INFORMAL AGENDA

April 2, 2012

5:15 p.m.

1. Discussion of wastewater and trash billing

2. Any other business

MISSOURI
AMERICAN WATER

Matthew A.Barnhart
Operations Manager
2650 E. 32nd Suite 121
Joplin MO 64804
www.amwater.com

417-627-3800
417-623-0326

September 19, 2011

City of Joplin
City Manager
Mark Rohr

Dear Mark,

This letter is a follow-up to my meeting with David Hertzberg and Leslie Jones on September 16,2011.

Please consider this letter as our official notice to terminate the trash billing agreement between Missouri- American Water Company and City of Joplin effective December 14, 2012. This notification abides by Article 11 of the contract, which requires a 90-day written advance notice of either party's intent not to continue the agreement.

American Water has made a strategic decision to exit the Billing Services line of business to better focus our efforts on our core service of providing high-quality water service and reliable wastewater service to the communities we serve. American Water's information technology systems are antiquated and are in the process of being replaced. With the needed changes in company technology, our ability to support billing services for outside organizations is limited.

We value your business and will work with you to ensure a smooth and timely transition for your billing services. We look forward to maintaining our partnership in other ways.

If you have any questions about this contract termination, please contact me at (417) 627-3800. Thank you.

Sincerely,

Matthew A. Barnhart
Operations Manager

SEWER/TRASH BILLING IN-HOUSE COST PROJECTION
February 23, 2012

Description	Initial Expense Year 1	Estimated Expense Year 2	Estimated Expense Year 3	Estimated Expense Year 4	Estimated Expense Year 5
Senior Accounting Clerk*	$ 35,348	$ 37,822	$ 40,470	$ 43,303	$ 46,334
Senior Accounting Clerk Reclassification^	648	674	701	729	758
Desktop Printer	150	-	-	-	-
Desktop Computer	675	-	-	-	-
2 Drawer File Cabinet	400	-	-	-	-
Calculator	150	-	-	-	-
Misc. Desk Supplies/Ink Cartridges	150	75	75	75	75
Computer w/Cash Drawer & Receipts Printer	2,045	-	-	-	-
Receipts Printer Ribbons & Paper	205	205	205	205	205
NaviLine Software/Training/Project Mgmt	95,610	13,490	13,490	13,490	13,490
Cass Certification Software**	5,800	4,800	4,800	4,800	4,800
Import Winter Quarterly Average	8,000	-	-	-	-
Account/Name Conversion***	10,000	-	-	-	-
Print to Mail 6K Folding Sealing Unit	4,995	-	-	-	-
Forms (10 cents/pc - 18,000/month)	21,600	21,600	21,600	21,600	21,600
Bulk Mailing Fees****	84,190	84,190	84,190	84,190	84,190
Click2Gov On-line Payment Software	2,680	1,160	1,160	1,160	1,160
Total Cost per Year	**$ 272,646**	**$ 164,016**	**$ 166,691**	**$ 169,552**	**$ 172,612**
Estimated Bills per month 18,000					
Per Bill Cost	**$ 1.26**	**$ 0.76**	**$ 0.77**	**$ 0.78**	**$ 0.80**

Currently the City pays Missouri American Water .68 cents per bill for sewer billing. Joplin residents currently pay Missouri-American Water .40 cents per bill for trash billing.

*Cost estimate based on hiring one Senior Accounting clerk at Step 1 with 7% cost increase each year.

Senior Accounting Clerk:

Range 18 - Step 1 = $10.364/hr
Single Dental & Single Health 29,956

Range 18 - Step 1 = $10.364/hr*
Family Dental & Family Health 35,348

Range 18 - Step 11 = $15.046/hr
Single Dental & Single Health 41,567

Range 18 - Step 11 = $15.046/hr
Family Dental & Family Health 46,959

^Reclassify Accounting Clerk (Range 14/Step 11) to Senior Accounting Clerk (Range 18/Step 6). Increased 4% yearly.

**Estimated $1,000 for the Cass Certification Software set-up fee.

***Estimated $10,000 for the account/name conversion cost.

****1st class mail expense would be $97,200 per year. Estimating the bulk mailing rate based on internet information.

H:\My Documents\Excel\Utility Billing Info\In-House Cost Estimate

OUTSOURCING SEWER/TRASH BILLING COST PROJECTION
February 27, 2012

Business Name	Contact Name	Estimated Cost per Bill	Total Yearly Estimated Cost*	Comments
Civic Systems, LLC	Mike Laesch	$ 1.15	$ 248,400	
Keystone Software	Patty Campbell	$ -	$ -	Doesn't offer a total billing service
Water Systems Inc.	Bridgette	$ 1.10	$ 237,600	
Data Technologies, Inc.	Jeff Grill	$ -	$ -	Only sells software
GovernMentor Systems, Inc.	Diane	$ -	$ -	Not interested at this time
United Systems Technology, Inc.	Patrick McGarrity	$ -	$ -	Only sells software
Empire Electric Company	Brent Baker	$ -	$ -	Not interested at this time

*Total Yearly Estimated Cost reflects the expense beginning in year 2. Yearly expense is based on 18,000 bills per month.

COUNCIL AGENDA

April 2, 2012

6:00 P.M., Council Chambers

General Council Members	MAYOR	Zone Council Members
Mike Woolston	Mike Woolston	Gary Shaw
Morris Glaze		Melodee Colbert-Kean
Bill Scearce		(Mayor ProTem)
Jack Golden		Dr. Benjamin D. Rosenberg
Trisha A. Raney		Michael Seibert

1. **Call to Order**
   Invocation
   Pledge of Allegiance

2. **Roll Call**

3. **Presentations**
   1.Proclamation honoring Fair Housing Month

   2.Proclamation honoring Convoy of Hope

4. **Finalization of Consent Agenda**

5. **Reports and Communications**

6. **Citizen Requests and Petitions**

7. **Public Hearings**
   Public Hearings Procedures

   1.COUNCIL BILL NO. 2012-276 - 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-2 property as described below and located at 2301 South Jackson Avenue, in the City of Joplin, Jasper County, Missouri. (Requested by Olsen Investments, LLC. Planning and Zoning recommended approval).

Anyone wishing to address the Council should step to the Podium and state their name and address. If the matter is not a Public Hearing, a request to speak to the Council should be prepared prior to the meeting. Speaking time will be limited to five minutes.

Sound enhancement units are available for hearing impaired customers. You will be asked to provide a form of identification as security, which will be returned when you return the unit.
If you are in need of disability related auxiliary aids or services, contact the City Clerks Office at (417) 624-0820 ext. 220. Forty-eight hours notice is requested.

2.COUNCIL BILL NO. 2012-277 - 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 and including in District R-3 property as described below and located north of Eighth Street between McConnell Avenue and Patterson Avenue, in the City of Joplin, Jasper County, Missouri. (Requested by David Box. Planning and Zoning recommended approval)

3.COUNCIL BILL NO. 2012-278 - AN ORDINANCE providing for the vacation of a portion of Sergeant Avenue south of 24th Street as part of the Eagle Ridge Housing development, in the City of Joplin, Jasper County, Missouri. (Requested by Matt Fulson/Anderson Engineering. Planning and Zoning recommended approval).

4.COUNCIL BILL NO. 2012-279 - AN ORDINANCE providing for the vacation of a utility easement located at 2626 South Jefferson Avenue, in the City of Joplin, Jasper County, Missouri. (Requested by Francisco Herrara. Planning and Zoning recommended approval).

5.COUNCIL BILL NO. 2012-280 - 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 M-2 property as described below and located on the southwest corner of 32nd Street and Kodiak Road, in the City of Joplin, Newton County, Missouri. (Requested by Empire District Electric Company. Planning and Zoning recommended approval).

6.COUNCIL BILL NO. 2012-281 - 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 District R-3 and including in District C-3 property as described below and located at 2503, 2511, and 2515 South Main Street and 2502, 2508, 2510, and 2516 South Virginia Avenue, in the City of Joplin, Jasper County, Missouri. (Requested by 32nd Street Plaza LLC/Kevin Manard. Planning and Zoning recommended amending the requested rezoning to District C-3-PD).

7.COUNCIL BILL NO. 2012-282 - 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-3-PD and including in District C-3 property as described below and located at 1300 North Range Line Road, in the City of Joplin, Jasper County, Missouri. (Requested by Altura Homes, LLC/Anderson Engineering. Planning and zoning recommended approval).

8.COUNCIL BILL NO. 2012-283 - 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 C-3 property as described below and located at 2907 East 22nd Street, in the City of Joplin, Jasper County, Missouri. (Requested by Edward and Barbara Campbell. Planning and Zoning recommended amending the requested rezoning to District C-3-PD

9.COUNCIL BILL NO. 2012-284 - 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 C-3 property as described below and located at 2908 East 22nd Street, in the City of Joplin, Jasper County, Missouri. (Requested by Diane Schwarting. (Planning and Zoning recommended amending the requested rezoning to District C-3-PD)

10.COUNCIL BILL NO. 2012-285 - 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 C-3 property as described below and located at 2921 East 22nd Street, in the City of Joplin, Jasper County, Missouri. (Requested by Sandy Acres Company Planning and Zoning recommended amending the requested rezoning to District C-3-PD).

11.RESOLUTION NO. 2012-011 - A RESOLUTION granting a Special Use Permit (First Request) to Ann Leach for a bed and breakfast at 523 South Sergeant Avenue, in the City of Joplin, Jasper County, Missouri. (Requested by Ann Leach. (Planning and Zoning recommended approval for a one-year Special Use Permit)

8. Consent Agenda

1.Minutes of the March 5, 2012 Council Meeting
2.Minutes of the March 19, 2012 Council Meeting

3. COUNCIL BILL NO. 2012-273 - AN ORDINANCE amending Chapter 7 of the 2003 Comprehensive Plan of the City of Joplin, Missouri, by adding language for providing for the application of new Development Standards and Guidelines to certain Planned Development Corridors as conditions of site plan review and of Planned Development (PD) zoning applications in the corridors.

4. COUNCIL BILL NO. 2012-274 - AN ORDINANCE amending Chapter 29-A, the Zoning Code, of the Code of Ordinances of the City of Joplin, Missouri, by amending Article 22, by adding language for providing for the application of new Development Standards and Guidelines to certain Planned Development Corridors as conditions of site plan review and of Planned Development (PD) zoning applications in the corridors.

5. COUNCIL BILL NO. 2012-003 - AN ORDINANCE amending Ordinance No. 2011-105 passed by the Council on the 6th day of September, 2011, to remove the application of Grant recipient Boomtown Days, relating to the Half Marathon and 5K Run, from the Grant applications received and approved; approving the application of Active Lifestyle Events, Inc., for a May 19, 2012 "Joplin Memorial Run"; for utilization of FY2012 Festivals and Celebrations support pursuant to Ordinance No. 2000-148, as authorized by the voters on November 7, 2000; authorizing the City Manager to execute the appropriate agreement with such organization for the utilization of such funds.

6. COUNCIL BILL NO. 2012-501 - AN ORDINANCE amending ordinance number 2011-01 authorizing the issuance of $26,000,000 principal amount of sewerage system revenue bonds (State of Missouri – Direct Loan Program) Series 2011A of the City of Joplin, Missouri and prescribing other related matters. Motion by Mr. Seibert, Second by Mr. Golden to Pass Council Bill No. 2012-501 on First Reading and Advance to Second and Third Reading.

7. COUNCIL BILL NO. 2012-286 - AN ORDINANCE Request to Review the Final Plat for the COTTAGES AT WILDWOOD RANCH, PLAT 2 located 200 feet east of the intersection of Cottage Circle and John Duffy Drive in the City of Joplin, Newton County, Missouri.

9. Resolutions

1.RESOLUTION NO. 2012-010- A RESOLUTION approving the Letter of Intent between the City of Joplin, Missouri and Wallace Bajjali Development Partners, LP., for master developer service; authorizing the City Manager to execute said Letter of Intent by and on behalf of the City of Joplin and further authorizing the City Manager to begin contract negotiations with Wallace Bajjali.

10. Ordinances – Emergency

1. COUNCIL BILL NO. 2012-124 - AN ORDINANCE approving the purchase of a real property from 2305 Iron Gates Road, consisting of all of Lot Numbered One Hundred Twenty-three (123) in D.O.Witmer's Subdivision of Lots 1 thru 26 inclusive, except Lots 16 and 30 of Highland Park, a subdivision in the Village of Iron Gates, now a part of the City of Joplin, Jasper County, Missouri according to the recorded plat thereof and authorizing the payment of Five Thousand Eight Hundred and 00/100 dollars (5,800.00) and containing an emergency clause.

2. COUNCIL BILL NO. 2012-126 - AN ORDINANCE authorizing the City of Joplin to enter into Supplemental Agreements for Planning Services with Missouri Highways and Transportation Commission (MoDOT) in the amount of $272,935 and with Lochner/BWR in the amount of $34,968 for an increase in scope to the 2012 Comprehensive Plan Update contract, authorizing the City Manager to execute said Agreements for the City, and containing an emergency clause.

11. Ordinances – First Reading

12. Ordinances – Second Reading and Third Reading

1.COUNCIL BILL NO. 2012-275 - AN ORDINANCE approving the voluntary annexation by the City of Joplin of property located at the northeast corner of 44th Street and Connecticut Avenue, in Newton County, Missouri.

13. Unfinished Business

14. New Business

1.Case 026-12: 2034 South Connecticut Avenue – A request for a Site Plan Review for the reconstruction of an apartment house complex – Jorge DuQuene/ Crystal Goedereis.

2.Case 029-12: 611 W. 25th Street – A request for a Site Plan Review for the construction of an apartment house complex, Eagle Ridge Housing – Anderson Engineering. (Planning & Zoning Commission recommended approval by a vote of "5 in favor, 2 absent")

3.Case 030-12: 1300 N. Range Line Road – A request for a Site Plan Review for the construction of an apartment house complex, Parkwood Senior Housing– Anderson Engineering. (Planning & Zoning Commission recommended approval by a vote of "5 in favor, 2 absent)

Notice posted at 4:30 p.m. on this the 29th day of March, 2012. (RSMo 610.020)

INFORMAL NOTES

March 19, 2012

Quarterly health insurance updates	Leslie Jones, Finance Director, presented the quarterly health insurance update. After the presentation, Leslie stated there is a group of city employees who have formed a wellness sub-committee to focus on promoting healthy lifestyles. Areas such as obesity, nutrition, lack of physical activity, and alcohol/tobacco usage/abuse will be addressed. Leslie asked the council to enhance the basic Employee Assistance Program services that all city employees have. Currently, the cost is $7200 per year. Mr. Shaw motioned to approve option 2, which would be an additional cost of $6,120 per year, and Mr. Seibert seconded the motion. Motion passed, with all in favor.
Solid waste collection annual adjustment	Public Works Director David Hertzberg stated the contract with Allied Waste Services, renewable up to 2015, has an annual adjustment rate due April 1, 2012. The rate adjustment is based on the consumer price index for water, sewer, trash collection services and the transportation index; whichever is greater, not to exceed 10% per year. The new increase of 9.8% raises the trash collection fee to $10.78, the Mo-Am billing fee to $0.40, and a city management fee of $0.15 for a total of $11.33. No changes were made to existing operations.
Street light Master Plan update by PW Director, David Hertzberg	PW Director David Hertzberg stated that due to the tornado, the City is not on schedule with the original Street Light Master Plan. The estimated time for reinstallation of street lights and the completion of the original Master Plan will be three years. The first year will concentrate on reinstalling damaged lights in the EDR area and the following two years will be spent completing the original Master Plan. The projected completion date is March 31, 2015.
Council to consider moving the May 21, 2012 council meeting to Wednesday, May 23, 2012	Due to President Barack Obama's visit to Joplin to be the keynote speaker for Joplin High School's graduation on May 21, the council deemed it appropriate to move the regularly scheduled council meeting from Monday, May 21, to Wednesday, May 23. Council will take formal action to approve this decision under New Business of the council meeting.

Comments from Councilman Shaw	Mr. Shaw gave an example of why the city's involvement with National League of Cities and Missouri Municipal League is important. In the past week, the House passed a bill that could have potentially cost the city several thousands of dollars. City Attorney Brian Head was able to contact our lobbyist and in turn, the bill was vetoed. The mayor thanked Mr. Shaw and commended Mr. Head for his effort.
Mayor's pay according to the City Charter	Mayor Woolston stated that while reading the city charter a few months ago, he came across the section regarding the mayor's pay. As mayor, he was drawing a salary of $100 per month, but upon closer review he realized the charter actually states: *The mayor shall receive no salary in addition to his salary as city council member but the council may provide a fund for incidental expenses incurred in the performance of his duties not to exceed one hundred dollars per month.* Mayor Woolston consulted City Attorney Brian Head, who concurred with the mayor, that from now on, the mayor's pay will be on par with the rest of the city council's pay of $10 per month.

CITY OF JOPLIN

CITY COUNCIL MEETING

MINUTES

March 19, 2012

CALL TO ORDER
The regular meeting for the Joplin City Council was called to order at 6:00 p.m. by Mayor Michael R. Woolston

ROLL CALL
All were present

INVOCATION - read by City Attorney, Brian Head

FLAG SALUTE – led by Ms. Raney

PRESENTATIONS

FINALIZATION OF CONSENT AGENDA
There being no further business to come before the Council, the Consent Agenda was finalized.

REPORTS AND COMMUNICATIONS

CITIZEN REQUESTS AND PETITIONS

PUBLIC HEARINGS
Public Hearing Procedures read by Assistant City Clerk Barbara Gollhofer

The City Council of the City of Joplin through this introduction, accepts into evidence the 2003 Comprehensive Plan, the Zoning Code of the City of Joplin, the Subdivision Regulations of the City of Joplin, the Telecommunications Ordinance, and the Stormwater Management

Regulations of the City of Joplin being Appendices 29-A, 29-B, 29-D, 29-E and 29-F of the Joplin Municipal Code. Report of the Planning and Zoning Commission, recommendations of the City's staff, and other written documentation presented as that information applies to each public hearing.

ACTION

Public Hearing for Council Bill No. 2012-273

Scott Mickie, Project Manager (for the Joplin Comprehensive Plan), Lochner & Associates, 903 E. 104th St., KC, MO. reviewed the council bill.

Mayor Woolston opened the Public Hearing

Those appearing in favor of this council bill were:

Keith Grebe, 2736 E. 15th Street, Joplin, this Plan would alleviate a lot of concerns of the neighbors in this area. My main concern is the implementation of the Plan. Every piece of property would need to be zoned PD, but how are you going to arbitrate these issues between the builders and the homeowners?

Allyn Burt, 2609 Waters Edge Blvd., Joplin; main concern is low–income housing affecting the property values in tornado affected area. He feels developers are getting around the rules at the expense of people who are taking their life savings to rebuild. It's important to implement the building codes.

Clive Barry, 103 Briarhaven Rd, Carl Junction, MO; represents Economic Development for CART; president of Commerce Bank, will rebuild at 20th and Connecticut to a standard that will exceed the proposed Comprehensive Plan. He believes the Plan proposed is an opportunity to upgrade our city.

Ruth Sawkins, 1009 Connecticut Ave., Joplin, thinks the Plan is a phenomenal idea and feels it's important to have standards to work with the neighborhood in order to progressive. It would be missing out not move forward with something like this, after a lot of work has been poured into it and would encourage the council to move forward with it.

Kenny Parker, 1669 S. Osage Orange, Joplin; is a builder of smaller homes. He stated he loves Joplin and is a lifelong resident, and he's very respectful as to where he can build his lower priced houses. He would like some direction as to where his type of homes would fit in.

Allen Hull, P.O. Box 531, Joplin; stated he thought the council should approve the Comprehensive Plan because Joplin finally has the tools to make decisions to let Joplin grow. He stated the council has a chance to upgrade the city and to allow possible incoming businesses to know that there are options available to them.

No one appeared in opposition to this request.

Mayor Woolston closed the Public Hearing.

Mr. Golden introduced Council Bill 2012-273. Motion by Mr. Golden, Second by Mr. Seibert to Place Council Bill No. 2012-273 on First Reading and Advance to Second and Third Reading. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0.

The Council Bill was read as being Council Bill No. 2012-273

A COUNCIL BILL amending Chapter 7 of the 2003 Comprehensive Plan of the City of Joplin, Missouri, by adding language for providing for the application of new Development Standards and Guidelines to certain Planned Development Corridors as conditions of site plan review and of Planned Development (PD) zoning applications in the corridors.

Public Hearing for Council Bill No. 2012-274

Mayor Woolston opened the Public Hearing

No one appeared in favor of or opposition to this request.

Mayor Woolston closed the Public Hearing.

Mr. Glaze introduced Council Bill No. 2012-274. Motion by Mr. Glaze, Second by Mr. Golden to Place Council Bill No. 2012-274 on First Reading and Advance to Second and Third Reading. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0.

The Council Bill was read as being Council Bill No. 2012-274

A COUNCIL BILL amending Chapter 29-A, the Zoning Code, of the Code of Ordinances of the City of Joplin, Missouri, by amending Article 22, by adding language for providing for the application of new Development Standards and Guidelines to certain Planned Development Corridors as conditions of site plan review and of Planned Development (PD) zoning applications in the corridors

Public Hearing for Council Bill No. 2012-275

Mayor Woolston opened the Public Hearing

Appearing in favor of this council bill was:

David Powell, 104 Hidden Valley Dr., Joplin, (Village of Leawood), stated he saw an opportunity for a new commercial development for medical office and retail space at this location, after St. John's Hospital announced the location of their new site.

Mark Gibson, 421 Briarwood Ridge, Carl Junction, MO., stated he had two reasons he thought this would be a successful commercial development: 1) visibility from I-44 and Rangeline and 2) accessibility. He urged council to approve the annexation and the zoning for C-0-PD.

Appearing in opposition to this council bill was:

Marcia Long, 1611 E. 50th St., Joplin, (Village of Leawood).Her father was one of the founding fathers of the Village and she's sentimental about changing it. She read minutes from public hearings held in the Village, stating the vote was unanimous for denying rezoning of this property. She compared this issue to bullying in schools and feels the annexation is a bad idea.

Valerie Frankowski, 1915 E. 48th St., Joplin, stated annexing the property would be a mistake because even though it would be zoned R-1, that is not the real intention of this property. She thinks the council is sucking up a vision that is going to be a distortion of what they want to do.

Brad Long, 1511 E. 50th, Village of Leawood: asked this question: since Mr. Powell wanted a C-3 zoning on this tract of land and would not accept R-1, which the residents of Leawood would like to have seen, has anyone from the council or the City of Joplin indicated to Mr. Powell that if he can annex his property into the city of Joplin, will he be assured of receiving the zoning he was denied by the Village of Leawood?

Mayor Woolston closed the Public Hearing.

Dr. Rosenberg introduced Council Bill 2012-275. Motion by Dr. Rosenberg, Second by Mr. Scearce to Place Council Bill No. 2012-275 on First Reading and Advance to Second and Third Reading. Voting in favor were Council Members: Golden, Glaze, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 7. Nays: 2, Colbert-Kean, Raney.

The Council Bill was read as being COUNCIL BILL No. 2012 -275

A COUNCIL BILL approving the voluntary annexation by the City of Joplin of property located at the northeast corner of 44th Street and Connecticut Avenue, in Newton County, Missouri.

CONSENT AGENDA APPROVED
Motion by Mr. Shaw, Second by Mr. Golden, to Approve the Consent Agenda. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0.

1. COUNCIL BILL NO. 2012-264 - 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 District C-0-PD and including in District C-1 property as described below and located at 1931 South St. Louis Avenue in the City of Joplin, Jasper County, Missouri. Ordinance No. 2012-040

2. COUNCIL BILL NO. 2012-265 - AN ORDINANCE providing for the vacation of portions of Iowa Avenue and Missouri Avenue between 20th Street and 24th Street; and 22nd Street between Grand Avenue and Iowa Avenue, in the City of Joplin, Jasper County, Missouri. Ordinance 2012-041

3. AMENDED COUNCIL BILL NO. 2012-266 - AN ORDINANCE providing for the vacation of portions of 24th Street between Grand Avenue and Indiana Avenue; and Missouri Avenue, Iowa Avenue, Minnesota Avenue, and Ohio Avenue from 24th Street to south of 24th Street, in the City of Joplin, Jasper County, Missouri. Ordinance No. 2012-042

4. AMENDED COUNCIL BILL NO. 2012-267 - 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 C-0-PD property as described below and located at 521 West 32nd Street in the City of Joplin, Jasper County, Missouri. Ordinance No. 2012-043

5. COUNCIL BILL NO. 2012-270 - AN ORDINANCE providing for the vacation of the East 30 feet of Lot 110 of Banker's Third Addition, in the City of Joplin, Jasper County, Missouri.

Motion by Ms. Colbert-Kean, Second by Mr. Scearce to Place Council Bill No. 2012-270 on First Reading and Advance to Second and Third Reading. Ordinance No. 2012-044

RESOLUTIONS

ORDINANCES-EMERGENCIES

Mr. Shaw introduced Council Bill No. 2012 -121. Motion by Mr. Shaw, Second by Mr. Glaze to Adopt Council Bill No. 2012-121. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0.

