CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2020-282-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 044-20: Forest Park 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 Forest Park Cemetery is unique. It was a private cemetery then the City of Joplin acquired it in 1988. Forest Park cemetery was started in the 1880s. It has some of Joplin's early settlers who started the development and shape of the community. It 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 2020-282, Staff Planning Report, P&Z Commission Minutes

CB 2020-282

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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. KIMBLE MOVED, SECONDED BY MR. MCCULLOUGH THAT CASE 044-20 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 044-20 A request to rezone from R-1 (Single-family Residential) to R-1-HP (Single-family Residential Historic Preservation)

LOCATION Forest Park 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-2-PD/M2	C-2-PD	C-2-PD	R-1
Land Use	Retail Commercial	Retail Commercial/Mall	Retail Commercial	Single-family Residential

FUTURE LAND USE

Joplin's Future Land Use Map shows this property as future low-density residential.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
E. 4th Street	Collector	80'
S. Rangeline Rd	Arterial	100"

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.
3. Its identification with a person or persons who significantly contributed to the development of the community, county, state, or county.
6. Its embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant.
8. Its unique location or singular physical characteristics that make it an established or familiar visual feature.
10. Suitability or preservation or restoration.

Staff recommends approval of Case 044-20.

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.: 044-20
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: Forest Park Cemetery

Present Zoning R-1 Requested Zoning: R1-HP Acreage: 24
Present Use of Property: Cemetery

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Retail	M-2
South	Retail	C-3
East	Retail	C2-PD
West	residential	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? 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: Rangeline & 4th St
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: Thomas 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. 2019-09

Meeting Date: 7-16-19

LOCAL LANDMARK NOMINATION FORM

LOCATION

Address: 102 N. Range Line Rd., Joplin, MO, 64801

Property Name (historic or common): Forest Park 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 1880s; City acquired in 1988

Architect and/or Builder (if known): Unknown

Building Materials (foundation, walls, roof, etc.): The information kiosk is made of wood; tombstones and such vary.

Architectural Style: This cemetery does not adhere to any one specific architectural style, but, through the headstones and other elements, illustrates varying architecture types, 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): Township 27, Range 33, Section 1, Jasper County, City of Joplin. About 25 acres, fairly level with trees, surrounded by commercial development. **Please see the Legal Description in Attachment D – Supporting Documents.**

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. Forest Park Cemetery is further valuable as part of our community's heritage because it began as a private cemetery owned and managed by one of the first church congregations in the area. **Please see Attachment A.**

2. Its location as a site of a significant local, county, state, or national event: N/A

3. Its identification with a person or persons who significantly contributed to the development of the community, county, state, or country: Given its early development, Forest Park Cemetery is identified with some of Joplin's earliest settlers who started the development and shaping of our community. Current research suggests that the Turk Family is perhaps the most notable. Jeremiah Turk donated land to Shoal Creek Baptist Church in 1884 to establish the church and, in 1888, he laid out Forest Park Cemetery. Turk's land donation enabled the establishment of one of Joplin's oldest religious institutions, which is a significant contribution to the development of our community. Moreover, veterans from the American Civil War, the Spanish-American War, World War I, and World War II are interred at Forest Park Cemetery. As are members of the Masons, the Order of the Eastern Star, Oddfellows, Shriners, and Woodsman.

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: N/A

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 architecturally significant: Like other cemeteries in Joplin the design, detailing, materials, and craftsmanship of the monuments within Forest Park Cemetery embody a variety of architecturally significant types. Examples include the headstones/monuments themselves, the materials from which they are made, and the detail and decorative carvings found on them. The entirety of the monuments within Forest Park do not adhere to *one* particular style or type; rather they are a collection of the embodiments of different styles and types. In Forest Park, monuments are comprised of materials that were in common use at the time the monuments were made, including metals (bronze, iron, and zinc) and stone (granite and marble), concrete, concrete, and other indigenous materials, such minerals, rocks, and more. A wide variety of religious, military, and other decorative carvings are found on Forest Park's monuments. In Forest Park, some monument types include die in socket, die on base, lawn markers, plaques, urns, architectural forms, statuaries, ledger/slab stones, box tombs, and mausoleums, including one for public use.

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: Forest Park Cemetery is uniquely located on one of the first religious establishments in the City of Joplin, Shoal Creek Baptist Church, which developed on this location in the early 1880s. Today, the church continues as Forest Park Baptist Church.

