religious, military, and other decorative carvings are found on Parkway's monuments. In Parkway, some monument types include die in socket, die on base, lawn markers, and plaques.

7. Its embodiment of design elements that make it structurally or architecturally innovative: N/A

8. Its unique location or singular physical characteristics that make it an established or familiar visual feature: N/A

9. Its character as a particularly fine or unique example of a utilitarian structure, including, but not limited to, farmhouses, gas stations, or other commercial structures, with a high level of integrity or architectural significance: N/A

10. Its suitability for preservation or restoration: Parkway Cemetery is well-suited for preservation and, as needed, restoration. Parkway, like the other city-owned cemeteries, is maintained by the Parks and Recreation Department of the City of Joplin. This department has performed ongoing maintenance and restoration at Parkway since its establishment. Creating a Local Historic Landmark District for Joplin's cemeteries does not alter the city's current commitment to maintaining its public cemeteries. **Please see Cemetery Survey Form in Attachment D – Supporting Documents for further details on physical condition of tombstones, markers, and monuments.**

(*Any structure, property, or area that meets one or more of the above criteria shall also have sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation or restoration. Ord. No. 86-31, ' 1, 3-17-86*)

SUPPORTING DOCUMENTS

A. Bibliography – Please provide a list of all sources used to complete this nomination form. **Please see Attachment B.**
B. Photographs – Please provide current photographs of the property, as well as historic photographs (if available). **Please see Attachment C.**
C. Any other sources (such as maps, newspaper clippings, etc.) that help support the nomination as a local historic landmark. **Please see Attachment D.**

Please submit completed nomination forms to:

Planning & Community Development
Joplin City Hall
602 S. Main Street
Joplin, MO 64801

Please sign below once the nomination form is complete and ready for submittal:

Printed Name: Jill Sullivan

Signature: Jill Sullivan

Date: 28 June 2019

ATTACHMENT A – HISTORY

History of Parkway Cemetery *(Note: This history is derived from the attached supporting documentation.)*

Prior to the establishment of Parkway Cemetery, Joplin's citizens - black, white, and others - were buried in the only city-owned cemetery, Fairview Cemetery. In 1931, Joe H. Myers, then Commissioner of Public Property and Public Utilities, realized that Fairview Cemetery would soon be full and considered plans for establishing a new cemetery on the new cemetery tract that ran along the east and west sides of McClelland park road. This cemetery tract eventually became two cemeteries—Parkway (east) and Osborne (west). Although this tract of land is commonly thought to have been donated to the city by the Osborne family, it was, in fact, purchased by the city during one of former Mayor Jesse F. Osborne's administrations, around 1922.

In May 1932, a committee of Joplin's Colored Citizens' Club requested that Commissioner Myers set aside a portion of the newly considered city cemetery exclusively for use by Joplin's black citizens. Myers agreed and, in 1933, announced plans to develop the east side of the McClelland park road cemetery tract solely for use by Joplin's black citizens. Also at that time, Myers let it be known that the black plot in Fairview Cemetery was full and the city was no longer able to accommodate the burial of black persons in that cemetery (though accommodations were still being made for white persons in a new addition).

In April 1933, work began to clear the east side of the McClelland park road cemetery tract for exclusive use by Joplin's black community. Later that same year, in August, the city commission (i.e. Council) chose 'Parkway Cemetery' as the official name for the new all-black cemetery. It is not known why, exactly, the Council chose the name 'Parkway' for the new cemetery. While the east side of the McClelland park road tract was developed as an all-black cemetery, the tract on the west side was reserved for later development for use by white persons.

Although the city-owned Parkway Cemetery opened to Joplin's black citizens in 1933, the earliest tombstone burial date reads 1932. According to the city's cemetery records, Joseph Stover was initially interred at Fairview Cemetery in 1932, where he was then disinterred and reinterred at Parkway Cemetery upon Parkway's opening, in 1933. Parkway Cemetery has been in use since 1933 and continues to be in use today.