The Council Bill was declared Adopted and entitled Ordinance No. 2012-045

AN ORDINANCE approving the purchase of real property at 2302 Harlem Avenue, consisting of Lot 352 in T.W. Cunningham's Addition to the City of Joplin, Jasper County, Missouri; and authorizing the payment of Six Thousand and 00/100 dollars ($6,000.00) and containing an emergency clause

Mr. Golden introduced Council Bill No. 2012-123 - Motion by Mr. Golden, Second by Mr. Shaw to Adopt Council Bill No. 2012-123. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0.

The Council Bill was declared Adopted and entitled Ordinance No. 2012-046

A COUNCIL BILL approving the City of Joplin to enter into a revised agreement with Camcor Environmental and Big John's Heavy Equipment to provide professional services for the Remediation of Metals Contaminated Soil and authorizing the Public Works Director to execute said Agreement; and containing an emergency clause.

ORDINANCES – FIRST READING

Mr. Golden introduced Council Bill No. 2012-003. Motion by Mr. Golden, Second by Mr. Shaw to Pass Council Bill No. 2012-003 on First Reading and Advance to Second and Third Reading. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0.

The Council Bill was read as being Council Bill No. 2012-003

A COUNCIL BILL amending Ordinance No. 2011-105 passed by the Council on the 6th day of September, 2011, to remove the application of Grant recipient Boomtown Days, relating to the Half Marathon and 5K Run, from the Grant applications received and approved; approving the application of Active Lifestyle Events, Inc., for a May 19, 2012 "Joplin Memorial Run"; for utilization of FY2012 Festivals and Celebrations support pursuant to Ordinance No. 2000-148, as authorized by the voters on November 7, 2000; authorizing the City Manager to execute the appropriate agreement with such organization for the utilization of such funds.

Mr. Seibert introduced Council Bill No. 2012-501 - Motion by Mr. Seibert, Second by Mr. Golden to Pass Council Bill No. 2012-501 on First Reading and Advance to Second and Third Reading. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0.

The Council Bill was read as being Council Bill No. 2012-501

A COUNCIL BILL amending ordinance number 2011-01 authorizing the issuance of $26,000,000 principal amount of sewerage system revenue bonds (State of Missouri – Direct Loan Program) Series 2011A of the City of Joplin, Missouri and prescribing other related matters.

ORDINANCES – SECOND AND THIRD READING

Mr. Golden introduced Amended Council Bill No. 2012-269. Motion by Mr. Golden, Second by Ms. Colbert-Kean to pass Council Bill No. 2011-269 on Second Reading and Advance to Third Reading and Pass. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Seibert, Shaw, and Woolston, 8. Nays: 1, Scearce.

A COUNCIL BILL 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 C-3-PD property as described below and located at 2602, 2604, and 2610 South Virginia Avenue, in the City of Joplin, Jasper County, Missouri.

The Council Bill was declared Adopted and entitled Ordinance No. 2012-047

UNFINISHED BUSINESS

NEW BUSINESS

Motion by Mr. Golden, Second by Mr. Shaw to move the regularly scheduled City Council meeting from Monday, May 21, 2012, to Wednesday, May 23, due to President Barack Obama's visit to Joplin on May 21, to be the keynote speaker for the Joplin High School graduation. Voting in favor were Council Members: Colbert-Kean, Golden, Glaze, Raney, Rosenberg, Scearce, Seibert, Shaw, and Woolston, 9. Nays: 0.

Police Chief Lane Roberts gave a review of the annual Police Department Report. During Chief Roberts' tenure of five years with the City, he stated that the implementation of the Public Safety Sales Tax and the citizens stepping in and taking an active part in the campaign against crime, has been instrumental in making Joplin a safer community. Chief Roberts states that the past five years have been very good years and that this is the kind of thing everyone would like to see his tenure end in. He further stated he is pleased and privileged to present the report to the Council.

Mr. Seibert thanked and complemented the Chief and his department on a job well done, and asked Chief Roberts for an update on the prescription-only pseudo-ephedrine ordinance that was approved by the council in 2011.

City Manager Mark Rohr stated that 800 weather radios, provided by the Tornado First Response Fund, were distributed today and that another 3,200 more are on order and should be here on Wednesday, March 21. The City will communicate with the press to keep the public informed as to when the radios be available for distribution.

City Clerk Barbara Hogelin presented Assistant City Clerk Barbara Gollhofer with a 100 hour certificate that Ms. Gollhofer received at the Missouri City Clerks and Finance Officers Association's (MOCCFOA) Spring Institute on March 7, 2012. This certificate will complete the requirement for Ms. Gollhofer to receive a Missouri Registered City Clerk (MRCC) designation as part of her job description requisite.

Mayor Woolston presented City Clerk Barbara Hogelin with a proclamation congratulating her as a recipient of the Everyday Hero Award that was bestowed upon her at the MOCCFOA Spring Institute. This award is given to a city clerk from each division of MOCCFOA, and recipients are nominated by fellow city clerks and peers.

Mayor Woolston announced there will be a city council candidate forum in the council chambers at City Hall, on Monday, March 26, 6:00 p.m. The forum, open to the public, will be videotaped for rebroadcasting on March 27, 29, and April 1. The election is on Tuesday, April 3.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 7:51 p.m.

Respectfully submitted,

Barbara Gollhofer

Barbara Gollhofer
Assistant City Clerk

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: April 2, 2012

Item: COUNCIL BILL NO. 2012-276
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Planning Report
2) Commission Minutes
3) Copy of Council Bill

Public Works Director: David Hertzberg DH Date: 3/23/2012
City Attorney: Brian Head Date: 3-27-12
City Manager: R. Mark Rohr Date: 3-27-12
Board or Commission: Planning and Zoning Commission CK Date: 3/12/2012

Recommended Action: Planning and Zoning Commission recommended approval by a vote of "5 in favor, 2 absent"

SUMMARY/REQUEST:
Case 034-12: 2301 South Jackson Avenue – A request to rezone from District R-1 (Single-Family Residential) to District R-2 (Two-Family Residential) for future duplexes – Olsen Investments, LLC.

STAFF SUMMARY:
This request is consistent with the development policies of the Comprehensive Plan. This property is suited for duplex development due to its location separating nearby commercially zoned land and single-family homes.

The zoning change should not detrimentally affect nearby properties due to proximity to commercially zoned properties.

This property is consistent with development patterns and policies. Staff recommends approval of this request.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Eric Olsen explained that he owns the property at 2301 South Jackson. He requested rezoning from R-1 to R-2 to allow for duplexes to be built on the lot.

PUBLIC COMMENT:
None.

Z&P Meeting: March 12, 2012
City Council Meeting: April 2, 2012

STAFF PLANNING REPORT

CASE 034-12:

Petition the Council to rezone from District R-1 (Single-Family Residential) to District R-2 (Two-Family Residential) for future duplexes.

APPLICANT:

Olsen Investments, LLC

LOCATION:

2301 South Jackson Avenue

PRESENT ZONING:

R-1 (Single-Family Residential)

REQUESTED ZONING:

R-2 (Two-Family Residential)

EXISTING CONDITIONS:

PROPERTY SIZE

Approximately 209'x213' (44,517 square feet or 1.02 acres)

FLOOD PLAIN

Zone X

SITE	LAND USE	EXISTING ZONING
NORTH	Single-Family Residential	R-1
SOUTH	Medical Offices	C-O
EAST	Single-Family Residential	R-1
WEST	Parking Lot	C-O

TRAFFIC CONDITIONS:

STREET(S) WITH ACCESS TO PROPERTY

Jackson Avenue

CLASSIFICATION OF STREET(S)

Jackson Avenue – Collector

RIGHT-OF-WAY WIDTH

Jackson Avenue – 60 feet

WILL TURNING MOVEMENTS OF THE PROPOSED USE CREATE AN UNDUE TRAFFIC HAZARD?

No.

UTILITIES:

The property has all utility connections.

CONSISTENT WITH FUTURE LAND USE MAP?

No, however this request is consistent development patterns and policies.

STAFF ANALYSIS:

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

Yes. Even though this request is not consistent with the Future Land Use Map, this is consistent with development and policies.

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

This property is suited for duplex development due to its location separating nearby commercially zoned land and single-family homes.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The zoning change should not detrimentally affect nearby properties due to proximity to commercially zoned properties.

DISCUSSION

This property is consistent with development patterns and policies. Staff recommends approval.

REZONING APPLICATION FORM

RECEIVED 1-30-12

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.: 034-12
Filing Fee: $ 350.00
Date Advertised: 2/26/12
Date Notices Sent: 2/29/12
Public Hearing Date: 3-12-12

APPLICANT: C&N Investments, LLC PHONE: (417) 388-9875
ADDRESS: 207 Hoch Centerville, MO ZIP: 64835
OWNER: Eric & Stephanie Cox PHONE: Same as above
ADDRESS: Same as above ZIP: 64835
LOCATION OF PROPERTY: 2301 S. Jackson Joplin MO 64804
LEGAL DESCRIPTION: See attached

Present Zoning R-1 Requested Zoning: R-2 Acreage: 1.02
Present Use of Property: Vacant lot

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Residential	R-1
South	Commercial	C-0
East	Residential	R-1
West	Commercial	CO

CHARACTER OF THE NEIGHBORHOOD: Developed to business

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: We'd like to change to Multi-family

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. Consistent with Development Policies? Yes - this property abuts CO zones and would act as a buffer between the CO & R-1 north of 23rd St.
2. Consistent with Future Land Use Map? NO

THE FOLLOWING MUST ACCOMPANY YOUR APPLICATION:

1. One copy of a legal description of the property proposed to be rezoned.
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 effect 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

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: Jackson
2. Classification of Street(s):
   Arterial _____ Collector ✓ Local _____
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 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: Would like to divide into 4 lots if possible

UNIQUE CHARACTERISTIC OF PROPERTY AND ADDITIONAL COMMENT:

SIGNATURE: Eric Allen DATE: 1/30/12

BY: _____

TITLE: _____



0 100 200 400 600 800 Feet

Case 034-12: A request to rezone from District R-1 (Single-Family Residential) to District R-2 (Two-Family Residential), for the area generally known as 2301 South Jackson Avenue, for future duplexes. - Olsen Investments, LLC

N

Case 034-12: 2301 South Jackson Avenue – A request to rezone from District R-1 (Single-Family Residential) to District R-2 (Two-Family Residential) for future duplexes – Olsen Investments, LLC.

Mr. McClure opened the public hearing for Case 034-12.

Mr. Eric Olsen, Carterville, Missouri, appeared and explained that he owns the property at 2301 South Jackson. He requested rezoning from R-1 to R-2 to allow for duplexes to be built on the lot.

Mr. McClure asked for comments from the commissioners and the audience, and none were received. He then closed the public hearing for Case 034-12.

MR. LANDRITH MOVED, SECONDED BY MR. SMITH, THAT CASE 034-12 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL, BASED UPON THE COMMENTS RECEIVED IN THE PLANNING REPORT AND DURING THE PUBLIC HEARING. THE MOTION CARRIED, WITH MR. EASTMAN, MR. HARRINGTON, MR. LANDRITH, MR. McCLURE, AND MR. SMITH VOTING "AYE", AND WITH MR. ANDERSON AND MR. GILSTRAP BEING ABSENT (5 IN FAVOR, 2 ABSENT).

P & Z Case 034-12
Olsen Investments, LLC
(P & Z Recommended Approval)

COUNCIL BILL NO. 2012-276 **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-2 property as described below and located at 2301 South Jackson Avenue, in the City of Joplin, Jasper County, Missouri.

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 removing the following described property from District R-1 and including same in District R-2:

All of a tract of land described as follows: Beginning at a point of 205 feet East of the Northwest corner of the Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of Section 15, thence South 208.6 feet, thence East 212.85 feet, more or less to the East line of Miscellaneous Tract Numbered Six (6) in said Section 15, thence North 208.6 feet, thence West 212.85 feet more or less to the East line of Jackson Avenue to the point of beginning, being part of Miscellaneous Tract Numbered Six (6) lying east of Jackson Avenue all in Section 15, Township 27, Range 33, in the City of Joplin, Jasper County, Missouri, EXCEPT any part taken or deeded for road purposes.

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 for thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of _____, 2012.

ATTEST:

_____
Michael R. Woolston, Mayor

_____
Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

_____
Brian W. Head, City Attorney

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: April 2, 2012

Item: COUNCIL BILL NO. 2012-277
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Planning Report
2) Commission Minutes
3) Copy of Council Bill

Public Works Director: David Hertzberg — Date: 3/23/2012
City Attorney: Brian Head — Date: 3-27-12
City Manager: R. Mark Rohr — Date: 3-27-12
Board or Commission: Planning and Zoning Commission — Date: 3/12/2012

Recommended Action: Planning and Zoning Commission recommended approval by a vote of "5 in favor, 2 absent"

SUMMARY/REQUEST:
Case 035-12: North of Eighth Street between McConnell Avenue and Patterson Avenue – A request to rezone from District C-3 (Commercial) to District R-3 (Apartment House District) for future apartments – David Box.

STAFF SUMMARY:
This property is zoned commercial which allows for apartments with a Special Use Permit. The owner wished to change the zoning to match the proposed development.

This property is suited for an apartment complex. This is adjacent to commercially zoned land and is across Eighth Street from existing apartments.

This property is consistent with development patterns and policies. Staff recommends approval of this request.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. David Box explained that he owns two acres located north of Eighth Street between McConnell and Patterson Avenues. He would like to have the property rezoned to construct multi-family apartments, possibly between 40 and 50 units. He also owns the building to the north facing Seventh Street, and he also owns 50 apartments behind it to the south of Eighth Street.

Mr. McClure asked Mr. Box how many units he is planning, and he replied between 40 and 50.

PUBLIC COMMENT: None.

Z&P Meeting: March 12, 2012
City Council Meeting: April 2, 2012

STAFF PLANNING REPORT

CASE 035-12:

Petition the Council to rezone from District C-3 (Commercial) to District R-3 (Apartment House) for future apartments.

APPLICANT:

David and Connie Box

LOCATION:

North of 8th Street between McConnell Avenue and Patterson Avenue

PRESENT ZONING:

C-3 (Commercial)

REQUESTED ZONING:

R-3 (Apartment House)

EXISTING CONDITIONS:

PROPERTY SIZE

Approximately 270'x343' (92,610 square feet or 2.1 acres)

FLOOD PLAIN

Zone X

SITE	LAND USE	EXISTING ZONING
NORTH	Bank	C-3
SOUTH	Apartments	R-3-PD
EAST	Parking Lot and Storage	C-3
WEST	Plumbing Supply Store	C-1-PD

TRAFFIC CONDITIONS:

STREET(S) WITH ACCESS TO PROPERTY

McConnell Avenue
Patterson Avenue
8th Street

CLASSIFICATION OF STREET(S)

McConnell Avenue – local
Patterson Avenue – local
8th Street – local

RIGHT-OF-WAY WIDTH

McConnell Avenue – 60 feet
Patterson Avenue – 60 feet
8th Street – 60 feet

WILL TURNING MOVEMENTS OF THE PROPOSED USE CREATE AN UNDUE TRAFFIC HAZARD?

No.

UTILITIES:

The property has all utility connections.

CONSISTENT WITH FUTURE LAND USE MAP?

Yes, this property is zoned Commercial which allows for apartments with a Special Use Permit. The owner wished to change the zoning to match the proposed development.

STAFF ANALYSIS:

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

Yes, this property is zoned Commercial which allows for apartments with a Special Use Permit.

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

This property is suited for an apartment complex. This is adjacent to commercially zoned land and is across 8th Street from existing apartments.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The zoning change should not detrimentally affect nearby properties due to proximity to commercially zoned properties and nearby apartments.

DISCUSSION

This property is consistent with development patterns and policies. Staff recommends approval.

CITY OF JOPLIN, MISSOURI
REZONING APPLICATION FORM

Return Form to:
Planning / Community Development Specialist
602 South Main Street
Joplin, Missouri 64801
417-624-0820 Ext. 511
FAX 417-625-4738

For Office Use Only
Case No. 035-12 RECEIVED 2-1-12
Filing Fee:
Date Advertised: 2/26/12
Date Notices Sent 2/29/12
Public Hearing Date: 3/12/12

APPLICANT: DAVID AND CONNIE BOX PHONE: 417-781-9536
ADDRESS: 7387 RIVER RD JOPLIN MO. ZIP: 64804
OWNER: Same PHONE: 1-417-437-7669
ADDRESS: Same ZIP:
LOCATION OF PROPERTY: AT The Corner of 8th + PATTERSON
LEGAL DESCRIPTION:
See ATTACHed Copy

Present Zoning C-3 Requested Zoning: R-3 Acreage: 2 Acres
Present Use of Property: VACANT GROUND

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Bank Bld, which I owne	C-3
South	APARTMENTS + Duplexes	R-3 PD
East	VACANT BLD, with wrecked CARS	Comercial C-3
West	LOCK Supply	C-1 PD

CHARACTER OF THE NEIGHBORHOOD: MOSTLY APARTMENTS + Duplexes

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:

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. Consistent with Development Policies? Yes
2. Consistent with Future Land Use Map? Yes

THE FOLLOWING MUST ACCOMPANY YOUR APPLICATION:

1. One copy of a legal description of the property proposed to be rezoned.
2. One copy of a statement describing the impact of the proposed change, including any traffic conditions that may result; any danger from fire hazards; how the proposed change may effect the character of the surrounding properties; and how the proposed change will benefit the City of Joplin.

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: 8th ST, MC CONNEL ST., PATTERSON ST.
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 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: PROJECT WOULD UPGRADE THE AREA

UNIQUE CHARACTERISTIC OF PROPERTY AND ADDITIONAL COMMENT:

OVERGROWN VACANT 2 ACRES OF PROPERTY THATS BEEN VACANT OVER 30 YR'S, NEEDS DEVELOPED TO HELP THE RENTEL MARKET IN JOPLIN

SIGNATURE: [signature] DATE: 2/1/12

BY: [illegible]

TITLE: OWNER

(Note: By signing this application you are signifying that you are either the legal owner of the subject property or are a legal representative of the owner or owners of the subject property.)



0 150 300 600 900 1,200 Feet

Case 035-12: A request to rezone from District C-3 (Commercial) to District R-3 (Apartment House Distict), for the area generally known as between McConnell Avenue and Patterson Avenue north of 8th Street, for future apartments. - David and Connie Box

N

Case 035-12: North of Eighth Street between McConnell Avenue and Patterson Avenue – A request to rezone from District C-3 (Commercial) to District R-3 (Apartment House District) for future apartments – David Box.

Mr. McClure opened the public hearing for Case 035-12.

Mr. David Box, 7387 River Road, Joplin, appeared and explained that he owns two acres located north of Eighth Street between McConnell and Patterson Avenues. He would like to have the property rezoned to construct multi-family apartments, possibly between 40 and 50 units. He also owns the building to the north facing Seventh Street, and he also owns 50 apartments behind it to the south of Eighth Street.

Mr. McClure asked Mr. Box how many units he is planning, and he replied between 40 and 50.

Mr. McClure asked for comments from the commissioners and the audience, and none were received. He then closed the public hearing for Case 035-12.

MR. HARRINGTON MOVED, SECONDED BY MR. EASTMAN, THAT CASE 035-12 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL, BASED UPON THE COMMENTS RECEIVED IN THE PLANNING REPORT AND DURING THE PUBLIC HEARING. THE MOTION CARRIED, WITH MR. EASTMAN, MR. HARRINGTON, MR. LANDRITH, MR. McCLURE, AND MR. SMITH VOTING "AYE", AND WITH MR. ANDERSON AND MR. GILSTRAP BEING ABSENT (5 IN FAVOR, 2 ABSENT).

P & Z Case 035-12
David Box
(P & Z Recommended Approval)

COUNCIL BILL NO. 2012-277 **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-3 and including in District R-3 property as described below and located north of Eighth Street between McConnell Avenue and Patterson Avenue, in the City of Joplin, Jasper County, Missouri.

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 removing the following described property from District C-3 and including same in District R-3:

All of Lots Numbered One Hundred Fifty (150) through One Hundred Fifty-five (155) both inclusive and all Lots Numbered One Hundred Sixty-seven (167) through One Hundred Seventy-two (172) both inclusive, and all of the south 31 feet of Lots Numbered One Hundred Sixty-six (166) and all of the vacated alley lying between and adjacent to the above described lots, all in Paul's 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 for thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of _____, 2012.

ATTEST:

_____
Michael R. Woolston, Mayor

_____
Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

_____
Brian W. Head, City Attorney

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: April 2, 2012

Item: COUNCIL BILL NO. 2012-278
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Planning Report
2) Commission Minutes
3) Copy of Council Bill

Public Works Director: David Hertzberg — Date: 3/23/2012
City Attorney: Brian Head — Date: 3-27-12
City Manager: R. Mark Rohr — Date: 3-27-12
Board or Commission: Planning and Zoning Commission — Date: 3/12/2012
Recommended Action: Planning and Zoning Commission recommended approval by a vote of "5 in favor, 2 absent"

SUMMARY/REQUEST:
Case 036-12: Street Vacation– A request to vacate portion of Sergeant Avenue south of 24th Street as part of the Eagle Ridge Housing development – Matt Fulson/Anderson Engineering.

STAFF SUMMARY:
The applicants are requesting this vacation for the construction of the Eagle Ridge Housing development. They own the property on the side of the roadway on which the cul-de-sac is placed.

Staff believes the vacation will not cause the public to suffer a loss or inconvenience. Staff recommends approval of this request.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Kellstadt explained that this request is for vacation of a part of the roadway of Sergeant Avenue south of 24th Street and goes along with the site plan review presented in Case 029-12. The developer wishes to vacate part of the roadway so the apartment complex as presented can fit better on the property at hand. The cul-de-sac has served as a parking lot for the previous apartment complex, with the developer simply wishing to eliminate the parking lot. The roadway will still provide access to property on the west side of Sergeant Avenue.

Mr. Kellstadt explained that the commissioners received a diagram with a yellow highlighted cul-de-sac that actually shows the right-of-way that is actually in the request for vacation.

Mr. Smith asked if this area will be filled in with dirt and grass. Mr. Kellstadt replied that it will be partially filled in with landscaping, with a dumpster site also being located in this area. The set-back requirements require certain footage away from the right-of-way, and this vacation allows the developer to build the complex as presented.

PUBLIC COMMENT: None.

Z&P Meeting: March 12, 2012
City Council Meeting: April 2, 2011

STAFF PLANNING REPORT

CASE 036-12:

Petition Council to vacate a portion of Sergeant Avenue south of 24th Street.

APPLICANT:

Joplin One, L.P - Matt Fulson

LOCATION:

South of 24th Street containing a cul-de-sac

TYPE OF EASEMENT(S):

Road

SIZE OF EASEMENT(S):

30 ft. by approximately 190 ft.

REASON FOR VACATION:

For the construction of Eagle Ridge Housing Complex

ARE UTILITES CURRENTLY LOCATED IN THE EASEMENT?:

There are no utilities currently located within the right-of-way.

HAVE UTILITITY COMPANIES WITH RIGHTS TO THE EASEMENT CONSENTED TO THE PROPOSED VACATION?:

All utility companies have verified that there are no utilities within the proposed vacation.

STAFF ANALYSIS:

WILL PRIVATE RIGHTS BE INJURED OR ENDANGERED BY THE VACATION?

No, the applicants own the property on the side of the roadway on which the cul-de-sac is placed.

WILL THE VACATION CAUSE THE PUBLIC TO SUFFER A LOSS OR INCONVENIENCE?

Staff believes the vacation will not cause the public to suffer a loss or inconvenience.

STAFF RECOMMENDATION:

Staff recommends approval of this request.

ENCLOSURES:

None

RECEIVED 2-2-12

CITY OF JOPLIN, MISSOURI

APPLICATION FOR VACATION OF STREET OR RESERVATION

Return application Form To:
Planning and Community Development Manager
Municipal Building
321 East 4th Street
P.O. Box 1355
Joplin, Missouri 64802
417-624-0820
FAX 417-625-4707

For Office Use Only:
Case No: 036-12
Filing Fee:_____
City Council:
Dates Advertised:_____
Date Notices Sent:_____
Public Hearing Date:_____
Planning & Zoning Commission:
Date Advertised: 2/26/12
Date Notices Sent: 2/29/12
Public Hearing Date: 3/12/12

I. Applicant Name: Joplin One, L.P - Matt Fulson Phone:_____
If more than one property applicant, please submit additional names, address and phone numbers on attached sheet(s)

Address: 250 N.W. Mulberry Zip: 64080
Lee's Summit, Mo 64080

II. Type of vacation requested (check one):

Street Vacation ✓

Alley Vacation_

Utility vacation_

Other (Please specify)_____

III. Legal Description of area requested to be vacated: See Attached

IV. Please indicate below the extent to which the following standards are met, in the applicant's opinion.

1. Private rights will not be injured or endangered by the vacation. Property to be Vacated is a Cul-De-Sac that Only Serves the Owner's Property. No Other Properties will Loose Access.

2. The vacation will not cause the public to suffer a loss or inconvenience. Applicant's property is only one served by Right-of-way. All adjacent properties are served by other Roads.

3. In justice to the applicant(s) the vacation should be granted. Applicant is Rebuilding Residential Area after Tornado. The Cul-de-Sac Right-of-way is obselete. The Cul-de-Sac makes Applicant's Property irregular in shape and Challenging to build Modern Homes.