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: Forest Park Cemetery is well-suited for preservation and, as needed, restoration. Forest Park, 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 Forest Park since the city acquired the cemetery in 1988. 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 Forest Park Cemetery *(Note: This history is derived from the attached supporting documentation.)*

Forest Park Cemetery is unique among Joplin's municipal cemeteries in that it has a long history of changed ownership and is the most recently acquired city cemetery. Jeremiah Turk, an early citizen of what would become Joplin, donated land to Shoal Creek Baptist Church (No. 1) to establish a church and develop a cemetery. The church had recently split into two factions (No.1 and No.2), with the Joplin faction acquiring the land at Central Street and Range Line Road in 1884. Jeremiah Turk himself laid out Forest Park cemetery in 1888. Prior to that time, the church cemetery was referred to as Old Baptist Cemetery, Turk Cemetery, or, as in one newspaper account, Kirk Cemetery.

About 1913, another early citizen, T.C. Clary, laid out cemetery tracts alongside the Forest Park tract. Unfortunately, Clary made a bad deal with some "promotors" from Chicago in 1917 and, after going to court, his cemetery tract was put into foreclosure and purchased by the Forest Park Cemetery Association to become one Forest Park Cemetery.

Due to rapid growth, the Forest Park congregation moved to another location in 1948. Since that time, Forest Park Cemetery has changed ownership over the years, with the City of Joplin acquiring it in 1988.

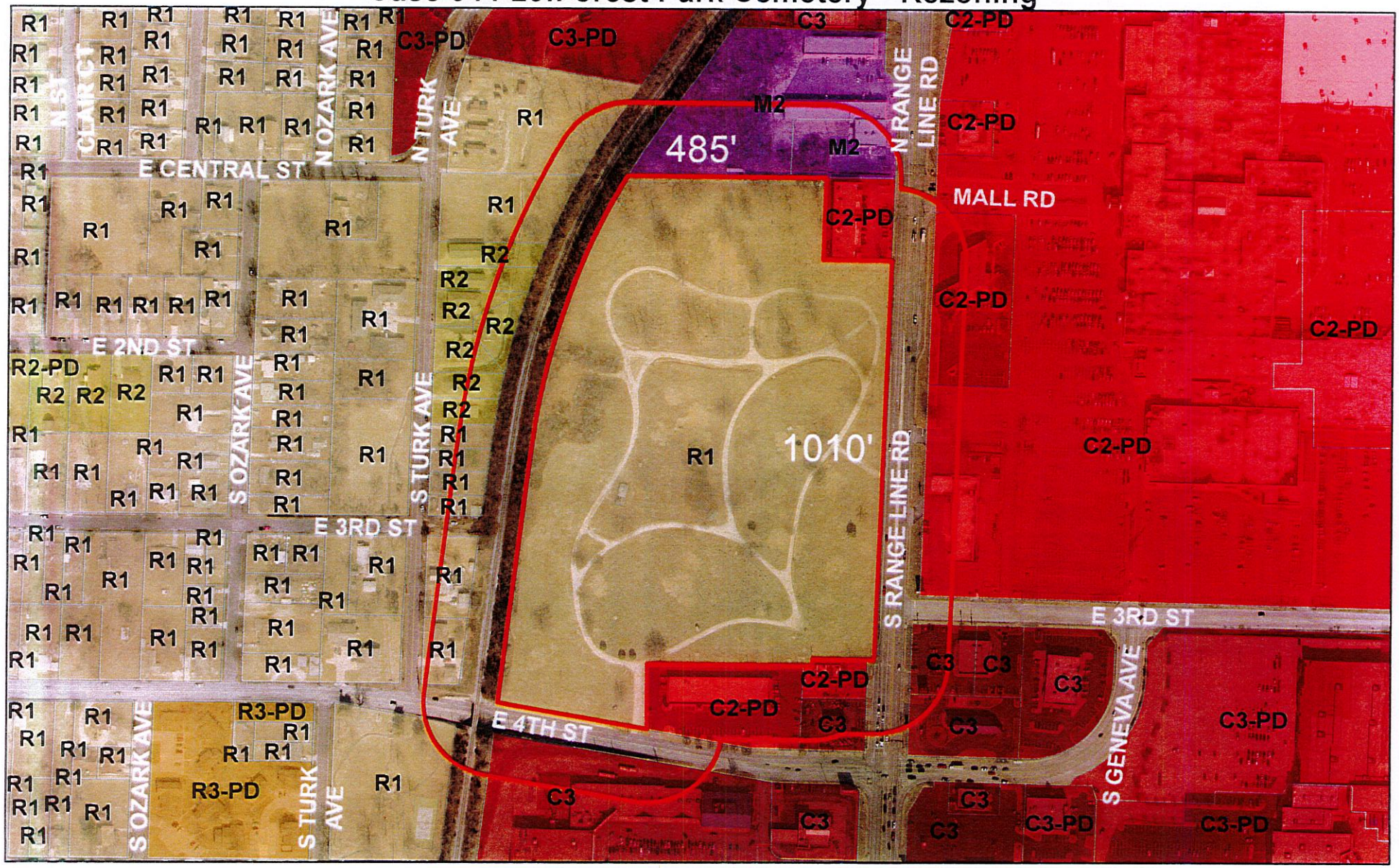
Persons of Note Interred at Forest Park Cemetery *(Note: This list is a work in progress rather than a comprehensive list.)*