In addition to serving as a burial ground for Joplin's black citizens, Parkway Cemetery historically served as a gathering place for black families during a time when black people had very few choices for gathering spaces. According to local oral histories from those within Joplin's black community, funerals and celebrations of life were all-day events. Family and

friends traveled from afar and used the lawn to the south of the cemetery as camping and picnic grounds. Thus, Parkway Cemetery offered an integral space for fellowship among black people and African-Americans during unfortunate times of segregation in America.

Among those interred at Parkway are veterans from World Wars I and II, the Korean War, and Vietnam; former law enforcement officers; members of the Masons and the Order of the Eastern Star; and citizens who contributed significantly to the development of Joplin's black community and the community at large, such as Melissa and Charles Cuther, and other early educators, entrepreneurs, leaders, and others.

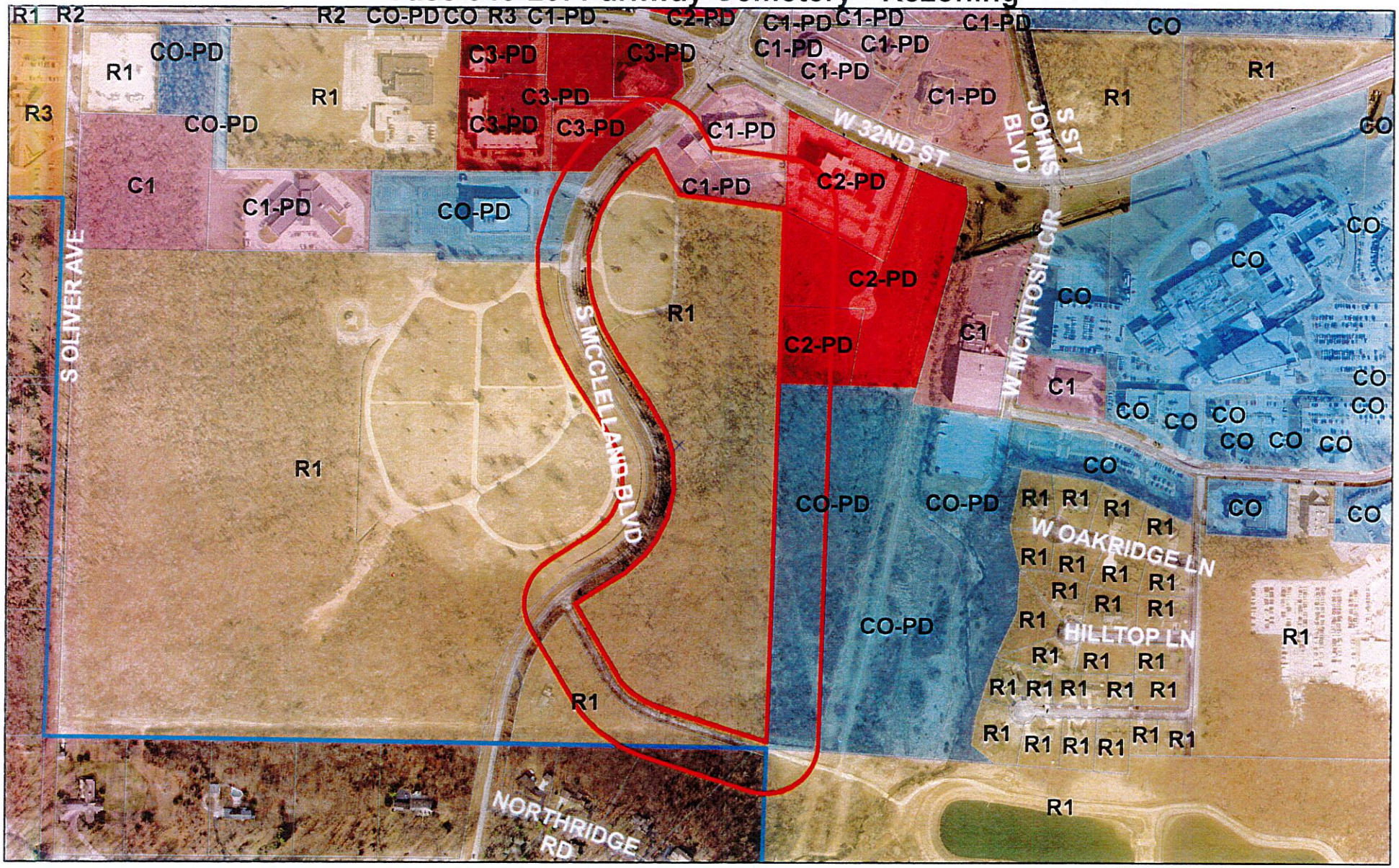
Persons of Note *Either* Interred at *or* Associated with Parkway Cemetery *(Note: This list is a work in progress rather than a comprehensive list.)*