V. Required Attachments:

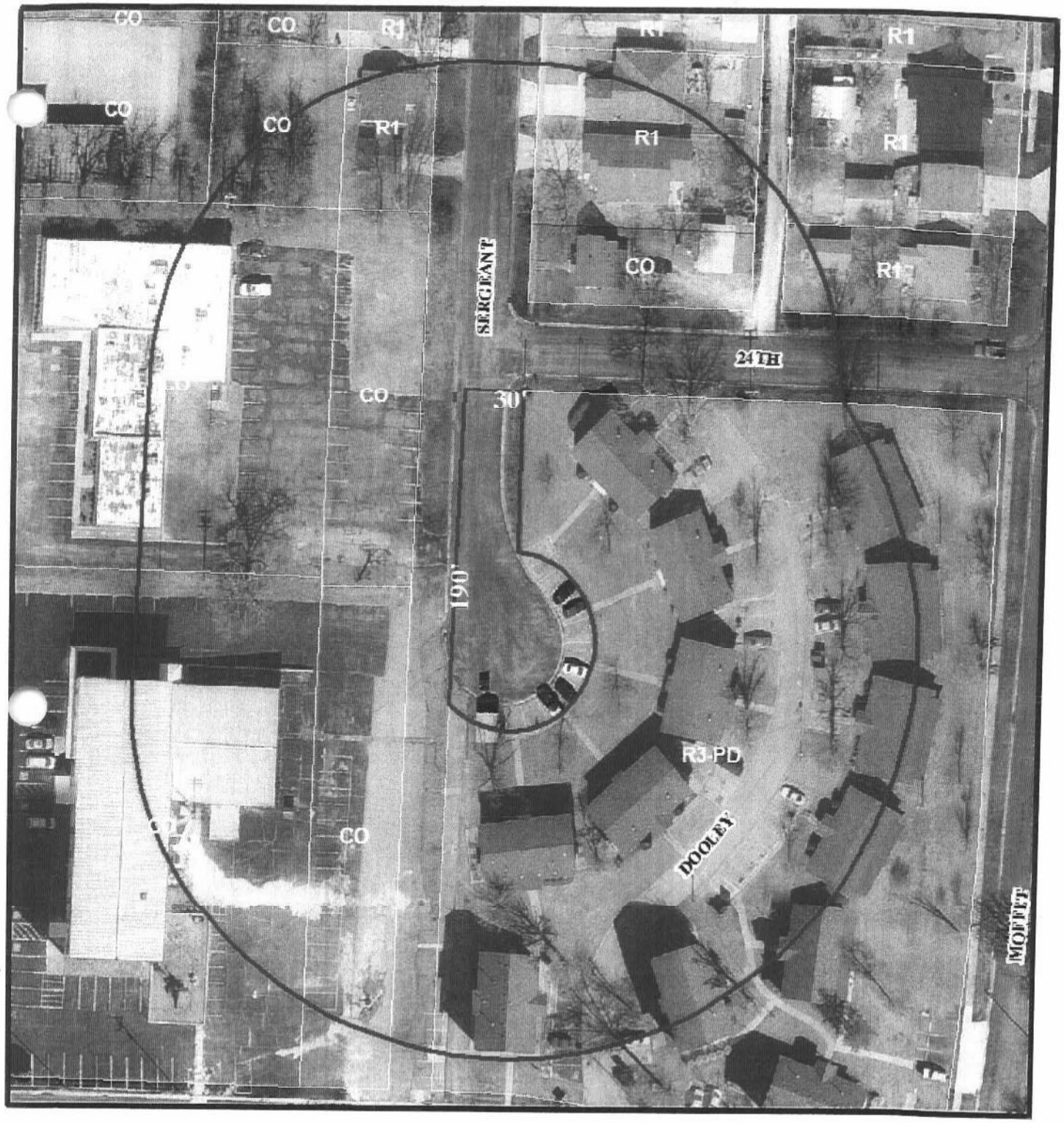
X. Names and addresses of all owners of property abutting the proposed vacation area.

2. Affidavit(s) from each owner of land adjoining said area that is proposed to be vacated, whom are not listed as an applicant, indicating their consent to the vacation. - Pending

X. Survey or such other drawing acceptable to the Planning and Community Development Manager depicting the street, alley or public reservation sought to be vacated and the properties and property ownerships surrounding said street, alley or public reservation.

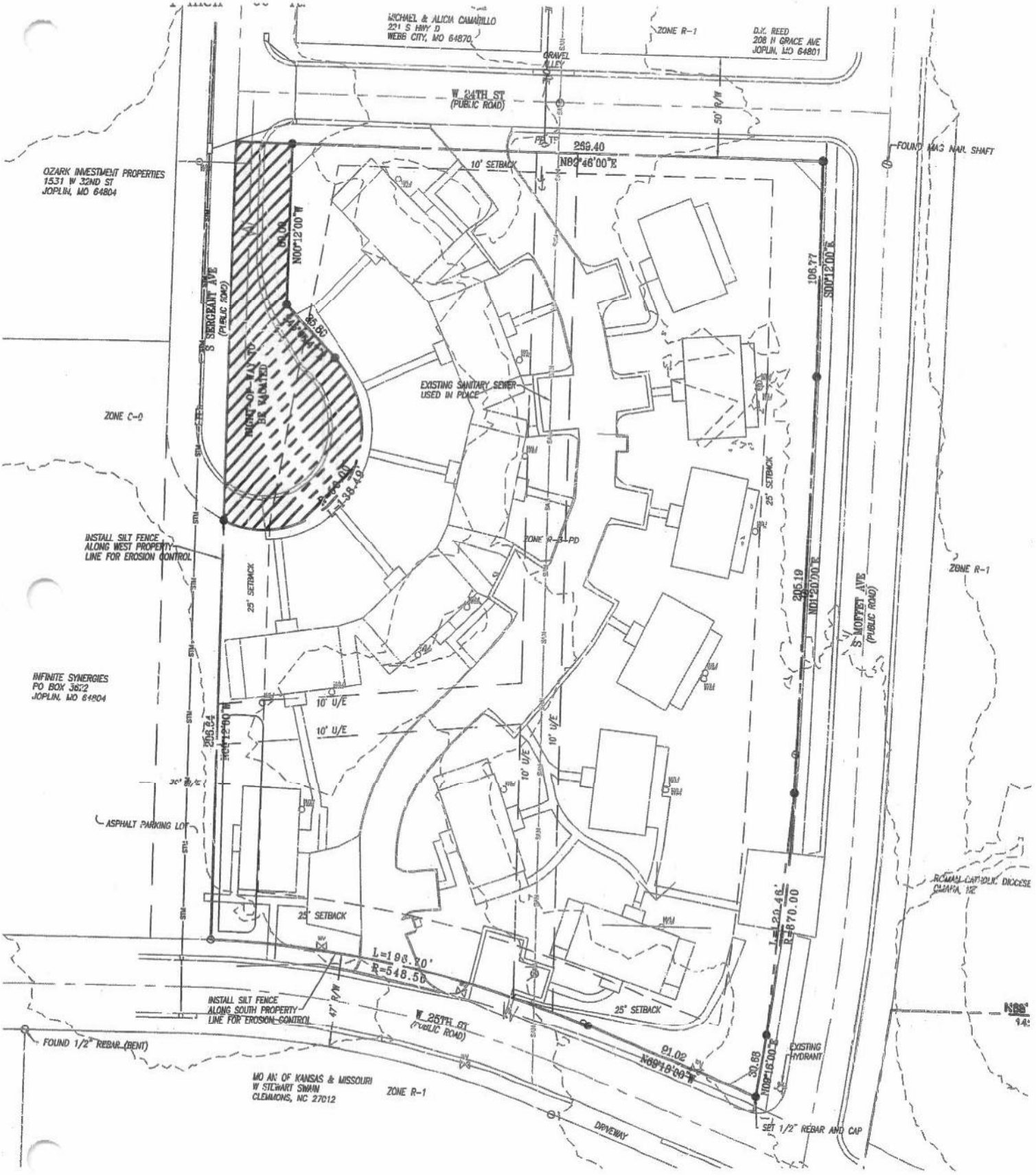
Applicant Signature

2/2/12
Date

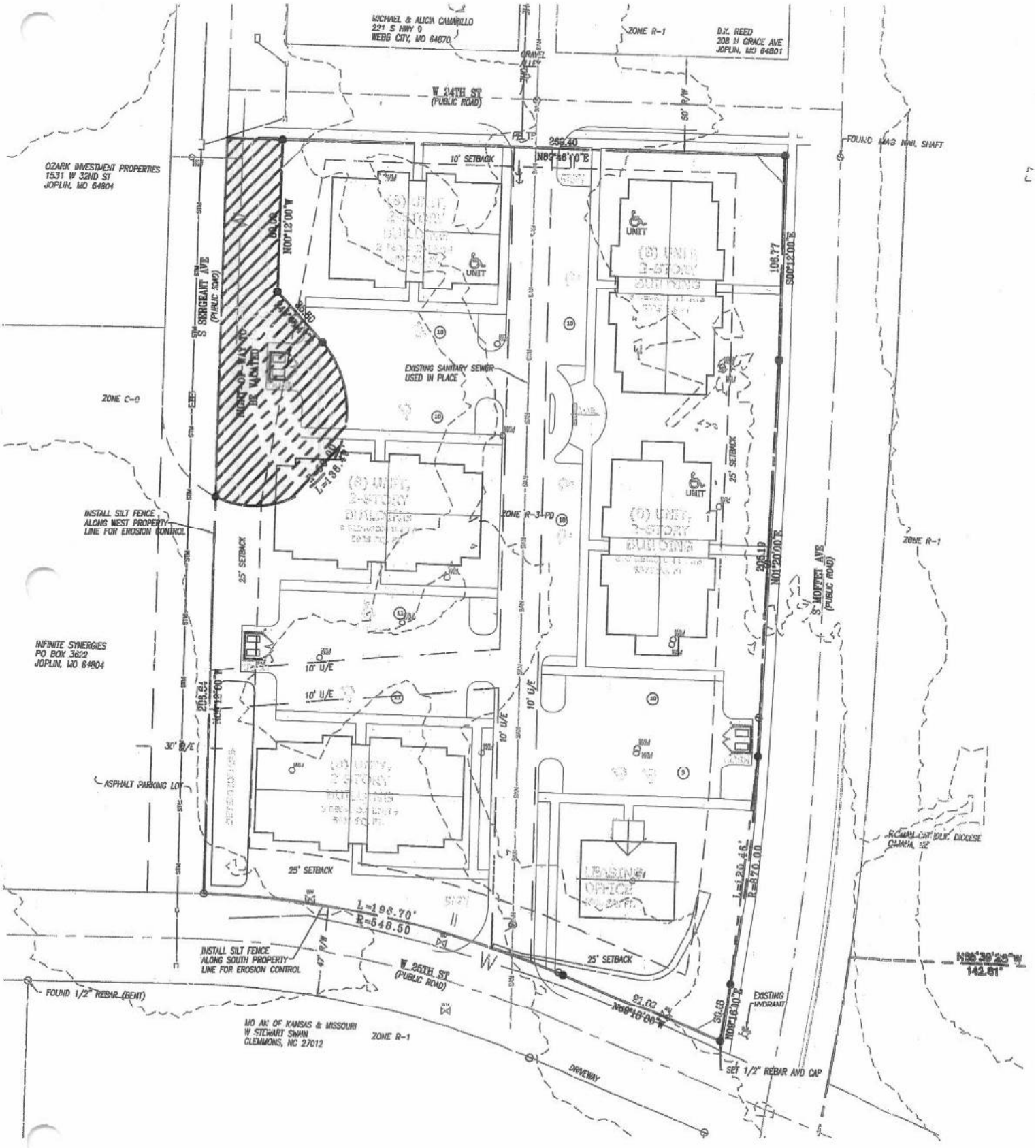


Case 036-12: A request to vacate the east half of Sergeant Avenue south of 24th Street for the development of Eagle Ridge Housing Complex - Joplin One, LP (Matt Fulson)

N



Pre-Tornado Layout



Proposed Development

Case 036-12: Street Vacation– A request to vacate portion of Sergeant Avenue south of 24th Street as part of the Eagle Ridge Housing development – Matt Fulson/Anderson Engineering.

Mr. McClure opened the public hearing for Case 036-12.

Mr. Kellstadt explained that this request is for vacation of a part of the roadway of Sergeant Avenue south of 24th Street and goes along with the site plan review presented in Case 029-12. The developer wishes to vacate part of the roadway so the apartment complex as presented can fit better on the property at hand. The cul-de-sac has served as a parking lot for the previous apartment complex, with the developer simply wishing to eliminate the parking lot. The roadway will still provide access to property on the west side of Sergeant Avenue.

Mr. Kellstadt explained that the commissioners received a diagram with a yellow highlighted cul-de-sac that actually shows the right-of-way that is actually in the request for vacation.

Mr. Smith asked if this area will be filled in with dirt and grass. Mr. Kellstadt replied that it will be partially filled in with landscaping, with a dumpster site also being located in this area. The set-back requirements require certain footage away from the right-of-way, and this vacation allows the developer to build the complex as presented.

Mr. McClure asked for comments from the commissioners and the audience, and none were received. He then closed the public hearing for Case 036-12.

MR. HARRINGTON MOVED, SECONDED BY MR. SMITH, THAT CASE 036-12 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL, BASED UPON THE COMMENTS RECEIVED IN THE PLANNING REPORT AND DURING THE PUBLIC HEARING. THE MOTION CARRIED, WITH MR. EASTMAN, MR. HARRINGTON, MR. LANDRITH, MR. McCLURE, AND MR. SMITH VOTING "AYE", AND WITH MR. ANDERSON AND MR. GILSTRAP BEING ABSENT (5 IN FAVOR, 2 ABSENT).

P & Z Case 036-12
Matt Fulson/Anderson Engineering
(P & Z Recommended Approval)

COUNCIL BILL NO. 2012-278 **ORDINANCE NO.**

AN ORDINANCE providing for the vacation of a portion of Sergeant Avenue south of 24th Street as part of the Eagle Ridge Housing development, in the City of Joplin, Jasper County, Missouri.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That all that part of public right-of-way of a portion of Sergeant Avenue south of 24th Street as part of the Eagle Ridge Housing development, in the City of Joplin, Jasper County, Missouri, described as follows are hereby vacated, conveyed, relinquished, and reverted to the owners of the abutting lots and land:

A tract of land in the Southwest Quarter of the Northeast Quarter of Section 15, township 27, Range 33 in the City of Joplin, Jasper County, Missouri described as follows: Beginning at the Northwest corner of Lot 22, PREHM URBAN RENEWAL PROJECT NO. MO-19, a subdivision in Joplin, Jasper county, Missouri also being a point on the East Right of Way line of South Sergeant Avenue; thence South 00 degrees 12 minutes 00 seconds East along said Right of way line, 80.00 feet; thence 45 degrees 06 minutes 47 seconds East along said Right of way line 35.80 feet to a point of curvature; thence continue along said Right of Way line and curve to the right with an Initial Tangent Bearing of South 45 degrees 19 minutes 25 seconds East, a Radius of 50.00 feet and a distance of 138.49 feet to the Northwest corner of Lot 25 of said subdivision also being a point on the centerline of South Sergeant Avenue; thence North 00 degrees 12 minutes 00 seconds West along said centerline, 186.59 feet; thence North 89 degrees 46 minutes 00 seconds East, 30.00 feet to the Point of Beginning. Containing 8,735 square feet or 0.20 acres, more or less. Basis of bearing are taken from plat located at 24th Street and Sergeant Avenue.

Section 2. That this vacation of the portion of the street and utility easements hereby vacated shall not affect or derogate from the existing rights of way or other easements of public utility companies now having installations in this portion of the street or easements hereby vacated. Such utility companies shall have the right to maintain, repair and replace any such installations now on the vacated portion of said street and shall be subject to the rights of the City of Joplin for sewer construction and maintenance.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____ day of _____, 2012.

ATTEST: Michael R. Woolston, Mayor

_____
Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

_____
Brian W. Head, City Attorney

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: April 2, 2012

Item: COUNCIL BILL NO. 2012-279
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Planning Report
2) Commission Minutes
3) Copy of Council Bill

Public Works Director: David Hertzberg DKH Date: 3/23/2012
City Attorney: Brian Head Date: 3-27-12
City Manager: R. Mark Rohr Date: 3-27-12
Board or Commission: Planning and Zoning Commission LK Date: 3/12/2012

Recommended Action: Planning and Zoning Commission recommended approval by a vote of "5 in favor, 2 absent"

SUMMARY/REQUEST:
Case 037-12: Utility Vacation– A request to vacate a utility easement at 2626 South Jefferson Avenue – Francisco Herrera.

STAFF SUMMARY:
The applicant is requesting this easement vacation for reconstruction of a single-family home.

Staff believes the vacation will not cause the public to suffer a loss or inconvenience. Staff recommends approval of this request.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Francisco Herrera explained that his house sat on Lot 2 at 2626 South Jefferson Avenue. After the tornado, he purchased Lot 1 which sits north of Lot 2, but he stated that a utility easement divides Lot 2 and Lot 1. He has kept part of Lot 1 and plans to build his home over both Lot 2 and Lot 1, and he would like to vacate that north portion of the utility easement that has never been used by any of the utility companies. They do have easements on the east and the west side of the property that are utilized, but the north easement that separates the two lots is not used.

Mr. McClure asked Mr. Herrera if his construction will be over that easement area, and he replied that is correct.

PUBLIC COMMENT:
None.

Z&P Meeting: March 12, 2012
City Council Meeting: April 2, 2011

STAFF PLANNING REPORT

CASE 037-12:

Petition Council to vacate a utility easement at 2626 South Jefferson Avenue.

APPLICANT:

Francisco and Dianna Herrera

LOCATION:

2626 South Jefferson Avenue

TYPE OF EASEMENT(S):

Utility

SIZE OF EASEMENT(S):

Approximately 20 ft. by 250 ft.

REASON FOR VACATION:

Reconstruction of a single-family house

ARE UTILITES CURRENTLY LOCATED IN THE EASEMENT?:

There are no utilities currently located within the easement.

HAVE UTILITITY COMPANIES WITH RIGHTS TO THE EASEMENT CONSENTED TO THE PROPOSED VACATION?:

All utility companies have verified that there are no utilities within the proposed vacation.

STAFF ANALYSIS:

WILL PRIVATE RIGHTS BE INJURED OR ENDANGERED BY THE VACATION?

No

WILL THE VACATION CAUSE THE PUBLIC TO SUFFER A LOSS OR INCONVENIENCE?

Staff believes the vacation will not cause the public to suffer a loss or inconvenience.

STAFF RECOMMENDATION:

Staff recommends approval of this request.

ENCLOSURES:

None

RECEIVED
2-2-12

CITY OF JOPLIN, MISSOURI

APPLICATION FOR VACATION OF STREET OR RESERVATION

Return application Form To:
Planning and Community Development Manager
Municipal Building
321 East 4th Street
P.O. Box 1355
Joplin, Missouri 64802
417-624-0820
FAX 417-625-4707

For Office Use Only
Case 037-12
Filing Fee:_____
City Council:
Dates Advertised:_____
Date Notices Sent:_____
Public Hearing Date:_____
Planning & Zoning Commission:
Date Advertised: 2/26/12
Date Notices Sent: 2/29/12
Public Hearing Date: 3/12/12

I. Applicant Name: Francisco & Dianna Herrera Phone: 417-540-7184

If more than one property applicant, please submit additional names, address and phone numbers on attached sheet(s)

Property Address: 2626 S. Jefferson Ave Joplin, Mo Zip: 64804

II. Type of vacation requested (check one):

Street Vacation_

Alley Vacation_

Utility vacation ✓

Other (Please specify)_____

III. Legal Description of area requested to be vacated: 10' Utility easement along the North side of Lot 2 of the Westwood addition, Section 11, Township 27, Range 33, Jasper County, Missouri. (This area has been highlighted on attached survey.)

IV. Please indicate below the extent to which the following standards are met, in the applicant's opinion.

1. Private rights will not be injured or endangered by the vacation. No private rights will be injured or ~~endangered~~ endangered by the vacation since the easement runs in the middle of two lots that we own.

2. The vacation will not cause the public to suffer a loss or inconvenience. The vacation will not cause the public to suffer loss or inconvenience since the easement runs between property we own.

3. In justice to the applicant(s) the vacation should be granted. The easement has no permanent utilities and currently divides property we own. It also prevents us from rebuilding our home on the new lot. Our new home requires room on the new lot to build.

V. Required Attachments:

1. Names and addresses of all owners of property abutting the proposed vacation area.

2. Affidavit(s) from each owner of land adjoining said area that is proposed to be vacated, whom are not listed as an applicant, indicating their consent to the vacation.

3. Survey or such other drawing acceptable to the Planning and Community Development Manager depicting the street, alley or public reservation sought to be vacated and the properties and property ownerships surrounding said street, alley or public reservation.

Francisco Herrera
Applicant Signature

01/27/2012
Date

Francisco Herrera

Case 037-12: Utility Vacation– A request to vacate a utility easement at 2626 South Jefferson Avenue – Francisco Herrera.

Mr. McClure opened the public hearing for Case 037-12.

Mr. Francisco Herrera, 2564 Fairway Drive, Joplin, appeared and explained that his house sat on Lot 2 at 2626 South Jefferson Avenue. After the tornado, he purchased Lot 1 which sits north of Lot 2, but he stated that a utility easement divides Lot 2 and Lot 1. He has kept part of Lot 1 and plans to build his home over both Lot 2 and Lot 1, and he would like to vacate that north portion of the utility easement that has never been used by any of the utility companies. They do have easements on the east and the west side of the property that are utilized, but the north easement that separates the two lots is not used.

Mr. McClure asked Mr. Herrera if his construction will be over that easement area, and he replied that is correct.

Mr. McClure asked for comments from the commissioners and the audience, and none were received. He then closed the public hearing for Case 037-12.

MR. SMITH MOVED, SECONDED BY MR. EASTMAN, THAT CASE 037-12 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL, BASED UPON THE COMMENTS RECEIVED IN THE PLANNING REPORT AND DURING THE PUBLIC HEARING. THE MOTION CARRIED, WITH MR. EASTMAN, MR. HARRINGTON, MR. LANDRITH, MR. McCLURE, AND MR. SMITH VOTING "AYE", AND WITH MR. ANDERSON AND MR. GILSTRAP BEING ABSENT (5 IN FAVOR, 2 ABSENT).

P & Z Case 037-12
Francisco Herrara
(P & Z Recommended Approval)

COUNCIL BILL NO. 2012-279 **ORDINANCE NO.**

AN ORDINANCE providing for the vacation of a utility easement located at 2626 South Jefferson Avenue, in the City of Joplin, Jasper County, Missouri.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That all that part of a ten (10) foot utility easement in the City of Joplin, Jasper County, Missouri, described as follows are hereby vacated, conveyed, relinquished, and reverted to the owners of the abutting lots and land:

The eastern 138 feet of a 10-foot wide utility easement along the north side of Lot Numbered Two (2) of the Westwood Addition to the City of Joplin, Jasper County, Missouri.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____ day of _____, 2012.

ATTEST: Michael R. Woolston, Mayor

Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

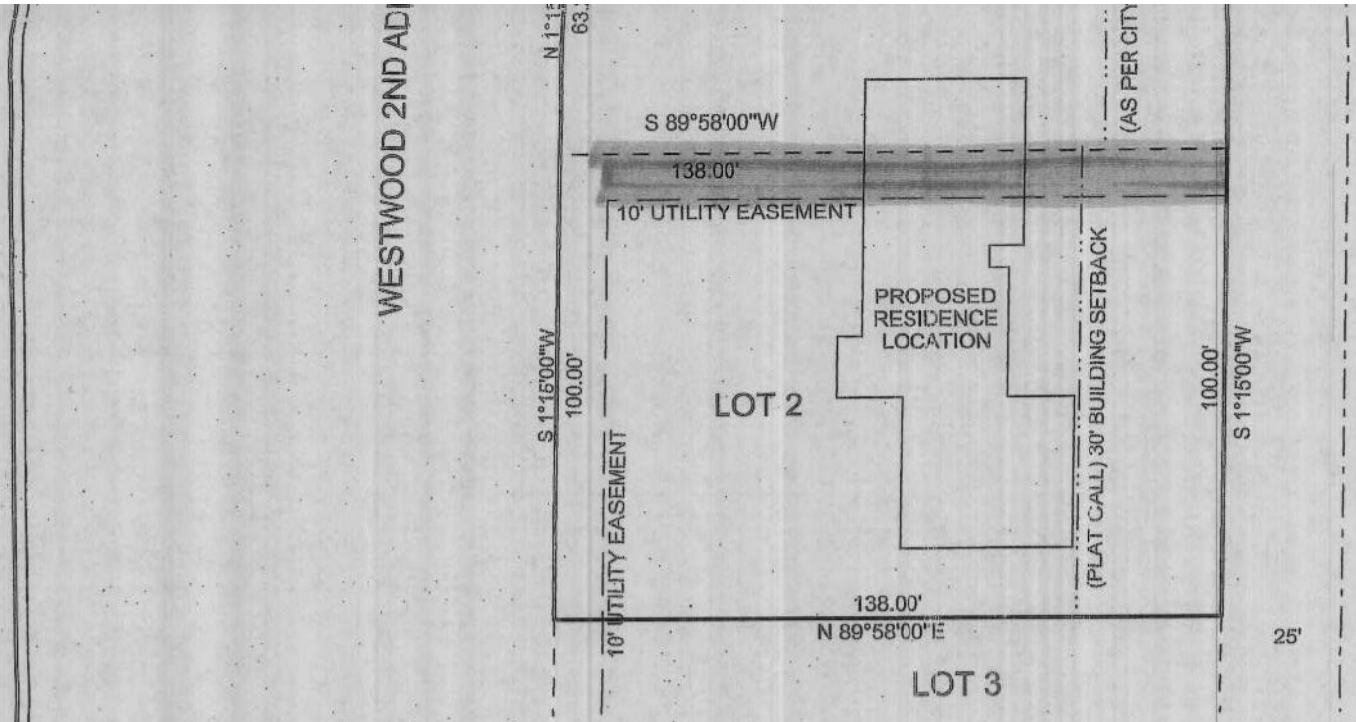
Brian W. Head, City Attorney



0 75 150 300 450 600 Feet

Case 037-12: A request to vacate a utility easement for the property known as 2626 South Jefferson Avenue. - Francisco and Dianna Herrera

N



Plot Plan For:

FRANK HERRERA

Property Address: 2626 JEFFERSON
JOPLIN, MISSOURI

Section - 16	Township - 27	Range - 33
Scale: 1 = 40'.00"		Date: 01/26/2012
Field Book #		File Name:L1-2WWA

STEWART & NEECE LAND SURVEYING COMPANY INC.
1201 East 15th Street, Joplin, Missouri 64801
Phone: 417-624-0311 Fax: 417-624-0365

Serving Southwest Missouri since the year 1922.