- Jeremiah Turk and family - Early citizens who donated the land for Shoal Creek Baptist Church and the initial Forest Park Cemetery tract

Veterans Interred at Forest Park Cemetery

- Civil War
- Spanish-American War
- World War I
- World War II

Case 044-20:Forest Park Cemetery - Rezoning



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0 175 350 700 1,050 1,400 Feet

N

P & Z Case 044-20
City of Joplin
(P & Z Recommended Approval)

COUNCIL BILL NO. 2020-282 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 Forest Park Cemetery, 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-1-HP:

All that part of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 1, Township 27, Range 33 lying East of the St. Louis and San Francisco Railroad Company right-of-way, EXCEPT a Tract of Land one acre square in the Northeast corner of the Northeast Quarter of the Southeast Quarter of Section 1, Township 27, Range 33, and EXCEPT Commencing at the Southeast corner of the Northeast Quarter of the Southeast Quarter of Section 1, Township 27, Range 33, thence West along the South line of said Northeast Quarter of the Southeast Quarter,42.20 feet to the point of beginning, thence N1°23'E along the West right-of-way line of U. S. Highway 71 a distance of 94.0 feet, thence N15°25'E along the West right-of-way line of U. S. Highway 71 a distance of 3.09 feet, thence West parallel with and 97.0 feet North of said South line of the Northeast Quarter of the Southeast Quarter a distance of 147.75 feet, thence S1°23'W a distance of 17.0 feet, thence West a distance of 153.0 feet, thence S1°23'W a distance of 80.0 feet to said South line of the Northeast Quarter of the Southeast Quarter, thence East 300.0 feet to the point of beginning, and EXCEPT Commencing at the Southeast corner of the Northeast Quarter of the Southeast Quarter of Section 1, Township 27, Range 33, thence West along the South line of said Northeast Quarter of the Southeast Quarter, 42.20 feet to the West right-of-way line of U. S. Highway 71, thence West along said South line of the Northeast Quarter of the Southeast Quarter a distance of 300.0 feet to the point of beginning, thence N1°23'E a distance of 80.0 feet, thence West a distance of 250.0 feet, thence S1°23'W a distance of 80.0 feet to said South line of the Northeast Quarter of the Southeast Quarter, thence East along said South line of the Northeast Quarter of the Southeast Quarter a distance of 250.0 feet to the point of beginning, all in the City of Joplin, Jasper County, Missouri. ALSO, All that part of Miscellaneous Tract Numbered Five (5) in Section 1, Township 27, Range 33, in the City of Joplin, Jasper County, Missouri, described as follows: Beginning at a point 592.20 feet West of the Northeast corner of the Southeast Quarter of the Southeast Quarter of said Section 1, thence South 81.15 feet, more or less, to the North line of Fourth Street, thence Westerly and on the North right-of-way line of Fourth Street a distance of 301.51 feet, thence N6°37'E a distance of 10 feet, thence N80°25'W to a point 105 feet East of the center line of the Missouri Pacific Railroad right-of-way thence North, and parallel with and 105 feet East of said center line of railroad, to the North line of said Southeast Quarter of the Southeast Quarter, thence East to the point of beginning. Above described Tracts being all of Forest Park Cemetery and Forest Park Cemetery Addition as set forth on Plats file in the Office of the Recorder of Deeds of Jasper County, Missouri.

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