- Brazil, Harold E. – Tuskegee airman
- Carr, Ernestine – First African American surgical nurse, community leader
- Cuther, Charles and Melissa – Community leaders, boundary-breakers
- Gray, Betty Robinson – Educator, community leader
- Harlow, J.F. – Instrumental in establishment of the cemetery
- Jones, James – Instrumental in establishment of the cemetery
- Meeks, Thelma – Educator, community leader
- Reaves, Susie May – Activist, advocate, community leader
- Smith, Betty – Activist, advocate, community leader, historian
- Stover, Joseph – Veteran (first interred at Fairview, disinterred and reinterred at Parkway)

Veterans Interred at Parkway Cemetery

- World War I
- World War II
- Korea
- Vietnam

Case 043-20: Parkway Cemetery - Rezoning



Case 043-20: Parkway Cemetery – A request to remove from District R-1 (Single-family Residential) and include in District R-1-HP (Single-family Residential Historic Preservation) for Historic Preservation – City of Joplin

0 255 510 1,020 1,530 2,040 Feet

N

P & Z Case 043-20
City of Joplin
(P & Z Recommended Approval)

COUNCIL BILL NO. 2020-281 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 R-1 and including in District R-1-HP property as described below and known as Parkway Cemetery, City of Joplin, Newton 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-1-HP:

That part of the East Half of the Northeast Quarter of Section 21, Township 27, Range 33, Newton County, Missouri, lying South of 32nd Street and East of McClelland Boulevard, EXCEPT Commencing at the Northeast corner of Section 21, Township 27, Range 33, in the City of Joplin, Newton County, Missouri; thence South 1°26' West along the East line of Section 21, 300.22 feet to a point being 50.0 feet squarely off the center line of 32nd Street and the point of beginning; thence North 63°26'West parallel with the centerline of 32nd Street 177.97 feet; thence South 78°39'West 98.88 feet to a point on the East right of way of McClelland Boulevard; thence Southwesterly along the East right of way of McClelland Boulevard on a chord bearing South 45°31'West a distance of 315.26 feet; thence South 23°32'10"East 167.50 feet; thence South 80°21'40"East 410.37 feet to a point on the East line of and 683.38 feet South of the Northeast corner of Section 21; thence North 1°26'East 383.16 feet to the point of beginning. (Freeman/Arvest) AND EXCEPT All of a tract of land described as commencing at the Southeast corner of the Southeast Quarter of the Northeast Quarter of Section 21, Township 27, Range 33, in the city of Joplin, Newton County, Missouri, thence North 89°51'36"West along the South line of said Southeast Quarter of the Northeast Quarter 163.56 feet to the point of beginning; thence North 89°51'36"West along the South line of said Southeast Quarter of the Northeast Quarter 769.73 feet to the East right of way line of McClelland Park Road; thence in a Northeasterly direction along the East right of way line of McClelland Park Road, 520.0 feet, more or less to the South right of way line of the road to the city of Joplin Shoal Creek sewage disposal plant, said point being 25.0 feet squarely off the centerline of the existing road; thence in a Southeasterly direction, and 25.0 feet squarely off the centerline of said road, 780.0 feet more or less to the point of beginning.

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