Land Surveys, Lot Surveys, Subdivisions, Mine Data, Blueprints

Case 037-12.

Email: herrerax2@sbcglobal.net

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: April 2, 2012

Item: COUNCIL BILL NO. 2012-280
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Planning Report
2) Commission Minutes
3) Copy of Council Bill

Public Works Director: David Hertzberg OKH Date: 3/23/2012
City Attorney: Brian Head Date: 3-27-12
City Manager: R. Mark Rohr RMR Date: 3-27-12
Board or Commission: Planning and Zoning Commission C/C Date: 3/12/2012

Recommended Action: Planning and Zoning Commission recommended approval by a vote of "5 in favor, 2 absent"

SUMMARY/REQUEST:
Case 039-12: Southwest corner of 32nd Street and Kodiak Road – A request to rezone from District R-1 (Single-Family Residential) to District M-2 (Heavy Industrial) for a future service center – Empire District Electric Company.

STAFF SUMMARY:
This property is suited for an industrial use and is adjacent to Route FF (32nd Street) and an industrial facility. The zoning change should not detrimentally affect nearby properties due to proximity to nearby industrial uses.

This property is consistent with development patterns and policies. Staff recommends approval of this request.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Sam McGarrah, Empire District Electric Company, appeared to request the rezoning of a 40-acres section from residential R-1 to heavy industrial M-2 for the construction of a new Joplin service center.

PUBLIC COMMENT:
None.

Z&P Meeting: March 12, 2012
City Council Meeting: April 2, 2012

STAFF PLANNING REPORT

CASE 039-12:

Petition the Council to rezone from District R-1 (Single-Family Residential) to District M-2 (Heavy Industrial) for a future service center

APPLICANT:

Empire District Electric Company

LOCATION:

Southwest corner of 32nd Street and Kodiak Road

PRESENT ZONING:

R-1 (Single-Family Residential)

REQUESTED ZONING:

M-2 (Heavy Industrial)

EXISTING CONDITIONS:

PROPERTY SIZE

Approximately 1,280'x1,300' (1,664,000 square feet or 38 acres)

FLOOD PLAIN

Zone X

SITE	LAND USE	EXISTING ZONING
NORTH	Call Center and undeveloped	M-2-PD
SOUTH	Undeveloped	Newton County
EAST	Undeveloped	Newton County
WEST	Industrial Facility	Newton County

TRAFFIC CONDITIONS:

STREET(S) WITH ACCESS TO PROPERTY

32nd Street
Kodiak Road

CLASSIFICATION OF STREET(S)

32nd Street – Minor Arterial
Kodiak Road – Local

RIGHT-OF-WAY WIDTH

32nd Street – 100 feet
Kodiak Road – 50 feet

WILL TURNING MOVEMENTS OF THE PROPOSED USE CREATE AN UNDUE TRAFFIC HAZARD?

No.

UTILITIES:

The property will need utilities.

CONSISTENT WITH FUTURE LAND USE MAP?

Yes.

STAFF ANALYSIS:

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

Yes.

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

This property is suited for an industrial use. This is adjacent to Rte. FF (32nd Street) and an industrial facility.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The zoning change should not detrimentally affect nearby properties due to proximity to nearby industrial uses.

DISCUSSION

This property is consistent with development patterns and policies. Staff recommends approval.

RECEIVED
2-3-12

CITY OF JOPLIN, MISSOURI
REZONING APPLICATION FORM

For Office Use Only
Case No.: 039-12
Filing Fee:
Date Advertised: 2/26/12
Date Notices Sent 2/29/12
Public Hearing Date: 3/12/12

Return Form to:
Planning / Community Development Specialist
602 South Main Street
Joplin, Missouri 64801
417-624-0820 Ext. 511
FAX 417-625-4738

APPLICANT: THE EMPIRE DISTRICT ELECTRIC CO. PHONE: 417-625-5100
ADDRESS: 602 S. JOPLIN AVE. ZIP: 64801
OWNER: Same as applicant PHONE: Same as applicant
ADDRESS: Same as applicant ZIP:
LOCATION OF PROPERTY: SW Corner of 32nd ST. AND RODIAK
LEGAL DESCRIPTION: NE 1/4 of NE 1/4 Section 22, Township 27 Range 32, NEWTON COUNTY, MO

Present Zoning R-1 Requested Zoning: M-2 Acreage: 37+ ACRES
Present Use of Property: UNDEVELOPED

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Industrial Park	M-2
South	Agricultural	Out of City Limit
East	Agricultural	Out of City Limit
West	Industrial	Out of City Limit

CHARACTER OF THE NEIGHBORHOOD: Rural agricultural being redeveloped into industrial

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: ✓
   PLANNED FOR INDUSTRIAL USE

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. Consistent with Development Policies? YES
2. Consistent with Future Land Use Map? YES

THE FOLLOWING MUST ACCOMPANY YOUR APPLICATION:

1. One copy of a legal description of the property proposed to be rezoned.
2. One copy of a statement describing the impact of the proposed change, including any traffic conditions that may result; any danger from fire hazards; how the proposed change may effect the character of the surrounding properties; and how the proposed change will benefit the City of Joplin.

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: 32nd STREET, KODIAK ROAD
2. Classification of Street(s):
   Arterial 1 Collector 1 Local
3. Right-of-Way Width: VARIABLE
4. Will turning movements caused by the proposed use create an undue traffic hazard?
   NO

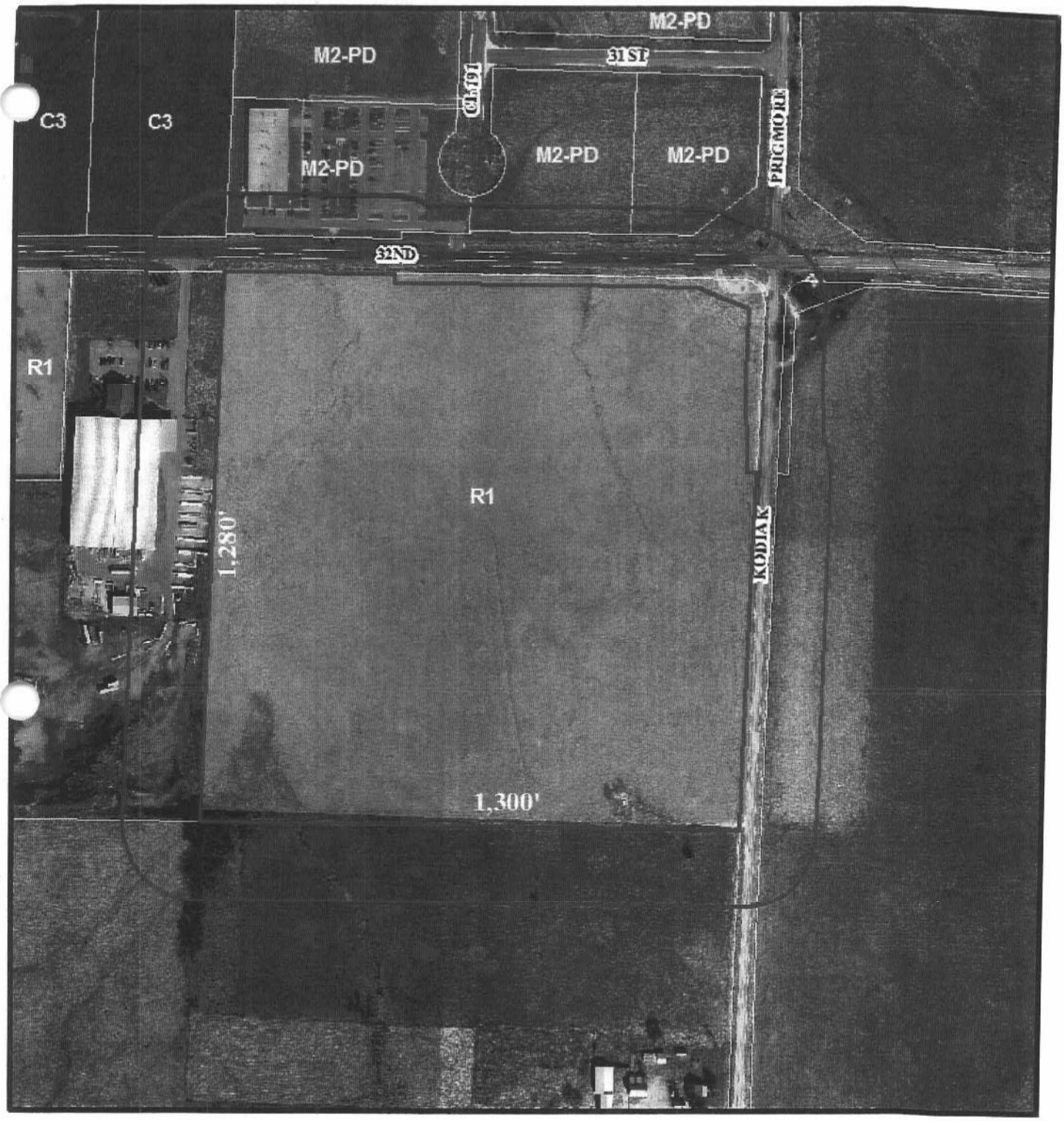
IS PLATTING OR REPLATTING REQUIRED TO PROVIDE FOR:

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: ENTIRE PROPERTY TO BE USED FOR UTILITY SERVICE CENTER

UNIQUE CHARACTERISTIC OF PROPERTY AND ADDITIONAL COMMENT:

SIGNATURE: Martin O. Penning DATE: 2/3/2012
BY: MARTIN O. PENNING
TITLE: VP - COMMERCIAL OPERATIONS

(Note: By signing this application you are signifying that you are either the legal owner of the subject property or are a legal representative of the owner or owners of the subject property.)



Case 039-12: A request to rezone from District R-1 (Single-Family Residential) to District M-2 (Heavy Industrial), also known as the southwest corner of 32nd Street and Kodiak Road, for a future service center - Empire District Electric Company

N

Case 039-12: Southwest corner of 32nd Street and Kodiak Road – A request to rezone from District R-1 (Single-Family Residential) to District M-2 (Heavy Industrial) for a future service center – Empire District Electric Company.

Mr. McClure opened the public hearing for Case 039-12.

Mr. Sam McGarrah, Empire District Electric Company, 602 Joplin Street, Joplin, appeared to request the rezoning of a 40-acres section from residential R-1 to heavy industrial M-2 for the construction of a new Joplin service center.

Mr. McClure asked for comments from the commissioners and the audience, and none were received. He then closed the public hearing for Case 039-12.

MR. HARRINGTON MOVED, SECONDED BY MR. LANDRITH, THAT CASE 039-12 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL, BASED UPON THE COMMENTS RECEIVED IN THE PLANNING REPORT AND DURING THE PUBLIC HEARING. THE MOTION CARRIED, WITH MR. EASTMAN, MR. HARRINGTON, MR. LANDRITH, MR. McCLURE, AND MR. SMITH VOTING "AYE", AND WITH MR. ANDERSON AND MR. GILSTRAP BEING ABSENT (5 IN FAVOR, 2 ABSENT).

P & Z Case 039-12
Empire District Electric Company
(P & Z Recommended Approval)

COUNCIL BILL NO. 2012-280 **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 M-2 property as described below and located on the southwest corner of 32nd Street and Kodiak Road, in the City of Joplin, Newton County, Missouri.

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 removing the following described property from District R-1 and including same in District M-2:

The Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼), Section 22, Township 27, Range 32, Newton 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 for thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of _____, 2012.

ATTEST:

_____
Michael R. Woolston, Mayor

_____
Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

_____
Brian W. Head, City Attorney

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: April 2, 2012

Item: COUNCIL BILL NO. 2012-281
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Planning Report
2) Commission Minutes
3) Copy of Council Bill

Public Works Director: David Hertzberg DXH	Date: 3/23/2012
City Attorney: Brian Head	Date: 3-27-12
City Manager: R. Mark Rohr	Date: 3-27-12
Board or Commission: Planning and Zoning Commission C/C	Date: 3/12/2012

Recommended Action: Planning and Zoning Commission recommended amending the requested zoning from District C-3 to District C-3-PD by a vote of "5 in favor, 2 absent"

SUMMARY/REQUEST:
Case 040-12: 2503, 2511, 2515 South Main and 2502, 2508, 2510, and 2516 South Virginia Avenue – A request to rezone from District R-1 (Single-Family Residential) and District R-3 (Apartment House District) to District C-3 (Commercial) for future commercial development – 32nd Street Plaza LLC/Kevin Manard.

STAFF SUMMARY:
This request is consistent with CART recommendations and is consistent with the development policies of the Comprehensive Plan.

This property is suited for commercial use given its location along Main Street and its proximity to nearby commercially zoned property. The zoning change should not detrimentally affect nearby properties due to proximity to Main Street and to nearby commercial zones.

This property is consistent with development patterns and policies. Staff recommends approval of this request.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Kevin Manard explained that he is the managing partner for 32nd Street Plaza. He thinks this request is a great opportunity to assemble these properties into one larger tract in bringing new business. He stated there is precedence for zoning all the way back to Virginia Avenue with the old grocery store at 17th and Main Streets currently occupied by Family Dollar, along with an old grocery store at First and Main occupied by Dollar General that goes all the way back to Virginia.

Mr. Manard explained that the Salvation Army property along west side of Main Street extends back to Joplin Avenue, with Dr. Joseph's development at 32nd and Main Streets also extending back to Joplin.

Mr. Eastman asked Mr. Manard if he has any chance in purchasing the last two lots on the west side of Virginia Avenue, and he hasn't been able to obtain the cooperation of one property owner there. The site he has currently assembled is big enough to attract some pretty major retailers.

Mr. Eastman asked Mr. Manard if he would be requesting the vacation of the alley, and he did not believe so. He explained that the existing developments he has discussed have not vacated the alley between Main and Virginia, but have constructed their buildings on the Virginia side of the alley and placed their parking lot in front. He could also place the building on the Main Street side of the alley and assemble the parking around the building.

Mr. Eastman asked Mr. Manard if he currently has a user for the property, and he replied not at this time. He has some ideas for the property but stated that there is no reason in making that effort if the property is not zoned commercial.

Mr. Eastman asked Mr. Manard about the lot zoned C-3 at the northeast corner of 26th and Main Streets, and he replied that the property owner is pretty expensive on price. He anticipates a fast food establishment, a bank, or a strip center in this area.

Mr. Eastman asked Mr. Bolander if commercial zoning is in the CART plan. He replied that this is true for this part of the Main Street corridor, realizing that developers today have to take a lot of different things into account when they build, especially off-street parking, landscaping and buffering along the Virginia Avenue side, and stormwater management. These lots were originally zoned for single-family homes and typically measure 50 feet by 110 feet.

Mr. Manard explained that the off-street parking is the key to attracting modern retailers.

Mr. Landrith explained that the commissioners have received several speculative rezoning requests in the last two or three meetings. It has always been his opinion rather than just to allow a C-3, which is the most intensive zoning category, he has no problem with the C-3, but he would like to see a planned district, particularly with the lack of depth in this particular area. He thought it would be wise to do some planning in the C-3 area and make the zoning C-3-PD.

Mr. Smith asked Mr. Manard if he has any problems with the C-3-PD zoning, and he expressed concern about the additional time and costs involved. He would voluntarily sign something stating he will erect a privacy fence on Virginia Avenue to protect that residential neighborhood behind it, but he did not want the planned district.

Mr. Smith had no problem with the property along Main Street being zoned C-3, but he indicated the need to protect the residents on the other side.

Mr. Eastman asked about making sure the rear of the building will look nice as recommended by the CART plan.

Mr. Manard also noted the Walgreens development at 20th and Main Streets extending all the way back to Virginia Avenue without having a privacy fence.

Mr. Landrith expressed the need to take the time to do the development right than do it haphazardly or speculative. He would like to amend the zoning to District C-3-PD.

PUBLIC COMMENT:
Mr. Dan Routledge, 118 North Sergeant Avenue, Joplin, appeared in opposition to the request and explained that he owns the property at 2505 South Virginia. He stated that this is a residential area and expressed concern about decreased residential property values.

Z&P Meeting: March 12, 2012
City Council Meeting: April 2, 2012

STAFF PLANNING REPORT

CASE 040-12:

Petition the Council to rezone from District R-1 (Single-Family Residential) and District R-3 (Apartment House) to District C-3 (Commercial) for a future commercial development.

APPLICANT:

32nd Street Plaza LLC (Kevin Manard)

LOCATION:

2503, 2511, and 2515 South Main Street and 2502, 2508, 2510, and 2516 South Virginia Avenue

PRESENT ZONING:

R-1 (Single-Family Residential) and R-3 (Apartment House)

REQUESTED ZONING:

C-3 (Commercial)

EXISTING CONDITIONS:

PROPERTY SIZE

Approximately 150' x 110' and 120' x 200' (40,500 square feet or 0.9 acre)

FLOOD PLAIN

Zone X

SITE	LAND USE	EXISTING ZONING
NORTH	Former House	C-3
SOUTH	Former Car Wash & House	C-3 & R-1
EAST	Single-Family Homes	R-1
WEST	Former Salvation Army Store	C-3

TRAFFIC CONDITIONS:

STREET(S) WITH ACCESS TO PROPERTY

Main Street
Virginia Street
25th Street

CLASSIFICATION OF STREET(S)

Main Street – Arterial
Virginia Street – Local
25th Street – Local

RIGHT-OF-WAY WIDTH

Main Street – 80 feet
Virginia Street – 60 feet
25th Street – 50 feet

WILL TURNING MOVEMENTS OF THE PROPOSED USE CREATE AN UNDUE TRAFFIC HAZARD?

No.

UTILITIES:

The property currently has all utilities

CONSISTENT WITH FUTURE LAND USE MAP?

Yes, for the properties along Main Street. No, for the properties along Virginia Avenue. However, this request is consistent with CART recommendations.

STAFF ANALYSIS:

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

Yes.

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

This property is suited for commercial use given its location along Main Street and its proximity to nearby commercially zoned property.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The zoning change should not detrimentally affect nearby properties due to proximity to Main Street and to nearby commercial zones.

DISCUSSION

This property is consistent with development patterns and policies. Staff recommends approval.

REZONING APPLICATION FORM

RECEIVED 2-3-12

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.: C40-12
Filing Fee: $350.00
Date Advertised: 2/26/12
Date Notices Sent: 2/29/12
Public Hearing Date: 3/12/12

APPLICANT: 32nd Street Plaza, LLC (Ken Floyd) PHONE: (417) 624-7227
ADDRESS: 1710 E. 32nd Suite F Joplin MO ZIP: 64804
OWNER: See attached multiple owners PHONE: 624-7227
ADDRESS: multiple addresses, see attached ZIP: 64804
LOCATION OF PROPERTY: 2500 S. Main and Virginia Ave
LEGAL DESCRIPTION: multiple, see attached

Present Zoning: B-1, B-3 Requested Zoning: C-3 Acreage: 0.66
Present Use of Property: Vacant Land

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Vacant land	B-1 and C3
South	Vacant land	B-1 and B3
East	Vacant land	R1
West	Vacant land	C-3

CHARACTER OF THE NEIGHBORHOOD: Commercial Vacant land

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: Yes. The most appropriate use is commercial

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. Consistent with Development Policies? Yes
2. Consistent with Future Land Use Map? Yes for parcels along Main - No for parcels along Virginia but is consistent with Chas recommendation

THE FOLLOWING MUST ACCOMPANY YOUR APPLICATION:

1. One copy of a legal description of the property proposed to be rezoned.
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 effect 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

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: Main and alleyway
2. Classification of Street(s):
   Arterial ✓ Collector _____ Local _____
3. Right-of-Way Width: 80 feet
4. Will turning movements caused by the proposed use create an undue traffic hazard?
   No

IS PLATTING OR REPLATTING REQUIRED 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 ADDITIONAL COMMENT:
Property is in the Tornado Zone

SIGNATURE: _____ DATE: _____

BY: J. Kevin Manard

TITLE: Member



Case 040-12: A request to rezone from District R-1 (Single-Family Residential) to District C-3 (Commercial) for a future commercial development, the area known as 2503, 2511, and 2515 South Main Street and 2502, 2508, 2510, and 2516 South Virginia Avenue - 32nd St. Plaza, LLC (Kevin Manard)

N

Case 040-12: 2503, 2511, 2515 South Main and 2502, 2508, 2510, and 2516 South Virginia Avenue – A request to rezone from District R-1 (Single-Family Residential) and District R-3 (Apartment House District) to District C-3 (Commercial) for future commercial development – 32nd Street Plaza LLC/Kevin Manard.

Mr. McClure opened the public hearing for Case 040-12.

Mr. Kevin Manard, 1710 East 32nd Street, Suite F, Joplin, appeared and explained that he is the managing partner for 32nd Street Plaza. He thinks this request is a great opportunity to assemble these properties into one larger tract in bringing new business. He stated that there is precedence for zoning all the way back to Virginia Avenue with the old grocery store at 17th and Main Streets currently occupied by Family Dollar, along with an old grocery store at First and Main occupied by Dollar General that goes all the way back to Virginia.

Mr. Manard explained that the Salvation Army property along west side of Main Street extends back to Joplin Avenue, with Dr. Joseph's development at 32nd and Main Streets also extending back to Joplin.

Mr. Eastman asked Mr. Manard if he has any chance in purchasing the last two lots on the west side of Virginia Avenue, and he hasn't been able to obtain the cooperation of one property owner there. He explained that the site he has currently assembled is big enough to attract some pretty major retailers.

Mr. Eastman asked Mr. Manard if he would be requesting the vacation of the alley, and he did not believe so. He explained that the existing developments he has discussed have not vacated the alley between Main and Virginia, but have constructed their buildings on the Virginia side of the alley and placed their parking lot in front. He could also place the building on the Main Street side of the alley and assemble the parking around the building.

Mr. Eastman asked Mr. Manard if he currently has a user for the property, and he replied not at this time. He has some ideas for the property but stated that there is no reason in making that effort if the property is not zoned commercial.

Mr. Eastman asked Mr. Manard about the lot zoned C-3 at the northeast corner of 26th and Main Streets, and he replied that the property owner is pretty expensive on price. He anticipates a fast food establishment, a bank, or a strip center in this area.

Mr. Eastman asked Mr. Bolander if commercial zoning is in the CART plan. He replied that this is true for this part of the Main Street corridor, realizing that developers today have to take a lot of different things into account when they build, especially off-street parking, landscaping and buffering along the Virginia Avenue side, and stormwater management. These lots were originally zoned for single-family homes and typically measure 50 feet by 110 feet.

Mr. Manard explained that the off-street parking is the key to attracting modern retailers.

Mr. Landrith explained that the commissioners have received several speculative rezoning requests in the last two or three meetings. It has always been his opinion rather than just to allow a C-3,

which is the most intensive zoning category, he has no problem with the C-3, but he would like to see a planned district, particularly with the lack of depth in this particular area. He thought it would be wise to do some planning in the C-3 area and make the zoning C-3-PD.

Mr. Smith asked Mr. Manard if he has any problems with the C-3-PD zoning, and he expressed concern about the additional time and costs involved. He would voluntarily sign something stating he will erect a privacy fence on Virginia Avenue to protect that residential neighborhood behind it, but he did not want the planned district.

Mr. Smith had no problem with the property along Main Street being zoned C-3, but he indicated the need to protect the residents on the other side.

Mr. Eastman asked about making sure the rear of the building will look nice as recommended by the CART plan.

Mr. Manard also noted the Walgreens development at 20th and Main Streets extending all the way back to Virginia Avenue without having a privacy fence.

Mr. Landrith expressed the need to take the time to do the development right than do it haphazardly or speculative. He would like to amend the zoning to District C-3-PD.

Mr. McClure then asked for comments from the audience.

Mr. Dan Routledge, 118 North Sergeant Avenue, Joplin, appeared in opposition to the request and explained that he owns the property at 2505 South Virginia. He stated that this is a residential area and expressed concern about decreased residential property values. He had a rental property there that was destroyed, and he is planning to sell the lot or have another rental property there.

Mr. McClure asked for additional comments from the commissioners and the audience, and none were received. He then closed the public hearing for Case 040-12.

MR. LANDRITH MOVED, SECONDED BY MR. HARRINGTON, TO AMEND CASE 040-12 FROM THE REQUESTED DISTRICT C-3 TO DISTRICT C-3-PD, BASED UPON THE COMMENTS RECEIVED IN THE PLANNING REPORT AND DURING THE PUBLIC HEARING. THE MOTION CARRIED, WITH MR. EASTMAN, MR. HARRINGTON, MR. LANDRITH, MR. McCLURE, AND MR. SMITH VOTING "AYE", AND WITH MR. ANDERSON AND MR. GILSTRAP BEING ABSENT (5 IN FAVOR, 2 ABSENT).

MR. LANDRITH MOVED, SECONDED BY MR. SMITH, TO FORWARD CASE 040-12 TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL TO REZONE TO DISTRICT C-3-PD AS AMENDED IN THE PREVIOUS MOTION. THE MOTION CARRIED, WITH MR. EASTMAN, MR. HARRINGTON, MR. LANDRITH, MR. McCLURE, AND MR. SMITH VOTING "AYE", AND WITH MR. ANDERSON AND MR. GILSTRAP BEING ABSENT (5 IN FAVOR, 2 ABSENT).

P & Z Case 040-12
32nd Street Plaza LLC/Kevin Manard
(P & Z Recommended amending the
requested rezoning to District C-3-PD)

COUNCIL BILL NO. 2012-281 **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 District R-3 and including in District C-3 property as described below and located at 2503, 2511, and 2515 South Main Street and 2502, 2508, 2510, and 2516 South Virginia Avenue, in the City of Joplin, Jasper County, Missouri.

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 removing the following described property from District R-1 and District R-3 and including same in District C-3:

All of Lots Numbered 118, 119, 120, 121, 157, 158, and 159 in O'Keefe's Addition to the City of Joplin, 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 for thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of _____, 2012.

ATTEST:

_____
Michael R. Woolston, Mayor

_____
Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

_____
Brian W. Head, City Attorney

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: April 2, 2012

Item: COUNCIL BILL NO. 2012-282
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Planning Report
2) Commission Minutes
3) Copy of Council Bill

Public Works Director: David Hertzberg	Date: 3/23/2012
City Attorney: Brian Head	Date: 5-27-12
City Manager: R. Mark Rohr	Date: 3-27-12
Board or Commission: Planning and Zoning Commission C/C	Date: 3/12/2012

Recommended Action: Planning and Zoning Commission recommended approval by a vote of "4 in favor, 1 opposed, and 2 absent"

SUMMARY/REQUEST:
Case 041-12: 1300 North Range Line Road – A request to rezone from District R-3-PD (Apartment House District Planned Development) to District C-3 (Commercial) for future commercial development the north 295 feet of the east 225 feet of the area – Altura Homes, LLC/Anderson Engineering.

STAFF SUMMARY:
This request is consistent with the development policies of the Comprehensive Plan. This property is suited for commercial use given its location along Range Line Road as identified in the Future Land Use Map.

The zoning change should not detrimentally affect nearby properties due to proximity to Range Line Road and to nearby commercial zones.

This property is consistent with development patterns and policies. Staff recommends approval of this request.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Michael T. Williams appeared representing Gateway Altura Development to rezone the front portion of the property at 1300 North Range Line Road for commercial development. This property is just south of Tractor Supply and just north of Lube-N-X, and would fit in with the proposed apartment development.

Mr. Williams explained that a pizza chain has expressed some interest in locating there. He is planning on having a walking trail around the building for the apartment complex and is trying to attract amenities for those living in the apartments.

Mr. McClure asked Mr. Williams about other prospects, and he replied only the one contact.

Mr. McClure asked Mr. Williams about any type of turn-out to access Range Line Road due to the hill in this area. He replied that the City of Joplin and MoDOT have requested that a right-turn lane be provided for any commercial development. He stated that the existing driveway is perfect for the apartment complex, but they would like a right-turn lane because of that concern. His north entrance would be shared with Tractor Supply.

Mr. Williams explained that before the public hearings were conducted by the Missouri Housing Development Council, he noticed R-3-PD zoning existing immediately to the west. He stated that the apartment complex will be built "Certified Green", and he receives "green" points for preserving any existing trees that he possibly can.

Mr. Williams met with the Missouri Department of Conservation, having them educate him in the best way to build this complex while maintaining the tall trees on the property. He is pushing the building back to the west, but he will try to save every tree possible. He is also planning a walking trail for the senior citizens back through that area. He is also working with the Boys and Girls Club to donate additional trees.

Mr. Smith asked about a buffer between the apartment complex and Mr. Burt's area. Mr. Williams plans to stand on the third story of the building and look at trees outside the window.

PUBLIC COMMENT:
Comments in opposition to the request were received from the following:

Mr. Allyn Burt, 2609 Waters Edge Boulevard, Joplin (owner of Waters Edge Subdivision)
Mr. Richard Spencer, 2828 Ridge View Drive, Joplin

They expressed concern about traffic issues with access onto Range Line Road and decreased residential property values. They expressed concern about the proposed apartment complex being adjacent to their residential properties.

Mr. Eastman asked Mr. Burt if he owns the lots zoned R-3-PD adjacent to the west property line for the apartment development, and he replied yes.

Mr. Eastman indicated that would allow multi-family development with a natural buffer, and Mr. Burt explained that the development needs to be moved up. He thought there are so many sites in the tornado zone that would have worked better for this project.

Z&P Meeting: March 12, 2012
City Council Meeting: April 2, 2012

STAFF PLANNING REPORT

CASE 041-12:

Petition the Council to rezone from District R-3-PD (Apartment House District – Planned Development) to District C-3 (Commercial) for a future commercial development.

APPLICANT:

Altura Homes, LLC

LOCATION:

1300 North Range Line Road – the west 225 feet of the north 295 feet

PRESENT ZONING:

R-3-PD (Apartment House – Planned Development)

REQUESTED ZONING:

C-3 (Commercial)

EXISTING CONDITIONS:

PROPERTY SIZE

Approximately 225' x 295' (66,375 square feet or 1.5 acres)

FLOOD PLAIN

Zone X

SITE	LAND USE	EXISTING ZONING
NORTH	Farm & Home/Tractor Store	C-3 and R-1
SOUTH	Lube & Oil Station and Undeveloped	C-3
EAST	Tamko & Fitness Club	M-2 & Webb City
WEST	Undeveloped	R-3-PD

TRAFFIC CONDITIONS:

STREET(S) WITH ACCESS TO PROPERTY

Range Line Road

CLASSIFICATION OF STREET(S)

Range Line Road – Arterial

RIGHT-OF-WAY WIDTH

Range Line Road – 150 feet

WILL TURNING MOVEMENTS OF THE PROPOSED USE CREATE AN UNDUE TRAFFIC HAZARD?

MoDOT has participated in development meetings and is comfortable with the placement of the drive in order to minimize any potential traffic hazards. The placement of the access complies with the City's requirements.

UTILITIES:

Utilities will be brought to the site from nearby service

CONSISTENT WITH FUTURE LAND USE MAP?

Yes, this area is zoned correctly for this use and the plans are in compliance with the development policies of the Comprehensive Plan.

STAFF ANALYSIS:

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

Yes.

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

This property is suited for commercial use given its location along Range Line Road as identified in the Future Land Use Map.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The zoning change should not detrimentally affect nearby properties due to proximity to Range Line Road and to nearby commercial zones.

DISCUSSION

This property is consistent with development patterns and policies. Staff recommends approval.

RECEIVED
2-3-12

CITY OF JOPLIN, MISSOURI

REZONING APPLICATION

For Office Use Only
Case No.: 041-12
Filing Fee: [illegible]
Date Advertised: 2/26/12
Date Notices Sent 2/29/12
Public Hearing Date: 3/12/12

Return Form to:
Planning and Community Development Manager
321 East 4th Street
P.O. Box 1355
Joplin, Missouri 64802
417-624-0820 Ext. 511
FAX 417-625-4738

APPLICANT: Allura Homes LLC PHONE: 417-850-5023
ADDRESS: 3129 E. 7th Suite F Joplin, MO ZIP: 64801
OWNER: Michael T. Williams PHONE:
ADDRESS: same as above ZIP:
LOCATION OF PROPERTY: 1300 N. Rangeline
LEGAL DESCRIPTION:
SEE ATTACHED - Drawing

Present Zoning R-3 PD Requested Zoning: C-3 Acreage:
Present Use of Property: Vacant Land

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Tractor Supply	C3
South	Lube Xpress	C3
East	Rangeline	C3
West	Vacant R-3pd	R-3 PD

CHARACTER OF THE NEIGHBORHOOD: Commercial Rangeline properties

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: Doesn't allow for retail or restaurants

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. Consistent with Development Policies? yes
2. Consistent with Future Land Use Map? yes

THE FOLLOWING MUST ACCOMPANY YOUR APPLICATION:

1. One copy of a legal description of the property proposed to be rezoned. -See Attached -Drawing
2. One copy of a statement describing the impact of the proposed change, including any traffic conditions that may result; any danger from fire hazards; how the proposed change may effect the character of the surrounding properties; and how the proposed change will benefit the City of Joplin. -Attached

LIST OF NEIGHBORING PROPERTIES:

Certified list of property owners within 185 feet

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: Range line Road
2. Classification of Street(s):
   Arterial X Collector _____ Local _____
3. Right-of-Way Width: 150'
4. Will turning movements caused by the proposed use create an undue traffic hazard?
   No. Access will be from Parkwood Senior Housing Driveway. We have Met with MoDot on the Entrance Requirements

IS PLATTING OR REPLATTING REQUIRED 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 ADDITIONAL COMMENT:

_____

SIGNATURE: _____ DATE: 2/8/12

BY: Michael T. Williams

TITLE: OWNER

[Note: By signing this application you are signifying that you are either the legal owner of the subject property or are a legal representative of the owner or owners of the subject property.]



Case 041-12: A request to rezone from District R-3-PD (Apartment House District - Planned Development) to District C-3 (Commercial) for a future commercial development, the area known as 1300 North Range Line Road- Altura Homes, LLC

N

Case 041-12: 1300 North Range Line Road – A request to rezone from District R-3-PD (Apartment House District Planned Development) to District C-3 (Commercial) for future commercial development the north 295 feet of the east 225 feet of the area – Altura Homes, LLC/Anderson Engineering.

Mr. McClure opened the public hearing for Case 041-12.

Mr. Michael T. Williams, 520 West First Street, Webb City, Missouri, appeared representing Gateway Altura Development to rezone the front portion of the property at 1300 North Range Line Road for commercial development. This property is just south of Tractor Supply and just north of Lube-N-X, and would fit in with the proposed apartment development.

Mr. Williams explained that a pizza chain has expressed some interest in locating there. He is planning on having a walking trail around the building for the apartment complex and is trying to attract amenities for those living in the apartments.

Mr. McClure asked Mr. Williams about other prospects, and he replied only the one contact.

Mr. McClure asked Mr. Williams about any type of turn-out to access Range Line Road due to the hill in this area. He replied that the City of Joplin and the Missouri Department of Transportation (MoDOT) have requested that a right-turn lane be provided for any commercial development. He stated that the existing driveway is perfect for the apartment complex, but they would like a right-turn lane because of that concern. His north entrance would be shared with Tractor Supply.

Mr. McClure asked for comments from the audience.

Mr. Allyn Burt, 2609 Waters Edge Boulevard, Joplin, appeared in opposition to the request. He is the owner of Waters Edge Subdivision and has an access going onto Range Line Road. He did not believe that this development for low-income senior housing would go forward. This development was presented to the State of Missouri, who asked the City of Joplin what properties they thought were proper for this type of venture. The City indicated there were many other locations that were much better, but that the state approved the request since it was for senior housing.

Mr. Burt discussed traffic issues and expressed concern about making a left-hand turn onto Range Line Road, so Waters Edge has a back entrance, with their residents using that entrance if they are trying to go north. He explained that Tractor Supply is right at the top of the hill and expressed concern about access.

Mr. Burt expressed concern that the apartments will contain more than one story, with the apartments overlooking Waters Edge to the extreme. He expressed concern about decreased residential properties in Waters Edge and did not believe the property should be rezoned, since it was all under the contention that the entire area was to contain housing. He expressed concern about pushing the apartment development to the back and creating an eyesore for Waters Edge.

Mr. Burt asked about a one-level development or something that won't be a danger to the people who will reside there. He stated that the proposed development is detrimental to property values in Waters Edge, with homes backing up to the apartment complex.

Mr. Eastman asked Mr. Burt if he owns the lots zoned R-3-PD adjacent to the west property line for the apartment development, and he replied yes.

Mr. Eastman indicated that would allow multi-family development with a natural buffer, and Mr. Burt explained that the development needs to be moved up. He thought there are so many sites in the tornado zone that would have worked better for this project.

Mr. Burt explained that the proposed development is an eyesore and death-trap for anyone who is there and did not believe any apartment complex is right on Range Line Road.

Mr. Williams explained that before the public hearings were conducted by the Missouri Housing Development Council, he noticed R-3-PD zoning existing immediately to the west. He stated that the apartment complex will be built "Certified Green", and he receives "green" points for preserving any existing trees that he possibly can.

Mr. Williams met with the Missouri Department of Conservation, having them educate him in the best way to build this complex while maintaining the tall trees on the property. He is pushing the building back to the west, but he will try to save every tree possible. He is also planning a walking trail for the senior citizens back through that area. He is also working with the Boys and Girls Club to donate additional trees.

Mr. Smith asked about a buffer between the apartment complex and Mr. Burt's area. Mr. Williams plans to stand on the third story of the building and look at trees outside the window.

Mr. McClure asked for additional comments in opposition.

Mr. Richard Spencer, 2828 Ridge View Drive, Joplin, appeared in opposition to the request and believes his house would be the closest existing house to the proposed development. He thought that it would be an incredibly poor idea to place a multi-family apartment building for senior citizens on the property in the request since it is virtually impossible to go north from the entrance on Range Line Road. He expressed concern about creating a serious traffic hazard for anyone trying to go back north on Range Line.

Mr. Spencer also expressed concern affects the residential property values in Waters Edge and expressed concern about the three-story apartment building being in clear view from a number of homes. He stated that the value of the residential lots drops considerably once those apartment buildings are constructed.

Mr. McClure asked for additional comments from the commissioners and the audience, and none were received. He then closed the public hearing for Case 041-12.

MR. HARRINGTON MOVED, SECONDED BY MR. EASTMAN, THAT CASE 041-12 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL, BASED UPON THE COMMENTS RECEIVED IN THE PLANNING REPORT AND DURING THE PUBLIC HEARING. THE MOTION CARRIED, WITH MR. EASTMAN, MR. HARRINGTON, MR. LANDRITH, AND MR. McCLURE VOTING "AYE"; WITH MR. SMITH VOTING "NAY"; AND WITH MR. ANDERSON AND MR. GILSTRAP BEING ABSENT (4 IN FAVOR, 1 OPPOSED, AND 2 ABSENT).

P & Z Case 041-12
Altura Homes, LLC/Anderson Engineering
(P & Z Recommended Approval)

COUNCIL BILL NO. 2012-282 **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-3-PD and including in District C-3 property as described below and located at 1300 North Range Line Road, in the City of Joplin, Jasper County, Missouri.

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 removing the following described property from District R-3-PD and including same in District C-3:

The East 225 feet of the North 295 feet of a Miscellaneous Tract of land described as the North 400 feet of Miscellaneous Tract Numbered 27 Except Beginning 825.76 feet west and 1043.66 feet north of the Southeast Corner of Section 36, Township 28, Range 33 thence East 285.83' thence North 400' thence West 257.94 feet thence South 400 feet to the Point of Beginning and Except the East 15 feet for Highway.

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 for thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of _____, 2012.

ATTEST:

_____
Michael R. Woolston, Mayor

_____
Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

_____
Brian W. Head, City Attorney

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: April 2, 2012

Item: COUNCIL BILL NO. 2012-283
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Planning Report
2) Commission Minutes
3) Copy of Council Bill

Public Works Director: David Hertzberg OKH Date: 3/23/2012
City Attorney: Brian Head Date: 3-27-12
City Manager: R. Mark Rohr Date: 3-27-12
Board or Commission: Planning and Zoning Commission C/C Date: 3/12/2012

Recommended Action: Planning and Zoning Commission recommended amending the requested zoning from District C-3 to District C-3-PD by a vote of "5 in favor, 2 absent"

SUMMARY/REQUEST:
Case 042-12: 2907 East 22nd Street – A request to rezone from District R-1 (Single-Family Residential) to District C-3 (Commercial) for future commercial development – Edward and Barbara Campbell.

STAFF SUMMARY:
This request is consistent with the development policies of the Comprehensive Plan. This property is suited for commercial use given its location near Range Line Road as identified in the Future Land Use Map.

The zoning change should not detrimentally affect nearby properties due to proximity to Range Line Road and to nearby commercial zones.

This property is consistent with development patterns and policies. Staff recommends approval of this request.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Ed Campbell, owner of the property at 2907 East 22nd Street, Joplin, appeared to request the rezoning of his property from residential to commercial. He explained that the traffic on 22nd Street has increased considerably and made things uncomfortable for those residing in this area. He stated that all the property between 20th and 32nd Streets from Range Line Road to Highview Avenue is commercial with the exception of 22nd Street.

Mr. Eastman asked Mr. Campbell if he has visited with the neighbors on either side of his property, and he replied that all the neighbors he has visited with want to rezone their properties to commercial. They don't want to rebuild due to the increased traffic in this area.

Mr. Bolander reminded the commissioners of Mr. Parrett's rezoning request that was presented in February. He explained that the City Council tabled that request and will be discussing it along with the three requests being presented at this time.

Mr. Eastman asked if the two corner lots on Highview Avenue were not included, and Mr. Bolander replied that was correct.

Mr. Landrith has been pretty consistent on this commercial redevelopment into making this area a planned district. He realizes that there are areas where the commercial uses have extended back to Highview Avenue, but that there are also residents in the area who must be considered.

PUBLIC COMMENT:
None.

Z&P Meeting: March 12, 2012
City Council Meeting: April 2, 2012

STAFF PLANNING REPORT

CASE 042-12:

Petition the Council to rezone from District R-1 (Single-Family Residential) to District C-3 (Commercial) for a future commercial development.

APPLICANT:

Ed and Barbara Campbell

LOCATION:

2907 East 22nd Street

PRESENT ZONING:

R-1 (Single-Family Residential)

REQUESTED ZONING:

C-3 (Commercial)

EXISTING CONDITIONS:

PROPERTY SIZE

Approximately 112' x 123' (13,776 square feet or 0.3 acre)

FLOOD PLAIN

Zone X

SITE	LAND USE	EXISTING ZONING
NORTH	Former Single-Family House	R-1
SOUTH	Former Single-Family House	R-1
EAST	Former Single-Family House	R-1
WEST	Former Single-Family House	R-1

TRAFFIC CONDITIONS:

STREET(S) WITH ACCESS TO PROPERTY

22nd Street

CLASSIFICATION OF STREET(S)

22nd Street – Local

RIGHT-OF-WAY WIDTH

22nd Street – 50 feet

WILL TURNING MOVEMENTS OF THE PROPOSED USE CREATE AN UNDUE TRAFFIC HAZARD?

No.

UTILITIES:

This site has all utilities in place.

CONSISTENT WITH FUTURE LAND USE MAP?

Yes.

STAFF ANALYSIS:

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

Yes.

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

This property is suited for commercial use given its location near Range Line Road as identified in the Future Land Use Map.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The zoning change should not detrimentally affect nearby properties due to proximity to Range Line Road and to nearby commercial zones.

DISCUSSION

This property is consistent with development patterns and policies. Staff recommends approval.

RECEIVED
2-6-12

CITY OF JOPLIN, MISSOURI
REZONING APPLICATION FORM

Return Form to:
Planning / Community Development Specialist
602 South Main Street
Joplin, Missouri 64801
417-624-0820 Ext. 511
FAX 417-625-4738

For Office Use Only
Case No.: 042-12
Filing Fee:
Date Advertised: 2/26/12
Date Notices Sent 2/29/12
Public Hearing Date: 3/12/12

APPLICANT: Ed + Barbara Campbell PHONE: 417-434-2158
ADDRESS: 2015 Carolina Place ZIP: 64801
OWNER: Ed + Barbara Campbell PHONE: 417-434-2158
ADDRESS: ZIP:
LOCATION OF PROPERTY: 2907 E 22 ST Joplin, Mo. 64804
LEGAL DESCRIPTION: All of Lot Numbered Ten (10) Except The East 90 Feet And Except The West 102 Feed IN Kindred 15 Sub-Division, IN The City of Joplin, Jasper County, Mo. According To The Recorded Plat Thereof
Present Zoning R-1 Requested Zoning: C-3 Acreage:
Present Use of Property:

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Residential - Vacant	R-1
South	Residential - Vacant	R-1
East	Residential - Vacant	R-1
West	Residential	R1

CHARACTER OF THE NEIGHBORHOOD: destroyed in tornado

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:

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. Consistent with Development Policies? Yes
2. Consistent with Future Land Use Map? Yes

THE FOLLOWING MUST ACCOMPANY YOUR APPLICATION:

1. One copy of a legal description of the property proposed to be rezoned.
2. One copy of a statement describing the impact of the proposed change, including any traffic conditions that may result; any danger from fire hazards; how the proposed change may effect the character of the surrounding properties; and how the proposed change will benefit the City of Joplin.

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: 22nd St
2. Classification of Street(s):
   Arterial____ Collector____ Local ✓
3. Right-of-Way Width: 50'
4. Will turning movements caused by the proposed use create an undue traffic hazard?
   No

IS PLATTING OR REPLATTING REQUIRED TO PROVIDE FOR:

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

UNIQUE CHARACTERISTIC OF PROPERTY AND ADDITIONAL COMMENT:

SIGNATURE: Barbara Campbell DATE: 2-6-12
BY:
TITLE:

(Note: By signing this application you are signifying that you are either the legal owner of the subject property or are a legal representative of the owner or owners of the subject property.)



0 155 310 620 930 1,240 Feet

Case 042-12, 043-12, and 044-12: A request to rezone from District R-1 (Single-Family Residential) to District C-3 (Commercial) for a future commercial development, the area known as 2907, 2908, and 2921 East 22nd Street - Ed & Barbara Campbell, Diane H Schwarting, and Sandy Acres Co.

N

Case 042-12: 2907 East 22nd Street – A request to rezone from District R-1 (Single-Family Residential) to District C-3 (Commercial) for future commercial development – Edward and Barbara Campbell.

Mr. McClure opened the public hearing for Case 042-12.

Mr. Ed Campbell, owner of the property at 2907 East 22nd Street, Joplin, appeared to request the rezoning of his property from residential to commercial. He explained that the traffic on 22nd Street has increased considerably and made things uncomfortable for those residing in this area. He stated that all the property between 20th and 32nd Streets from Range Line Road to Highview Avenue is commercial with the exception of 22nd Street.

Mr. Eastman asked Mr. Campbell if he has visited with the neighbors on either side of his property, and he replied that all the neighbors he has visited with want to rezone their properties to commercial. They don't want to rebuild due to the increased traffic in this area.

Mr. Bolander reminded the commissioners of Mr. Parrett's rezoning request that was presented in February. He explained that the City Council tabled that request and will be discussing it along with the three requests being presented at this time.

Mr. Eastman asked if the two corner lots on Highview Avenue were not included, and Mr. Bolander replied that was correct.

Mr. McClure asked for comments from the commissioners and the audience, and none were received. He then closed the public hearing for Case 042-12.

Mr. Landrith has been pretty consistent on this commercial redevelopment into making this area a planned district. He realizes that there are areas where the commercial uses have extended back to Highview Avenue, but that there are also residents in the area who must be considered.

MR. LANDRITH MOVED, SECONDED BY MR. HARRINGTON, TO AMEND CASE 042-12 FROM THE REQUESTED DISTRICT C-3 TO DISTRICT C-3-PD, BASED UPON THE COMMENTS RECEIVED IN THE PLANNING REPORT AND DURING THE PUBLIC HEARING. THE MOTION CARRIED, WITH MR. EASTMAN, MR. HARRINGTON, MR. LANDRITH, MR. McCLURE, AND MR. SMITH VOTING "AYE", AND WITH MR. ANDERSON AND MR. GILSTRAP BEING ABSENT (5 IN FAVOR, 2 ABSENT).

MR.LANDRITH MOVED, SECONDED BY MR. HARRINGTON, TO FORWARD CASE 042-12 TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL TO REZONE TO DISTRICT C-3-PD AS AMENDED IN THE PREVIOUS MOTION. THE MOTION CARRIED, WITH MR. EASTMAN, MR. HARRINGTON, MR. LANDRITH, MR. McCLURE, AND MR. SMITH VOTING "AYE", AND WITH MR. ANDERSON AND MR. GILSTRAP BEING ABSENT (5 IN FAVOR, 2 ABSENT).

P & Z Case 042-12
Edward and Barbara Campbell
(P & Z Recommended amending the
requested rezoning to District C-3-PD)

COUNCIL BILL NO. 2012-283 **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 C-3 property as described below and located at 2907 East 22nd Street, in the City of Joplin, Jasper County, Missouri.

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 removing the following described property from District R-1 and including same in District C-3:

All of Lot numbered Ten (10) except the East 90 feet and Except the West 102 feet in Kindred's Sub-Division in 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 for thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of _____, 2012.

ATTEST:

_____
Michael R. Woolston, Mayor

_____
Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

_____
Brian W. Head, City Attorney

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: April 2, 2012

Item: COUNCIL BILL NO. 2012-284
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Planning Report
2) Commission Minutes
3) Copy of Council Bill

Public Works Director: David Hertzberg DZH	Date: 3/23/2012
City Attorney: Brian Head	Date: 3-27-12
City Manager: R. Mark Rohr	Date: 3-27-12
Board or Commission: Planning and Zoning Commission CK	Date: 3/12/2012

Recommended Action: Planning and Zoning Commission recommended amending the requested zoning from District C-3 to District C-3-PD by a vote of "5 in favor, 2 absent"

SUMMARY/REQUEST:
Case 043-12: 2908 East 22nd Street– A request to rezone from District R-1 (Single-Family Residential) to District C-3 (Commercial) for future commercial development – Diane Schwarting.

STAFF SUMMARY:
This request is consistent with the development policies of the Comprehensive Plan. This property is suited for commercial use given its location near Range Line Road as identified in the Future Land Use Map.

The zoning change should not detrimentally affect nearby properties due to proximity to Range Line Road and to nearby commercial zones.

This property is consistent with development patterns and policies. Staff recommends approval of this request.

PLANNING & ZONING COMMISSION TESTIMONY:
Ms. Diane Schwarting, owner of the property at 2908 East 22nd Street, Joplin, explained that her property is across the street from that owned by Ed and Barbara Campbell. She stated that the entire block was devastated by the tornado. She has counted 11 lots on the two sides of 22nd Street, including Arby's and Kum-N-Go, and the two corner lots on Highview Avenue. She stated that the owners of seven of those are requesting commercial zoning, and that the C-3-PD zoning is fine with her and all the other owners.

Ms. Schwarting supports Mr. and Mrs. Campbell's request. She explained that the traffic was really increasing and will continue to get worse since people drive down 22nd Street and Highview Avenue to Lowe's and the other businesses in the area to avoid the traffic signal at 20th Street and Range Line Road.

Mr. Eastman asked Ms. Schwarting if she has visited with her neighbor to the west, and she replied that this neighbor has moved to Springfield. She thought that the same company who is seeking the rezoning in Case 044-12 currently owns that lot.

Mr. McClure asked Ms. Schwarting if she would not be opposed to amend the zoning to a planned district (PD), and she replied that wouldn't be a problem.

PUBLIC COMMENT:
None.

Z&P Meeting: March 12, 2012
City Council Meeting: April 2, 2012

STAFF PLANNING REPORT

CASE 043-12:

Petition the Council to rezone from District R-1 (Single-Family Residential) to District C-3 (Commercial) for a future commercial development.

APPLICANT:

Diane H. Schwarting

LOCATION:

2908 East 22nd Street

PRESENT ZONING:

R-1 (Single-Family Residential)

REQUESTED ZONING:

C-3 (Commercial)

EXISTING CONDITIONS:

PROPERTY SIZE

Approximately 70' x 120' (8,400 square feet or 0.2 acre)

FLOOD PLAIN

Zone X

SITE	LAND USE	EXISTING ZONING
NORTH	Former & New Single-Family Homes	R-1
SOUTH	Duplexes	R-2
EAST	Former Single-Family House	R-1
WEST	Former Single-Family House	R-1

TRAFFIC CONDITIONS:

STREET(S) WITH ACCESS TO PROPERTY

22nd Street

CLASSIFICATION OF STREET(S)

22nd Street – Local

RIGHT-OF-WAY WIDTH

22nd Street – 50 feet

WILL TURNING MOVEMENTS OF THE PROPOSED USE CREATE AN UNDUE TRAFFIC HAZARD?

No.

UTILITIES:

This site has all utilities in place.

CONSISTENT WITH FUTURE LAND USE MAP?

Yes.

STAFF ANALYSIS:

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

Yes.

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

This property is suited for commercial use given its location near Range Line Road as identified in the Future Land Use Map.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The zoning change should not detrimentally affect nearby properties due to proximity to Range Line Road and to nearby commercial zones.

DISCUSSION

This property is consistent with development patterns and policies. Staff recommends approval.

RECEIVED
2-8-12

CITY OF JOPLIN, MISSOURI
REZONING APPLICATION FORM

Return Form to:
Planning / Community Development Specialist
602 South Main Street
Joplin, Missouri 64801
417-624-0820 Ext. 511
FAX 417-625-4738

For Office Use Only
Case No.: 043-12
Filing Fee:
Date Advertised: 2/26/12
Date Notices Sent 2/29/12
Public Hearing Date: 3/12/12

APPLICANT: Diane H. Schwarting PHONE: 417-438-1551
ADDRESS: PO Box 1923 Joplin MO ZIP: 64802
OWNER: Same PHONE:
ADDRESS: Same ZIP:
LOCATION OF PROPERTY: 2905 E. 22nd St Joplin MO 64804
LEGAL DESCRIPTION: All of the East 70 ft of the west 140 ft of Lot Numbered Nine (9) in Kirkwoods Sub-Division to the City of Joplin, Jasper County, Missouri, according to the Recorded Plat thereof
Present Zoning Residential-R-1 Requested Zoning: R-3 Acreage:
Present Use of Property: Was residential before the tornado, now is empty lot

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Duplex	
South	Duplex	
East	Empty lot - Was residential before tornado	
West	Empty lot - Was residential before tornado	

CHARACTER OF THE NEIGHBORHOOD: Residential before the tornado. Currently
No sign of the neighborhood except for remaining streets
and a few telephone poles & power lines. Quite a few trees remained

RELATIONSHIP TO EXISTING ZONING PATTERN: (Not Known)

1. Would proposed change create a small, isolated district unrelated to surrounding districts? No
Almost identical to the other surrounding lots remained

2. Are there substantial reasons why the property cannot be used in accord with existing zoning? If yes, explain:
Could be residential but there is much less the last year square
CONFORMANCE WITH COMPREHENSIVE PLAN: footage of Homes & Commercial

1. Consistent with Development Policies? yes

2. Consistent with Future Land Use Map? yes

THE FOLLOWING MUST ACCOMPANY YOUR APPLICATION:

1. One copy of a legal description of the property proposed to be rezoned.
2. One copy of a statement describing the impact of the proposed change, including any traffic conditions that may result; any danger from fire hazards; how the proposed change may effect the character of the surrounding properties; and how the proposed change will benefit the City of Joplin.

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: 22nd St
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 TO PROVIDE FOR:

1. Appropriately Sized Lots? _____
2. Properly Sized Street Right-of-Way? _____
3. Drainage Easements? _____
4. Utility Easements:
   - Electricity? yes
   - Gas? yes
   - Sewers? yes
   - Water? yes
5. Additional Comments: _____

UNIQUE CHARACTERISTIC OF PROPERTY AND ADDITIONAL COMMENT:

SIGNATURE: Diane Schwarting DATE: 2/8/12
BY: _____
TITLE: _____

(Note: By signing this application you are signifying that you are either the legal owner of the subject property or are a legal representative of the owner or owners of the subject property.)



Case 042-12, 043-12, and 044-12: A request to rezone from District R-1 (Single-Family Residential) to District C-3 (Commercial) for a future commercial development, the area known as 2907, 2908, and 2921 East 22nd Street - Ed & Barbara Campbell, Diane H Schwarting, and Sandy Acres Co.

N

Case 043-12: 2908 East 22nd Street– A request to rezone from District R-1 (Single-Family Residential) to District C-3 (Commercial) for future commercial development – Diane Schwarting.

Mr. McClure opened the public hearing for Case 043-12.

Ms. Diane Schwarting, owner of the property at 2908 East 22nd Street, Joplin, appeared and explained that her property is across the street from that owned by Ed and Barbara Campbell. She stated that the entire block was devastated by the tornado. She has counted 11 lots on the two sides of 22nd Street, including Arby's and Kum-N-Go, and the two corner lots on Highview Avenue. She stated that the owners of seven of those are requesting commercial zoning, and that the C-3-PD zoning is fine with her and all the other owners.

Ms. Schwarting supports Mr. and Mrs. Campbell's request. She explained that the traffic was really increasing and will continue to get worse since people drive down 22nd Street and Highview Avenue to Lowe's and the other businesses in the area to avoid the traffic signal at 20th Street and Range Line Road.

Mr. Eastman asked Ms. Schwarting if she has visited with her neighbor to the west, and she replied that this neighbor has moved to Springfield. She thought that the same company who is seeking the rezoning in Case 044-12 currently owns that lot.

Mr. McClure asked Ms. Schwarting if she would not be opposed to amend the zoning to a planned district (PD), and she replied that wouldn't be a problem.

Mr. McClure asked for comments from the commissioners and the audience, and none were received. He then closed the public hearing for Case 043-12.

MR. LANDRITH MOVED, SECONDED BY MR. HARRINGTON, TO AMEND CASE 043-12 FROM THE REQUESTED DISTRICT C-3 TO DISTRICT C-3-PD, BASED UPON THE COMMENTS RECEIVED IN THE PLANNING REPORT AND DURING THE PUBLIC HEARING. THE MOTION CARRIED, WITH MR. EASTMAN, MR. HARRINGTON, MR. LANDRITH, MR. McCLURE, AND MR. SMITH VOTING "AYE", AND WITH MR. ANDERSON AND MR. GILSTRAP BEING ABSENT (5 IN FAVOR, 2 ABSENT).

MR. LANDRITH MOVED, SECONDED BY MR. HARRINGTON, TO FORWARD CASE 043-12 TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL TO REZONE TO DISTRICT C-3-PD AS AMENDED IN THE PREVIOUS MOTION. THE MOTION CARRIED, WITH MR. EASTMAN, MR. HARRINGTON, MR. LANDRITH, MR. McCLURE, AND MR. SMITH VOTING "AYE", AND WITH MR. ANDERSON AND MR. GILSTRAP BEING ABSENT (5 IN FAVOR, 2 ABSENT).

P & Z Case 043-12
Diane Schwarting
(P & Z Recommended amending the
requested rezoning to District C-3-PD)

COUNCIL BILL NO. 2012-284 **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 C-3 property as described below and located at 2908 East 22nd Street, in the City of Joplin, Jasper County, Missouri.

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 removing the following described property from District R-1 and including same in District C-3:

All of the East 70 feet of the West 140 feet of Lot Numbered Nine (9) in Kindred's subdivision in the City of Joplin, 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 for thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of _____, 2012.

ATTEST:

_____
Michael R. Woolston, Mayor

_____
Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

_____
Brian W. Head, City Attorney

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: April 2, 2012

Item: COUNCIL BILL NO. 2012-285
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Planning Report
2) Commission Minutes
3) Copy of Council Bill

Public Works Director: David Hertzberg OKH Date: 3/23/2012
City Attorney: Brian Head Date: 3-27-12
City Manager: R. Mark Rohr Date: 3-27-12
Board or Commission: Planning and Zoning Commission CE Date: 3/12/2012

Recommended Action: Planning and Zoning Commission recommended amending the requested zoning from District C-3 to District C-3-PD by a vote of "5 in favor, 2 absent"

SUMMARY/REQUEST:
Case 044-12: 2921 East 22nd Street– A request to rezone from District R-1 (Single-Family Residential) to District C-3 (Commercial) for future commercial development– Sandy Acres Company.

STAFF SUMMARY:
This request is consistent with the development policies of the Comprehensive Plan. This property is suited for commercial use given its location near Range Line Road as identified in the Future Land Use Map.

The zoning change should not detrimentally affect nearby properties due to proximity to Range Line Road and to nearby commercial zones.

This property is consistent with development patterns and policies. Staff recommends approval of this request.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Terry Campbell appeared representing Sandy Acres Company. His company is requesting the rezoning of the lot immediately behind Arby's. He has been visiting with Iniversity Park Development that owns Arby's, who indicated that Arby's is not returning. Mr. Campbell has a potential investment in that lot and would like to combine the two lots. He also owns the lot at the southeast corner of 22nd Street and Highview Avenue, where he plans to construct a new home that will face Highview.

Mr. Campbell thought his property has more value when added to the Arby's property and is considering another restaurant-type building.

Mr. McClure asked Mr. Campbell if he has any opposition to a planned district (PD), and he replied that wouldn't be a problem as long as the property is zoned commercially.

PUBLIC COMMENT:
None.

Z&P Meeting: March 12, 2012
City Council Meeting: April 2, 2012

STAFF PLANNING REPORT

CASE 044-12:

Petition the Council to rezone from District R-1 (Single-Family Residential) to District C-3 (Commercial) for a future commercial development.

APPLICANT:

Sandy Acres Company

LOCATION:

2921 East 22nd Street

PRESENT ZONING:

R-1 (Single-Family Residential)

REQUESTED ZONING:

C-3 (Commercial)

EXISTING CONDITIONS:

PROPERTY SIZE

Approximately 75' x 124' (9,300 square feet or 0.21 acre)

FLOOD PLAIN

Zone X

SITE	LAND USE	EXISTING ZONING
NORTH	Former Goodwill	C-3
SOUTH	Former Single-Family House	R-1
EAST	Former Arbys	C-3
WEST	Former Single-Family House	R-1

TRAFFIC CONDITIONS:

STREET(S) WITH ACCESS TO PROPERTY

22nd Street

CLASSIFICATION OF STREET(S)

22nd Street – Local

RIGHT-OF-WAY WIDTH

22nd Street – 50 feet

WILL TURNING MOVEMENTS OF THE PROPOSED USE CREATE AN UNDUE TRAFFIC HAZARD?

No.

UTILITIES:

This site has all utilities in place.

CONSISTENT WITH FUTURE LAND USE MAP?

Yes.

STAFF ANALYSIS:

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

Yes.

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

This property is suited for commercial use given its location near Range Line Road as identified in the Future Land Use Map.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The zoning change should not detrimentally affect nearby properties due to proximity to Range Line Road and to nearby commercial zones.

DISCUSSION

This property is consistent with development patterns and policies. Staff recommends approval.

RECEIVED
1-27-12

CITY OF JOPLIN, MISSOURI
REZONING APPLICATION FORM

For Office Use Only
Case No.: 044-12
Filing Fee:
Date Advertised: 2/26/12
Date Notices Sent 2/29/12
Public Hearing Date: 3/12/12

Return Form to:
Planning / Community Development Specialist
602 South Main Street
Joplin, Missouri 64801
417-624-0820 Ext. 511
FAX 417-625-4738

APPLICANT: Sandy Acres Company PHONE: 417-782-2040
ADDRESS: ZIP:
OWNER: Sandy Acres Company PHONE: 417-782-2403
ADDRESS: 711 N Main ST #103 ZIP: 64802
LOCATION OF PROPERTY: 6921 E 22nd ST
LEGAL DESCRIPTION:
All of the West 76 feet of Lot numbered six (6) in Kinsher's Sub-Division, in the City of Joplin, Jasper County, Missouri, According to the Recorded Plat thereof
Present Zoning R-1 Requested Zoning: C-3 Acreage: 1.227
Present Use of Property: Residential

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Commercial	C-3
South	Residential	R-1
East	Commercial	C-3
West	Residential	R-1

CHARACTER OF THE NEIGHBORHOOD: Developed in Nature

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:

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. Consistent with Development Policies? Yes
2. Consistent with Future Land Use Map? Yes

THE FOLLOWING MUST ACCOMPANY YOUR APPLICATION:

1. One copy of a legal description of the property proposed to be rezoned.
2. One copy of a statement describing the impact of the proposed change, including any traffic conditions that may result; any danger from fire hazards; how the proposed change may effect the character of the surrounding properties; and how the proposed change will benefit the City of Joplin.

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: 22ND
2. Classification of Street(s):
   Arterial____ Collector____ Local ✓
3. Right-of-Way Width: 50'
4. Will turning movements caused by the proposed use create an undue traffic hazard?
   NO

IS PLATTING OR REPLATTING REQUIRED TO PROVIDE FOR:

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

UNIQUE CHARACTERISTIC OF PROPERTY AND ADDITIONAL COMMENT:

SIGNATURE: _____ DATE: 1/27/12

BY: TROY CAMPBELL

TITLE: PRESIDENT

(Note: By signing this application you are signifying that you are either the legal owner of the subject property or are a legal representative of the owner or owners of the subject property.)



0 155 310 620 930 1,240 Feet

Case 042-12, 043-12, and 044-12: A request to rezone from District R-1 (Single-Family Residential) to District C-3 (Commercial) for a future commercial development, the area known as 2907, 2908, and 2921 East 22nd Street - Ed & Barbara Campbell, Diane H Schwarting, and Sandy Acres Co.

N

Case 044-12: 2921 East 22nd Street– A request to rezone from District R-1 (Single-Family Residential) to District C-3 (Commercial) for future commercial development– Sandy Acres Company.

Mr. McClure opened the public hearing for Case 044-12.

Mr. Terry Campbell, 4002 West Fountain Road, Joplin, appeared representing Sandy Acres Company. His company is requesting the rezoning of the lot immediately behind Arby's. He has been visiting with Iniversity Park Development that owns Arby's, who indicated that Arby's is not returning. Mr. Campbell has a potential investment in that lot and would like to combine the two lots. He also owns the lot at the southeast corner of 22nd Street and Highview Avenue, where he plans to construct a new home that will face Highview.

Mr. Campbell thought his property has more value when added to the Arby's property and is considering another restaurant-type building.

Mr. McClure asked Mr. Campbell if he has any opposition to a planned district (PD), and he replied that wouldn't be a problem as long as the property is zoned commercially.

Mr. McClure asked for comments from the commissioners and the audience, and none were received. He then closed the public hearing for Case 044-12.

MR. LANDRITH MOVED, SECONDED BY MR. HARRINGTON, TO AMEND CASE 044-12 FROM THE REQUESTED DISTRICT C-3 TO DISTRICT C-3-PD, BASED UPON THE COMMENTS RECEIVED IN THE PLANNING REPORT AND DURING THE PUBLIC HEARING. THE MOTION CARRIED, WITH MR. EASTMAN, MR. HARRINGTON, MR. LANDRITH, MR. McCLURE, AND MR. SMITH VOTING "AYE", AND WITH MR. ANDERSON AND MR. GILSTRAP BEING ABSENT (5 IN FAVOR, 2 ABSENT).

MR. LANDRITH MOVED, SECONDED BY MR. HARRINGTON, TO FORWARD CASE 044-12 TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL TO REZONE TO DISTRICT C-3-PD AS AMENDED IN THE PREVIOUS MOTION. THE MOTION CARRIED, WITH MR. EASTMAN, MR. HARRINGTON, MR. LANDRITH, MR. McCLURE, AND MR. SMITH VOTING "AYE", AND WITH MR. ANDERSON AND MR. GILSTRAP BEING ABSENT (5 IN FAVOR, 2 ABSENT).

P & Z Case 044-12
Sandy Acres Company
(P & Z Recommended amending the
requested rezoning to District C-3-PD)

COUNCIL BILL NO. 2012-285 **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 C-3 property as described below and located at 2921 East 22nd Street, in the City of Joplin, Jasper County, Missouri.

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 removing the following described property from District R-1 and including same in District C-3:

All of the west 76 feet from lot numbered Six (6) in Kindred's Sub-Division, in the City of Joplin, 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 for thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of _____, 2012.

ATTEST:

_____
Michael R. Woolston, Mayor

_____
Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

_____
Brian W. Head, City Attorney

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: April 2, 2012

Item: RESOLUTION NO. 2012-011
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Planning Report
2) Commission Minutes
3) Copy of Resolution

Public Works Director: David Hertzberg — Date: 3/23/2012
City Attorney: Brian Head — Date: 3-27-12
City Manager: R. Mark Rohr — Date: 3-27-12
Board or Commission: Planning and Zoning Commission — Date: 3/12/2012

Recommended Action: Planning and Zoning Commission recommended approval for a one-year Special Use Permit by a vote of "5 in favor, 2 absent"

SUMMARY/REQUEST:
Case 038-12: 523 South Sergeant Avenue – A request for a Special Use Permit (First Request) for a Bed and Breakfast – Ann Leach.

STAFF SUMMARY:
The applicant is requesting a special use permit for a Bed and Breakfast. The parcel is zoned District R-2 (Two-Family Residential) and is adjacent R-3 (Apartment House) to the north and east, R-2 (Two-Family Residential) to the south and R-1 (Single-Family Residential) to the west.

The applicant indicated that there may be small group gatherings.

The following items are conditions for consideration of the Special Use Permit:

1. This Special Use Permit to be issued to Ann Leach for the use of a Bed and Breakfast
2. The permit shall be for one (1) year renewable in April, 2013.
3. Bed and Breakfast use only.
4. Off-street parking will be required.
5. Any other conditions set by the City Council of the City of Joplin.

PLANNING & ZONING COMMISSION TESTIMONY:
Ms. Ann Leach appeared to request a Special Use Permit to utilize the second story of her historic home as a bed and breakfast. She is currently doing grief support coaching and sees this as an opportunity to enhance the downtown area, bringing her clients who are located across the country here to Joplin to work with her personally.

Ms. Leach is very fortunate to have the entire support of her neighbors and finds this very humbling since she has only resided in the home since October, and that two adjacent residential properties have new owners as well just within the past two weeks. She has assured her neighbors that there will be no increased noise level or parking, and does have their full support.

Ms. Leach addressed the parking concern since it is a residential home, in that it is possible to park two vehicles off the alley at the rear of the home. The second story has a separate entrance, which the guests will use. She explained that given the nature of the confidential work that she does, she would never envision working with maybe two people from different families.

Ms. Leach explained that each guest will have the entire upstairs to themselves for their personal retreat and reflection, as well as over eight hours of private coaching time with her. She feels like the setup was meant to be, and she is also very fortunate to have the support of the Historic Murphysburg association and the Downtown Joplin Alliance. She explained that representatives from those groups are present in the audience, along with business associates and friends. She asked those present to stand, and 10 people in the audience stood to express their support.

Mr. Eastman asked Ms. Leach about her nightly fee, and she replied between $97.00 and $119.00 per night. She will not be preparing meals, but she will be making snacks available and will stock the kitchen for the guests if they would like to do their own cooking.

Mr. McClure asked Ms. Leach how many units will be available. She replied the upstairs floor itself, and there are two bedrooms available, along with a living room, a full kitchen, and bath.

PUBLIC COMMENT:
Mrs. Nancy Morton, 112 South Sergeant Avenue, Joplin, appeared in favor of the request and explained that this application is consistent with the variances that were set out in the last five years for a historic residential district. She stated that everything that Ms. Leach is proposing falls within those requirements. Mrs. Morton recommended approval of this application.

Ms. Tricia Patton, 502 South Hall Street, Webb City, Missouri, appeared and explained that she is the director of the Downtown Joplin Alliance. They recommend Ms Leach's operation and help in supporting downtown by building this bed and breakfast. She has gone above and beyond to reach out to different restaurants and stores in downtown to make sure that there's a loyalty between her customers and downtown business. Several downtown restaurants will be offering Ms. Leach's guests packages for special dinners to ensure the support of local business.

Z&P Meeting: March 12, 2012
City Council Meeting: April 2, 2012

STAFF PLANNING REPORT

CASE 038-12:

Petition the Council for a Special Use Permit (1st Request) for Bed and Breakfast.

APPLICANT:

Ann Leach

LOCATION:

523 South Sergeant Avenue

PRESENT ZONING:

R-2 (Two-Family Residential)

PRESENT USE OF PROPERTY:

Single-family home

PROPOSED LAND USE ACTIVITY:

Bed and Breakfast

EXISTING CONDITIONS:

PROPERTY SIZE

Approximately 50 X 125' (6,250 square feet or 0.14 acre)

	LAND USE	EXISTING ZONING
NORTH	House	R-3
SOUTH	House	R-2
EAST	House	R-3
WEST	House	R-1

TRAFFIC CONDITIONS:

STREET(S) WITH ACCESS TO PROPERTY, STREET CLASSIFACATION, AND RIGHT-OF-WAY WIDTH

Sergeant Avenue, local street, 60 feet

IS OFF STREET PARKING PROVIDED?

Yes.

IS AN OFF-STREET DROP-OFF / PICK-UP AREA REQUIRED? (FAMILY DAYCARE ONLY):

N/A

LEAD TEST RESULTS (DAYCARE ONLY):

N/A

DISCUSSION:

The applicant is requesting a special use permit for the use of Bed and Breakfast. The parcel is zoned District R-2 (Two-Family Residential) and is adjacent R-3 (Apartment House) to the north and east, R-2 (Two-Family Residential) to the south and R-1 (Single-Family Residential) to the west.

ADDITIONAL INFORMATION OR COMMENTS:

The applicant indicated that there may be small group gatherings.

CONDITIONS FOR CONSIDERATION:

1. This Special Use Permit to be issued to Ann Leach for the use of a Bed and Breakfast
2. The permit shall be for one (1) year renewable in April 2013.
3. Bed and Breakfast use only.
4. Off-street parking will be required.
5. Any other conditions set by the City Council of the City of Joplin.

RECEIVED
2-3-12

SPECIAL USE PERMIT APPLICATION

Return Form to:
Planning / Community Development Specialist.
Joplin City Hall
602 South Main Street
Joplin, Missouri 64801
417-624-0820 Ext. 511
FAX 417-6254738

For Office Use Only

Case No.: 038-12
Filing Fee: $ 350.00
Date Advertised: 2/26/12
Date Notices Sent 2/29/12
Public Hearing Date: 3/12/12

APPLICANT: ANN LEACH PHONE: 417-438-6808

ADDRESS: 523 S. SERGEANT ZIP: 64801

OWNER: SAME PHONE: "

ADDRESS: " ZIP: "

LOCATION OF PROPERTY: SERGEANT'S SUBDIVISION LOT 60 - 523 S Sergeant

LEGAL DESCRIPTION: SINGLE FAMILY

PRESENT ZONING CLASSIFICATION: R 2 ACREAGE: 2900 sq ft

PRESENT USE OF PROPERTY: RESIDENTIAL

PROPOSED LAND USE ACTIVITY: BED & BREAKFAST

ADJACENT ZONING AND LAND USE:

	Land Use	Zoning
North	House	R 3
South	House	R 2
East	House	R 3
West	House	R 1

Does the proposed special use meet the following standards? If yes, attach a separate sheet explaining why.

	Yes	No
1. Is deemed necessary for the public convenience at that location.	☑	☐
2. Is so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected.	☑	☐
3. Is found to be generally compatible with the neighborhood in which it is proposed.	☑	☐
4. Will comply with the height and area regulations of the district in which it is located unless specifically granted.	☑	☐
5. Off-street parking and loading areas will be provided in accordance with the standards set forth in the zoning regulations and such areas will be screened from adjoining residential uses and located so as to protect such residential use from any injurious effect.	☑	☐
6. Adequate utility, drainage, and other such necessary facilities have been or will be provided.	☑	☐

Should this special use be valid only for a specific time period? Yes ☐ No ☑

If Yes, what length of time? _____

SIGNATURE: Dan Leach DATE: Feb. 3, 2012

BY: _____ TITLE: _____

Attachments Required: – See Attached. FOR ALL

1. One copy of a legal description of the property on which the use is to be located.
2. One copy of the necessary descriptive material related to the intensity and extent of the proposed use, including any traffic conditions that may result; any danger from fire hazards; how the proposed use may effect the character of the surrounding properties; and how the proposed use will benefit the City of Joplin

The Special Use Permit that will be issued will have set of conditions that will require information regarding the following: (Additional conditions may be imposed by the Commission and Council)

1. Hours of Operation. Varied → 1 or 2 day stay
2. Days of Operation. varied
3. Number of Off-street Parking Spaces. 1
4. Signs (Generally signs are limited to one sign not larger that one (1) foot by two (2) feet set no more than six (6) feet off the ground and at least ten (10) feet inside the property line.) NA
5. Number of Assistants or employees. 1
6. Nature of the Business. Bed & Breakfast
7. Location of the Business. 523 S. Sergeant

Violation of any condition will cause a complaint to be filed with the Municipal Court and the Permit will be suspended immediately requiring reapplication.



Case 038-12: A Special Use Permit request (1st request), for the area generally known as 523 South Sergeant Avenue, for the operation of a Bed and Breakfast. - Ann Leach

N

Case 038-12: 523 South Sergeant Avenue – A request for a Special Use Permit (First Request) for a Bed and Breakfast – Ann Leach.

Mr. McClure opened the public hearing for Case 038-12.

Ms. Ann Leach, 523 South Sergeant, Joplin, appeared to request a Special Use Permit to utilize the second story of her historic home as a bed and breakfast. She is currently doing grief support coaching, and having lost her previous home in the tornado, this is her "wonderful lemonade after a lot of lemons." She sees this as an opportunity to enhance the downtown area, bringing her clients who are located across the country here to Joplin to work with her personally.

Ms. Leach is very fortunate to have the entire support of her neighbors and finds this very humbling since she has only resided in the home since October, and that two adjacent residential properties have new owners as well just within the past two weeks. She has assured her neighbors that there will be no increased noise level or parking, and does have their full support.

Ms. Leach addressed the parking concern since it is a residential home, in that it is possible to park two vehicles off the alley at the rear of the home. The second story has a separate entrance, which the guests will use. She explained that given the nature of the confidential work that she does, she would never envision working with maybe two people from different families.

Ms. Leach explained that each guest will have the entire upstairs to themselves for their personal retreat and reflection, as well as over eight hours of private coaching time with her. She feels like the setup was meant to be, and she is also very fortunate to have the support of the Historic Murphysburg association and the Downtown Joplin Alliance. She explained that representatives from those groups are present in the audience, along with business associates and friends. She asked those present to stand, and 10 people in the audience stood to express their support.

Mr. Eastman asked Ms. Leach about her nightly fee, and she replied between $97.00 and $119.00 per night. She will not be preparing meals, but she will be making snacks available and will stock the kitchen for the guests if they would like to do their own cooking.

Mr. McClure asked Ms. Leach how many units will be available. She replied the upstairs floor itself, and there are two bedrooms available, along with a living room, a full kitchen, and bath.

Mr. McClure asked for comments from the audience in favor of the request.

Mrs. Nancy Morton, 112 South Sergeant Avenue, Joplin, appeared in favor of the request and explained that this application is consistent with the variances that were set out in the last five years for a historic residential district. She stated that everything that Ms. Leach is proposing falls within those requirements. Mrs. Morton recommended approval of this application.

Ms. Tricia Patton, 502 South Hall Street, Webb City, Missouri, appeared and explained that she is the director of the Downtown Joplin Alliance. They recommend Ms Leach's operation and help in supporting downtown by building this bed and breakfast. She has gone above and beyond to reach out to different restaurants and stores in downtown to make sure that there's a loyalty between her customers and downtown business. Several downtown restaurants will be offering Ms. Leach's guests packages for special dinners to ensure the support of local business.

Mr. McClure asked for additional comments in favor, and none were received. He asked for comments in opposition, and none were received. He then closed the public hearing for Case 038-12.

MR. SMITH MOVED, SECONDED BY MR. HARRINGTON, THAT CASE 038-12 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL FOR A ONE-YEAR SPECIAL USE PERMIT TO BE ISSUED TO ANN LEACH, BASED UPON THE COMMENTS RECEIVED IN THE PLANNING REPORT AND DURING THE PUBLIC HEARING. THE MOTION CARRIED, WITH MR. EASTMAN, MR. HARRINGTON, MR. LANDRITH, MR. McCLURE, AND MR. SMITH VOTING "AYE", AND WITH MR. ANDERSON AND MR. GILSTRAP BEING ABSENT (5 IN FAVOR, 2 ABSENT).

P & Z Case 038-12
Ann Leach
(P & Z Recommended Approval
for a one-year Special Use Permit)

RESOLUTION NO. 2012-011

A RESOLUTION granting a Special Use Permit (First Request) to Ann Leach for a bed and breakfast at 523 South Sergeant Avenue, in the City of Joplin, Jasper County, Missouri.

WHEREAS, the Planning and Zoning Commission at a Public Hearing held on March 12, 2012, recommended that a Special Use Permit be granted to Ann Leach for a bed and breakfast at 523 South Sergeant Avenue, in the City of Joplin, Jasper County, Missouri.

WHEREAS, a public hearing was held before the City Council on April 2, 2012, in compliance with said request;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Joplin, as follows:

That a Special Use Permit be granted to Ann Leach for a bed and breakfast located in the City of Joplin, Missouri, on the following described real estate, to-wit:

All of lot numbered Sixty (60) in Sergeant's Subdivision to the City of Joplin, Jasper County, Missouri, according to the recorded plat thereof.

and the said Special Use Permit is hereby issued with the following conditions and made a part thereof:

1. This Special Use Permit to be issued to Ann Leach for the use of a Bed and Breakfast
2. The permit shall be for one (1) year renewable in April 2013.
3. Bed and Breakfast use only.
4. Off-street parking will be required.
5. Any other conditions set by the City Council of the City of Joplin.

The violation of any condition set forth in this Resolution shall be interpreted as a violation of Appendix 29-A (Zoning Code) of the Municipal Codes of the City of Joplin and shall be administered in accordance with the provisions of Section 34 (Violation and Penalty) of Appendix 29-A of that Code. Conviction in Municipal Court for violation of any condition as set forth in this Resolution shall cause the immediate termination of this Special Use Permit and require the applicant as named in Item No. 1 above to reapply for renewal.

The Municipal Planner is hereby authorized and directed to issue said permit to Ann Leach, in accordance with the plans and specifications on file in the Office of the Building Official.

The City Clerk is hereby ordered to file this Resolution with the Zoning District Map maintained in her office and to note the changes herein provided for thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____ day of _____, 2012.

_____
Michael R. Woolston, Mayor

ATTEST:_____
Barbara L. Hogelin, City Clerk

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: April 2, 2012

Item: COUNCIL BILL NO. 2012-286
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Planning Report
2) Commission Minutes
3) Copy of Council Bill
4) Copy of Final Plat

Public Works Director: David Hertzberg — Date: 3/23/2012
City Attorney: Brian Head — Date: 3-27-12
City Manager: R. Mark Rohr — Date: 3-27-12
Board or Commission: Planning and Zoning Commission — Date: 3/12/2012

Recommended Action: Planning and Zoning Commission recommended approval by a vote of "5 in favor, 2 absent"

SUMMARY/REQUEST:
Case 032-12: Final Plat – A request for a Final Plat for the Cottages at Wildwood Ranch – O'Shamrock, LLC, Pinjuv/Tri-State Engineering.

STAFF SUMMARY:
This property is located 200 feet east at intersection of Cottage Circle and John Duffy Drive.

The sub-divider is connecting to Cottage Circle which connects to John Duffy Drive. A future unnamed road is show to the north for a future development.

The proposed subdivision complies with the City's subdivision regulations. Staff recommends approval of the preliminary.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Gerald Norton, Tri-State Engineering, appeared to request approval for the final plat for the Cottages at Wildwood Ranch, Plat II. This plat is the second development phase and contains an additional 12 lots, with the first phase also containing 12 lots. The second phase is located immediately south of the first phase.

PUBLIC COMMENT:
None.

Z&P Meeting: March 12, 2012
City Council Meeting: April 2, 2012

STAFF PLANNING REPORT

CASE 032-12:

Final Plat Review

SUBDIVISION NAME:

The Cottages at Wildwood Ranch, Plat 2

NAME OF OWNER:

O'Shamrock, LL; Jimmer Pinjuv, Managing Partner

NAME OF SUBDIVIDER:

O'Shamrock, LL; Jimmer Pinjuv, Managing Partner

NAME OF PERSON/COMPANY WHO PREPARED THE PLAT:

Tri-State Engineering; Steve Lewis, PLS

LOCATION:

200 feet east at intersection of Cottage Circle and John Duffy Drive

PRESENT ZONING:

R-1-PD (Single-Family Residential – Planned Development)

PRESENT USE OF PROPERTY:

Undeveloped

PROPOSED USE OF PROPERTY:

Single-Family Homes

SIZE OF SUBDIVISION:

Approximately 2.3 Acres

NO. OF LOTS:

Twelve (12)

SIZE OF SMALLEST LOT:

(Smallest Lot = 10,968 square feet) – All the lots meet the minimum lot size requirements (7,800 sq. ft.) for single-family residential lots.

SIZE OF LARGEST LOT:

4,461 square feet

AVERAGE LOT SIZE:

5,938 square feet

EXISTING CONDITIONS:

	LAND USE	EXISTING ZONING
NORTH	Undeveloped	R-1-PD
SOUTH	Single-Family Homes and undeveloped	R-1-PD
EAST	Undeveloped	R-1-PD
WEST	Undeveloped	Newton County (not zoned)

FLOOD ZONE:

Flood Zone "X" – Area of minimal flooding

UTILITIES:

Utilities will be extended to serve this phase.

TRANSPORTATION NETWORK:

STREET(S) WITH ACCESS TO PROPOSED SUBDIVISION

Cottage Circle

DEDICATED STREET(S)

Trailhead Circle, Meadow Crest

WIDTH OF DEDICATED STREET(S)

50 ft.

CONNECTIVITY TO ADJACENT PROPERTY/SUBDIVISIONS

The subdivider is connecting to Cottage Circle which connects to John Duffy Drive. A future unnamed road is show to the north for a future development.

BUFFER REQUIRMENTS:

None required

STAFF ANALYSIS:

DOES THE PROPOSED SUBDIVISION COMPLY WITH THE CITY'S SUBDIVISON REGULATIONS?

Yes

DISCUSSION

None

ADDITIONAL INFORMATION OR COMMENTS

None

STAFF RECOMMENDATION:

Staff recommends approval of the preliminary.

ENCLOSURES:

Final Plat – The Cottages of Wildwood Ranch, Plat 2

RECEIVED 2-3-12

CITY OF JOPLIN, MISSOURI

PRELIMINARY PLAT CHECKLIST

Subdivision No.: 03-12
Date Filed: _____
Date of Meeting: 3-12-12
Filing Fee: _____

Return Form To:
Municipal Planner
321 East 4th Street
P.O. Box 1355
Joplin, Missouri 64802
417-624-0820 Ext. 511
FAX 417-625-4738

I. Name of Subdivision: The Cottages at Wildwood Ranch Plat 2

II. Name of Owner: O'Shamrock LLC, James Pigue, Managing Partner

III. Name of Subdivider: O Shamrock LLC, James Pigue Managing Partner

IV. Name of Person who prepared the Plat: Tri-State Engineering, Inc., Steve Lewis PLS

V. Location of Property by Streets: 200 Feet East of Intersection of Cottage Circle and John Duffy Drive

VI. Present Zoning of Property R1-PD

VII. Present Uses of Property Undeveloped

VIII. No. of Acres in Total Tract 2.3 Acres No. of Lots 12

Instructions:

The following checklist is to be completed by the Municipal Planner and may accompany the Preliminary Plat when it is submitted to the Planning and Zoning Commission. If the answer to any of the questions is "No" a written explanation accompany this checklist.

IX. Does the Preliminary Plat show the following information?	Yes	No
A. Name of the subdivision	✓	
B. Location of boundary lines and reference to section or quarter-section lines.	✓	

C. Legal description, complete with Section, Township, Range, principal meridian, county. ✓ ____ ____

D. Name and address of owner(s). ✓ ____ ____

E. Name and address of subdivider(s). ✓ ____ ____

F. Name of planner, engineer, landscape architect, or surveyor who prepared the Preliminary Plat. ✓ ____ ____

G. Scale of Plat, 1" = 100' or larger, and north arrow. ✓ ____ ____

H. Date of preparation, north arrow and graphic scale. ✓ ____ ____

I. Current zoning classification and proposed use of the area being platted. ✓ ____ ____

J. Location, width and name of platted streets or other public ways, railroad rights-of-way, utility easements, parks and other public open spaces and permanent buildings within or adjacent to the proposed subdivision. ✓ ____ ____

K. Location of existing sewers, water mains, gas mains, culverts or other underground installations within or adjacent to the proposed subdivision with pipe size, manholes, grades, and location. ✓ ____ ____

L. Names of adjacent subdivisions together with arrangement of streets and lots and owners of adjacent parcels or un-subdivided land. ✓ ____ ____

M. Topography at contour intervals of not more than two feet referred to U.S.G.S. or City datum and location of water courses, bridges, wooded areas, lakes, ravines and other significant physical feature. ✓ ____ ____

N. Arrangement of lots and their approximate sizes. ✓ ____ ____

O. Location and width of proposed streets, alleys, pedestrian ways and easements. ✓ ____ ____

P. General plan of sewage disposal, water supply and utilities, if public. ✓ ____ ____

Q. Location and size of proposed parks, playgrounds, churches, school sites, or other special uses of land to be considered for reservation for public use. ✓ ____ ____

R.	Relationship to adjacent un-subdivided land.	✓	
S.	Approximate gradient of streets.	✓	
T.	Gross acreage of the subdivision; acreage dedicated to streets and other public uses; total number of buildable lots; maximum, minimum and average lot sizes.	✓	
X.	Does the proposed subdivision design conform to the Comprehensive Plan?	✓	
XI.	Will the proposed subdivision make the development of adjacent property more difficult?	✓	
XII.	Are lots sized appropriately for zoning district?	✓	
XIII.	Are all lots free from floodplain encroachment?	✓	
XIV.	Are drainageways and other drainage facilities sufficient to prevent flooding both on-site and off-site?	✓	
XV.	Are all lots buildable with respect to topography, drainageways, bedrock, and soil conditions?	✓	
XVI.	Do proposed street grades and alignment meet all requirements?	✓	
XVII.	Is the proposed subdivision inside the City limits?	✓	
XVIII.	Were 10 copies of the preliminary plat submitted?	✓	
XIX.	Was the preliminary plat fee of $ 160 paid?	✓	

Preliminary plats that do not meet subdivision regulations will not be processed to the Planning and Zoning Commission until corrected.

CITY OF JOPLIN, MISSOURI

RECEIVED 2-3-12

FINAL PLAT CHECKLIST

Subdivision No.: 032-12
Date Filed: _____
Date of Meeting: 3-12-12
Fee: _____

Return Form To:
Municipal Planner
321 East 4th Street
P.O. Box 1355
Joplin, Missouri 64802
417-624-0820 Ext. 511
FAX 417-625-4738

I. Name of Subdivision: The Cottages at Wildwood Ranch Plat 2

II. Name of Owner: O Shamrock LLC, James Pinjuv, Managing Partner

III. Name of Subdivider: O Shamrock LLC, James Pinjuv, Managing Partner

IV. Name of Person who prepared the Plat: Tri-State Engineering, Steve Lewis PLS

V. Date of Hearing: _____

VI. Location of Property by Streets: 200 Feet East of intersection of Cottage Circle and John Duffy Drive

VII. Present Zoning of Property R1-PD

VIII. Present Uses of Property Undeveloped

IX. No. of Acres in Total Tract 2.3 Acres No. of Lots 12

Instructions:

The following checklist is to be completed by the Municipal Planner and may accompany the Final Plat when it is submitted to the Planning and Zoning Commission. If the answer to any of the questions is "No", a written explanation may accompany this checklist.

X. Does the Final Plat show the following information?	Yes	No
A. Name of the subdivision.	/	

B. Location of section, township, range, county and state, including the descriptive boundaries of the subdivision based on an accurate traverse, giving angular and linear dimensions which must be mathematically correct. /

C. Location of monuments or bench marks. Location of such monuments shall be shown in reference to existing official monuments or the nearest established street, lines, including the true angles and distances to such reference points or monuments. /

D. The location of lots, blocks, streets, public highways, alleys, parks and other features, with accurate dimensions in feet and decimals of feet with the length of radii on all curves, and other information necessary to reproduce the plat on the ground. Dimensions shall be shown from all curbs to lot lines. /

E. Lots numbered clearly. Blocks numbered or lettered clearly in the center of the block. /

F. Exact locations, widths and names of all streets and alleys to be dedicated. /

G. Boundary lines and descriptions of the boundary lines of any area other than streets and alleys, which are to be dedicated or reserved for public use. /

H. Minimum area and associated minimum elevation for the building on each lot planned as a building site when requested by the Planning and Zoning Commission. /

I. Building setback lines on the front and side streets with dimensions. /

J. Name and address of the registered land surveyor preparing the plat. /

K. Scale of plat, 1" = 100' or larger, date or preparation and north point. /

L. Statement dedicating all easements, streets, alleys, and all other areas not previously dedicated. /

XI. Was the original on mylar, tracing cloth, or similar material, and were 10 copies submitted? /

XII. Have all acknowledgments been signed?

A. Owner or owners and all mortgager.	/	
B. Dedications or reservations.	/	
C. Surveyor preparing plat.		

XII. Has certification been submitted stating that all taxes and special assessments due and payable have been paid? /

XIII. Deed Restrictions:

A. Are any deed restrictions planned for subdivision? /

B. If so, has a copy been submitted? N/A

XIV. How has installation of the following improvement been guaranteed?

	Construction	Bond	Petition(%)
Streets			
Water			
Sewer			
Sidewalks			
Other, as required			
1.			
2.			
3.			

XV. Are additional comments attached? /

Case 031-12: NEW BUSINESS - Preliminary Plat – A request for a Preliminary Plat for the Cottages at Wildwood Ranch – O'Shamrock, LLC, Pinjuv/Tri-State Engineering.

Mr. McClure opened the comment period for Case 031-12.

Mr. Gerald Norton, Tri-State Engineering, 702 South Main Street, Joplin, appeared to request approval for the preliminary plat for the Cottages at Wildwood Ranch, Plat II. This plat is the second development phase and contains an additional 12 lots, with the first phase also containing 12 lots. The second phase is located immediately south of the first phase.

Mr. McClure asked for questions from the commissioners, and none were received. He then asked for a motion from the commissioners.

MR. HARRINGTON MOVED, SECONDED BY MR. EASTMAN, THAT THE PRELIMINARY PLAT AS PRESENTED IN CASE 031-12 BE APPROVED, BASED UPON THE COMMENTS RECEIVED IN THE PLANNING REPORT AND DURING THE COMMENT PERIOD. THE MOTION CARRIED, WITH MR. EASTMAN, MR. HARRINGTON, MR. LANDRITH, MR. McCLURE, AND MR. SMITH VOTING "AYE", AND WITH MR. ANDERSON AND MR. GILSTRAP BEING ABSENT (5 IN FAVOR, 2 ABSENT).

Case 032-12: NEW BUSINESS - Final Plat – A request for a Final Plat for the Cottages at Wildwood Ranch – O'Shamrock, LLC, Pinjuv/Tri-State Engineering.

Mr. McClure opened the comment period for Case 032-12.

Mr. Gerald Norton, Tri-State Engineering, 702 South Main Street, Joplin, appeared to request approval for the final plat for the Cottages at Wildwood Ranch, Plat II.

Mr. McClure asked for questions from the commissioners, and none were received. He then asked for a motion from the commissioners.

MR. HARRINGTON MOVED, SECONDED BY MR. EASTMAN, THAT THE FINAL PLAT AS PRESENTED IN CASE 032-12 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL, BASED UPON THE COMMENTS RECEIVED IN THE PLANNING REPORT AND DURING THE COMMENT PERIOD. THE MOTION CARRIED, WITH MR. EASTMAN, MR. HARRINGTON, MR. LANDRITH, MR. McCLURE, AND MR. SMITH VOTING "AYE", AND WITH MR. ANDERSON AND MR. GILSTRAP BEING ABSENT (5 IN FAVOR, 2 ABSENT).

P & Z Case 032-12
O'Shamrock, LLC, Pinjuv/Tri-State Engineering
(P & Z Recommended Approval)

COUNCIL BILL NO. 2012-286 **ORDINANCE NO.**

AN ORDINANCE Request to Review the Final Plat for the COTTAGES AT WILDWOOD RANCH, PLAT 2 located 200 feet east of the intersection of Cottage Circle and John Duffy Drive in the City of Joplin, Newton County, Missouri.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That the grades in the Plat of Final Plat for the COTTAGES AT WILDWOOD RANCH, PLAT 2 located 200 feet east of the intersection of Cottage Circle and John Duffy Drive in the City of Joplin, Newton County, Missouri, be and the same are herby fixed and established as follows:

Using the bench mark located at the Northeast Corner of Second and Main Streets, in the City of Joplin, Missouri, as adopted as the standard form which grades and elevations are to be measured in said City of Joplin, and by Ordinance No. 77-67 which readopted Section 49.33 of the 1957 CODE OF JOPLIN, MISSOURI, as a datum, and assuming the elevation of said point to be represented by the figure "100", the grades and elevations of the streets and alleys in the Plat of the COTTAGES AT WILDWOOD RANCH, PLAT 2, described as follows:

All that part of the Northeast Quarter of Section 24, Township 27 North, Range 34 West, in the City of Joplin, Newton County, Missouri, described as follows:

Commencing at the Northerly corner of Lot 1 in the Cottages at Wildwood Ranch Plat #1, said corner being the intersection of the Easterly right-of-way line of John Duffy Drive and the Southerly right-of-way line of Cottage Circle;
thence North 28 degrees 45 minutes 25 seconds East, 120.00 feet to the Northerly corner of said Plat #1 and the point of beginning; said point being on a non-tangent curve to the right having a radius of 60.00 feet and a chord bearing and distance of South 33 degrees 50 minutes 03 seconds East, 55.94 feet;
thence along the Northerly line of said Cottages of Wildwood Ranch Plat #1 the following courses and distances;
thence along said non-tangent curve to the right an arc distance of 58.19 feet to the beginning of a reverse curve to the left having a radius of 20.00 feet and a chord bearing and distance of South 33 degrees 56 minutes 10 seconds East, 18.71 feet;
thence along said curve an arc distance of 19.47 feet;
thence South 61 degrees 49 minutes 18 seconds East, 24.95 feet to a curve to the left having a radius of 20.00 feet;
thence along said curve an arc distance of 16.59 feet;
thence North 70 degrees 38 minutes 49 seconds East, 39.51 feet;

thence South 19 degrees 21 minutes 11 seconds East, 50.00 feet;
thence away from said Cottages of Wildwood Ranch Plat #1, North 70 degrees 38 minutes 49 seconds East, 120.84 feet to a curve to the right having a radius of 75.00 feet;
thence along said curve an arc distance of 29.78 feet;
thence South 86 degrees 36 minutes 14 seconds East, 62.59 feet;
thence North 03 degrees 23 minutes 46 seconds East, 147.71 feet;
thence North 57 degrees 46 minutes 40 seconds West, 52.74 feet;
thence North 78 degrees 54 minutes 46 seconds West, 10.36 feet;
thence North 03 degrees 23 minutes 46 seconds East, 185.62 feet;
thence South 88 degrees 26 minutes 23 seconds West, 98.38 feet to a non-tangent curve to the left having a radius of 375.00 feet and a chord bearing and distance of North 12 degrees 15 minutes 00 seconds West, 27.50 feet;
thence along said non-tangent curve an arc distance of 27.51 feet;
thence on a non-tangent line, South 75 degrees 38 minutes 55 seconds West, 136.93 feet to a point on the Easterly right-of-way line of said John Duffy Drive, said point being on a non-tangent curve to the right having a radius of 320.00 feet and a chord bearing and distance of South 00 degrees 22 minutes 42 seconds East, 104.37 feet;
thence along said non-tangent curve an arc distance of 104.84 feet;
thence South 09 degrees 00 minutes 29 seconds West, 50.16 feet to a curve to the right having a radius of 170.00 feet;
thence along said curve an arc distance of 58.60 feet;
thence South 28 degrees 45 minutes 25 seconds West, 85.99 feet to the point of beginning.

Containing 2.3 acres more or less.

Subject to any existing easements or restrictions of record.

Basis of Bearings
Bearings are based on the North line of the Northeast Quarter of Section 24, Township 27 North, Range 34 West, Newton County, Missouri, being assumed as North 88 degrees 40 minutes 30 seconds West.

Section 2. That said plat, have been filed, showing that the lots have been staked out and platted and the street and alleys have been dedicated to the public for public use, and that the proper levels have been run and the grades established for said addition, is hereby accepted by the City of Joplin, Newton County, Missouri, according to the Statutes of the State of Missouri.

Section 3. That the City Clerk hereby authorized and directed to endorse upon such plat the approval of the Council under her hand and the Seal of the City of Joplin, Missouri

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____ day of _____, 2012.

ATTEST:

_____
Michael R. Woolston, Mayor

_____
Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

_____
Brian W. Head, City Attorney

City of **JOPLIN** City Council Agenda Item

REQUESTED COUNCIL MEETING DATE: April 2, 2012
ITEM: Resolution No. 2012-010 Approving and authorizing the execution of a letter of intent between the City of Joplin and Wallace Bajjali Development Partners, LP.

ORIGINATING DEPARTMENT: Legal
ATTACHMENTS: Resolution No. 2012-010, Letter of Intent

Department Head:	Brian W. Head BH	Date: 3/27/12
Finance Department:	Leslie Jones LJ	Date: 3-27-12
City Planner:	Troy Bolander T.B.	Date: 3/26/12
City Manager:	R. Mark Rohr RMR	Date: 3-27-12

INTRODUCTION:

This Resolution approves a Letter of Intent (LOI) between the City and Wallace Bajjali Redevelopment Partners and authorizes the City Manager to enter into good faith contract negotiations with Wallace Bajjali.

DISCUSSION:

The Letter of Intent permits City staff to move forward and begin negotiations between Wallace Bajalli and the Joplin Urban Development Corporation to fill the Master Developer position. The City received 6 responses to a Request for Qualification (RFQ) that was distributed in late December for a Master Developer. A selection committee made up of representatives from the City of Joplin, City of Duquesne, Joplin School District, Joplin Area Chamber of Commerce, and CART vetted the applications and selected Wallace Bajjali for contract negotiations per City Council approval. The purpose of the position is to develop a private-public partnership to help Joplin and Duquesne recover from the EF-5 tornado that occurred on May 22nd, 2011.

Some of the projects discussed include:

- Replacing lost residential housing, office, commercial, medical, etc.
- Creating ties from the redeveloped area to downtown Joplin
- Expanding opportunities for employment
- Creating destination activity center(s)
- Establishing a memorial to those lost in the storm

- Addressing other projects and goals as developed by the CART and that are within the scope of the final agreement.
- Using the redevelopment efforts as a catalyst to build upon existing goals for development and redevelopment in Joplin, including a parkway or series of neighborhood parks supporting the recovering neighborhoods, development of a performance and visual arts center, creation of a community and/or event center, and extension of the walk/bike paths.
- Other efforts as may be jointly determined by the developer, Corporation, Committee and City Council(s)

RECOMMENDATION:

Staff recommends this Resolution be approved.

BWH
attachments

RESOLUTION NO. 2012-010

A RESOLUTION approving the Letter of Intent between the City of Joplin, Missouri and Wallace Bajjali Development Partners, LP., for master developer service; authorizing the City Manager to execute said Letter of Intent by and on behalf of the City of Joplin and further authorizing the City Manager to begin contract negotiations with Wallace Bajjali.

THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That the Letter of Intent by and between the City of Joplin and Wallace Bajjali Development Partners, LP a true and accurate copy of said Plan being attached hereto and incorporated herein by reference as Exhibit "A", be and the same is hereby approved

Section 2. That the City Manager is hereby authorized and directed to execute said Letter of Intent by and on behalf of the City of Joplin and is further authorized and directed to begin contract negotiations for master developer services as described therein.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this ____ day of April, 2012.

_____
Michael R. Woolston, Mayor

ATTEST:

_____
Barbara L. Hogelin, City Clerk

LETTER OF INTENT

This Letter of Intent ("LOI") is entered into between the City of Joplin Missouri, a Missouri municipal corporation ("City") and Wallace Bajjali Development Partners, LP (Wallace Bajjali). Whereas the City of Joplin, Missouri and Wallace Bajjali will enter into an agreement to allow Wallace Bajjali to serve as the Master Developer for the City for the redevelopment of the area damaged or destroyed by the May 22, 2011, tornado.

WHEREAS, City, through its Joplin Redevelopment Corporation wishes to retain the services of Wallace Bajjali to serve as Master Developer for the redevelopment of the area damaged or destroyed by the May 22, 2011, tornado.

THEREFORE, in consideration of the mutual covenants, terms and conditions herein contained, it is agreed as follows:

1. That the City by and through its Chapter 353 Redevelopment Corporation and Wallace Bajjali shall negotiate in good faith to enter into a contract with the following goals and projects included therein:

A. The goal of the Project is to utilize a Public-Private-Partnership to redevelop and invigorate the area most devastated by the May 22, 2011, tornado by:

i. Replacing lost residential housing, office, commercial, medical, etc.
ii. Creating ties from the redeveloped area to downtown Joplin
iii. Expanding opportunities for employment
iv. Creating destination activity center(s)
v. Establishing a memorial to those lost in the storm
vi. Addressing other projects and goals as developed by the CART (see attached report), and that are within the scope of the final agreement.
vii. Using the redevelopment efforts as a catalyst to build upon existing goals for development and redevelopment in Joplin, including a parkway or series of neighborhood parks supporting the recovering neighborhoods, development of a performance and visual arts center, creation of a community and/or event center, and extension of the walk/bike paths.
viii. Other efforts as may be jointly determined by the developer, Corporation, Committee and City Council(s)

2. Nothing herein shall be construed as hindering or binding public officials from exercising their discretion in accordance with the requirements of the Missouri Constitution, applicable state statutes and case law, and the requirements of the Charter, codes, ordinances and policies of the City of Joplin. It is the intention of the parties that the provisions of this Letter of Intent shall be exercised in accordance with and subject to the requirements of law.

IN WITNESS WHEREOF, the City of Joplin and Wallace Bajjali executed this Letter of Intent as of this_____ day of _____ 2012.

The City of Joplin, Missouri

BY: _____
R. Mark Rohr, City Manager

ATTEST:

BY: _____
Barbara Hogelin, City Clerk

APPROVED AS TO FORM

BY: _____
Brian W. Head, City Attorney

Wallace Bajjali Development Partners, LP.

BY: _____
Title:

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: April 2, 2012
Council Bill No. 2012-124
Item: Purchase of Real Property 24th and Meadow Storm Water Improvements
Originating Department: Public Works – Engineering

Attachments: 1) Location Map
2) Council Bill No. 2012-124

Department Head: David Hertzberg DH	Date: 3/26/12
Engineering Department: Jack Schaller JS	Date: 3-26-12
Finance Department: Leslie Jones LJ	Date: 3-27-12
City Attorney: Brian Head BH	Date: 3-27-12
City Manager: Mark Rohr MR	Date: 3-27-12

Recommended Action: Purchase of Real Property at 2305 Iron Gates Road from WorKnot Holdings L.L.C., for storm water improvements.

Background: The Stormwater Management Plan was completed in 1998. In 2001 a taskforce reviewed the storm water plans and concurred with the project priorities identified in the master plan. In 2001, voters approved funding for these improvements. The 24th and Meadow storm water project was among those priority projects.

In order to complete the project, a permanent storm water easement is needed from the property at 2305 Iron Gates.

Discussion: Staff has reached an agreement with WorKnot Holdings L.L.C. for Five Thousand Eight Hundred Dollars, ($5,800.00). This is the appraised value for this acquisition.

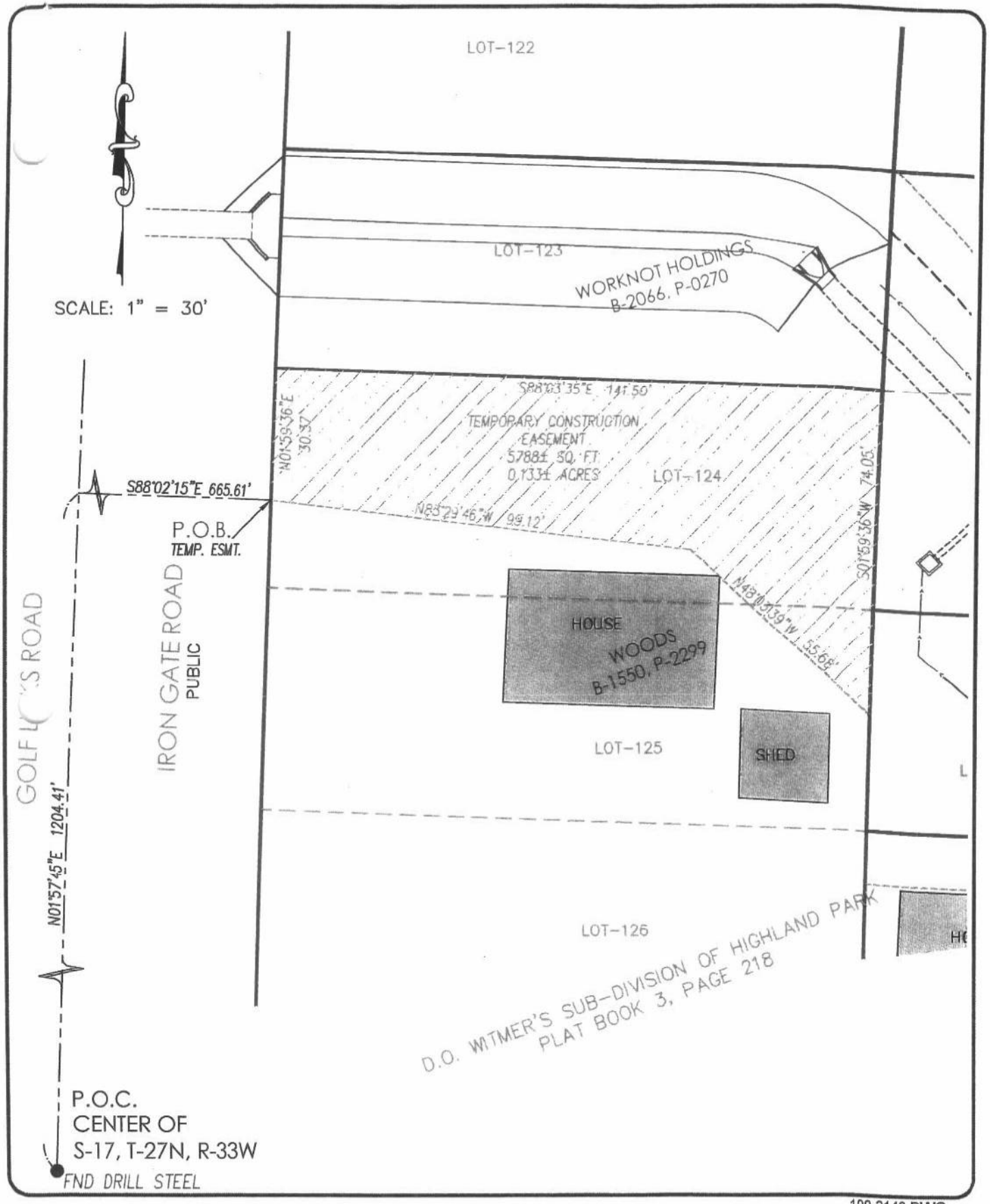
Recommendation: Staff recommends approval for payment of $5,800 for the purchase of the property at 2305 Iron Gates Road.

CB2012-124



1 inch = 50 fe

Date: 3/21/



100-2143.DWG

ANDERSON ENGINEERING, INC
ENGINEERS • SURVEYORS • LABORATORIES • DRILLING
2045 W. WOODLAND • SPRINGFIELD, MISSOURI 65807 • PHONE (417) 866-2741

CITY OF JOPLIN

TEMPORARY CONSTRUCTION EASEMENT SKETCH

JOPLIN, MISSOURI

DRAWN BY: BAC

DATE: 6-01-2010

CLIENT NO: ---

COUNCIL BILL NO. 2012-124 ORDINANCE NO.

AN ORDINANCE approving the purchase of a real property from 2305 Iron Gates Road, consisting of all of Lot Numbered One Hundred Twenty-three (123) in D.O.Witmer's Subdivision of Lots 1 thru 26 inclusive, except Lots 16 and 30 of Highland Park, a subdivision in the Village of Iron Gates, now a part of the City of Joplin, Jasper County, Missouri according to the recorded plat thereof and authorizing the payment of Five Thousand Eight Hundred and 00/100 dollars (5,800.00) and containing an emergency clause.

WHEREAS, WorKnot Holdings L.L.C. is the legal owner of property at 2305 Iron Gates Road, consisting of all of Lot Numbered One Hundred Twenty-three (123) in D.O.Witmer's Subdivision of Lots 1 thru 26 inclusive, except Lots 16 and 30 of Highland Park, a subdivision in the Village of Iron Gates, now a part of the City of Joplin, Jasper County, Missouri, according to the recorded plat thereof and;

WHEREAS, the Council of the City of Joplin approved in the 2011-2012 budget funds for storm water improvements in the area of 24th and Meadow Avenue.

WHEREAS, in order to make said improvements, it is necessary for the City of Joplin to acquire the property, described herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That the City of Joplin approve the purchase of real property at 2305 Iron Gates Road, consisting of:

Lot Numbered One Hundred Twenty-three (123) in D.O.Witmer's Subdivision of Lots 1 thru 6 inclusive, except Lots 16 and 30 of Highland Park, a subdivision in the Village of Iron Gates, now a part of the City of Joplin, Jasper County, Missouri according to the recorded plat thereof

Section 2. That the City of Joplin authorize placing $5,800, in escrow for the purchase of real property at 2305 Iron Gates Road. Payment will be made from account #130-4555-530-8665 Project TS0442.

Section 3. That the Director of Public Works is hereby authorized to accept this property on behalf of the City of Joplin.

Section 4. That the City of Joplin declares that this ordinance relating to a public improvement is an emergency within the meaning of Section 2.12 (6) of the HOME RULE CHARTER of the City of Joplin, Missouri and the Council hereby declares that this ordinance shall be in full force and effect from and after its passage.

COUNCIL BILL NO. 2012-124 ORDINANCE NO.

Passed by the Council of the City of Joplin, Missouri, this _____ day of

_____, 2012 by a vote of _____.

_____
Michael R. Woolston, Mayor

ATTEST:

_____
Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

_____
Brian W. Head, City Attorney

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: April 2, 2012

Item: COUNCIL BILL NO. 2012-126
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Council Bill No 2012-126
2) Copy of Supplemental Agreement (MoDOT)
3) Copy of Supplemental Contract (Lochner/BWR)

Public Works Director: David Hertzberg DH	Date: 3/26/12
Finance Department: Leslie Jones LJ	Date: 3-27-12
City Attorney: Brian Head BH	Date: 3-27-12
City Manager: R. Mark Rohr RMR	Date: 3-27-12
Planning & CD Mgr.: Troy Bolander T.B.	Date: 3/24/12

Recommended Action: Authorization to enter into a supplemental agreements with Missouri Highways and Transportation Commission (MoDOT) and Lochner/BWR for Planning Services relating to the Update of the Joplin Comprehensive Plan.

SUMMARY:
The Joplin Comprehensive Plan is a long-range vision for the entire community based on a regional perspective. The plan is used as a guide for making land use, transportation, infrastructure, and policy decisions. The Comprehensive Plan links long-range objectives to a number of interdependent elements, including population growth, economic development, land use, transportation, and community facilities. It contains goals and objectives and provides direction for city staff, the Zoning and Planning Commission, and the City Council for these and other issues.

The fiscal year 2012 Metropolitan Planning Organization (MPO) funds totaled $244,690, which constituted 80% of the total $361,582 MPO planning budget. The remaining 20% ($72,306) consisted of City matching funds.

The initial agreement with Lochner/BWR for the Comprehensive Plan Update included cost to perform work for a total of $120,000. Eighty percent ($96,000) being paid with MPO funds with the City being responsible for a twenty percent ($24,000) match.

The consultants of Lochner/BWR have been asked to do additional work, which constitutes an increase in scope from the original contract. This increase in scope consists of additional public meetings and analysis for the creation of documents and codes for the implementation of Citizens Advisory Recovery Team (CART) recommendations for the redevelopment of the area of the City devastated by the May 22, 2011 tornado.

The supplemental agreement with Lochner/BWR is in the amount of $34,968, of which eighty percent ($27,974) will be paid with MPO funds. The City being responsible for a twenty percent ($6,994) match.

In order to increase the 2012 MPO funds, the City must enter into a supplemental funding agreement with the Missouri Highways and Transportation Commission (MHTC). The supplemental funding agreement increases the federal share of FY 2012 MPO funds from $244,960 to $272,935, which covers 80% of the cost for the increase in scope for the Comprehensive Plan Update.

RECOMMENDATION:
Staff recommends approval of the supplemental agreement with the Missouri Highways and Transportation Commission for the increase in scope of work for the Joplin Comprehensive Plan update. This supplemental agreement will subsequently allow the City of Joplin to enter into a supplemental contract with Lochner/BWR for the increase in scope of work.

CCO Form: TP01-AM
Approved: 09/97 (BDG)
Revised: 02/10 (AR)
Modified:

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
AMENDMENT TO AGREEMENT FOR TRANSPORTATION PLANNING SERVICES
(Joplin Region)

THIS AMENDMENT is entered into by the City of Joplin (hereinafter, "Grantee") and the Missouri Highways and Transportation Commission (hereinafter, "Commission").

WITNESSETH:

WHEREAS, the parties previously have entered into a transportation planning services agreement (hereinafter, "Original Agreement") which was executed by the Grantee on December 22, 2011 and by the Commission on December 29, 2011; and

WHEREAS, the parties wish to amend the Original Agreement to provide funding for

An increase in scope for the inclusion of additional elements and services related to comprehensive planning of the tornado recovery area.

NOW, THEREFORE, in consideration of these mutual covenants, promises and representations, the parties agree as follows:

(1) CONTRACT PRICE AND PAYMENT: That subparagraph (A) Total Price, of the Original Agreement is deleted and replaced with:

> (A) Total Price: For the work described in the Agreement, the Grantee shall receive payment on actual costs, as defined in subparagraph B of paragraph (9) up to the maximum amount of $272,935 defined as consolidated planning funds. The local matching share shall be 20 percent for funds provided under 23 U.S.C. Section 104(f) and under 49 U.S.C. Section 5303. The local matching share may be either cash or third party in-kind services or a combination of both.

(2) SCOPE OF SERVICES: Appendix A entitled "FY 2012 FHWA PL and FTA Section 5303 Scope of Services", which was attached to the Original Agreement, is deleted and replaced with a revised "FY 2012 FHWA PL and FTA Section 5303 Scope of Services" which is attached to this Amendment as "Amended Appendix A".

(3) EFFECTIVE DATE: This Amendment shall be effective as soon as all parties have signed and shall cover approved work from the Unified Planning Work Program during FY 2012.

(4) ORIGINAL AGREEMENT: Except as amended, modified, or supplemented by this Amendment, terms and conditions of the Original Agreement between the parties shall remain in full force and effect and the unaltered provisions of the Original Agreement shall extend and apply to this Supplemental Agreement.

IN WITNESS WHEREOF, the parties have entered into this Amendment on the date last written below.

Executed by the Grantee this _____ day of _____, 2012.

Executed by the Commission this _____ day of _____, 2012.

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION

_____

Title:_____

Attest:

_____
Secretary to the Commission

Approved as to Form:

_____
Commission Counsel

CITY OF JOPLIN

_____

Title:_____

Attest:

_____

Title:_____

Approved as to Form:

_____

Title:_____

SUPPLEMENTAL AGREEMENT NO. 1
TO
PLANNING SERVICES CONTRACT

This Supplemental Agreement is made part of an original agreement dated August 1, 2011 between the City of Joplin and H.W. Lochner, Inc. (Lochner/BWR) for supplemental planning services to accommodate scope changes resulting from the Citizens Advisory Recovery Team recommendations for tornado recovery efforts, and new scope additions to draft and adopt zoning text amendments for initial Plan implementation. Supplemental services include preparation of plans and display materials and facilitation of the additional CART public Open House for interim Future Land Use Plan and Development Standards; and drafting of interim Zoning Regulation Text Amendments and three zoning text graphics; and facilitation of an additional Zoning & Planning Commission Public Hearing to consider adoption of partial Future Land Use Plan Policies and recommendation of interim Zoning Regulation Text Amendments to the City Council; and presentations at the Joplin City Council at their consideration of the Commission's recommendations for adoption of the partial Plan and of the interim Zoning Text Amendments. These additional services shall be in an amount not to exceed (Thirty-four Thousand, Nine Hundred Sixty-eight Dollars) **($34,968.00)** without further authorization. The total planning services shall be in an amount not to exceed (One Hundred Fifty-four Thousand, Nine Hundred Sixty-eight Dollars) **($154,968)**. Attachment A-1 outlines the cost breakdown for this Supplemental Agreement.

Supplement Agreement No. 1 accepted as defined herein:

OWNER: _____ ENGINEER: _____

BY: _____ BY: _____

TITLE: _____ TITLE: _____

DATE: _____ DATE: _____

ATTEST:

BY: _____ BY: _____

TITLE: _____ TITLE: _____

DATE: _____ DATE: _____

Executed by the City on the____ day of _____, 2012.

FIG. VI - 4

Revised 02-14-00

ATTACHMENT A-1
SUPPLEMENTAL AGREEMENT NO. 1
(February-March, 2012)

ESTIMATE OF COST OF SUPPLEMENTAL SERVICES BY H.W. LOCHNER TEAM CONSULTANT
Supplemental Services for: CART Open House, Planning Commission Public Hearing, City Council Hearing, Zoning Text Amendments to Implement Initial CART-related Comprehensive Plan Policies and Standards.

	Hours	Hourly Rates ($ Salary Only)	$ Cost
Supplemental Public Presentations and Plans for CART			
Senior Project Manager	20	52.55	$1,051
Senior Planner	80	52.55	4,204
Planner\Development & Urban Design Specialists	24	33.00	792
GIS Planner\Mapper	32	29.05	930
Traffic and Environmental Planner	4	63.95	256
Support Personnel	12	25.50	306
SUBTOTAL	172		$ 7,539
Payroll Overhead (Est. at 54.87 % X SUBTOTAL))			$ 4,137
General and Admin. Overhead (Est. at 117.08 % X SUBTOTAL))			$ 8,827
TOTAL LABOR & OVERHEAD			$20,503
Fixed Fee(14.0 Percent TOTAL LABOR & OVERHEAD)			$ 2,870
TOTAL LABOR, OVERHEAD & FIXED FEE			**$23,373**
Direct Costs			
Travel, 6 trips* Travel Costs			$1,230.00
Lodging, 6 @ $120.00			$ 720.00
Per Diems, 12 @ $39.00			$ 468.00
* 3 added Public Events: 2-car trips to one event, 1-car and 1-flight/airport costs to one, 2-car trips to the third			
B/W and Color Copying and Plotting of Display Mat'ls			$ 375.00
Subcontract Pass-Through Costs (Identify by Name)			
Community Development Solutions			
Senior Planner\Owner	8	$110	$880.00
White & Smith Attorneys, LLC, Lee's Summit, Missouri			
Senior Land Use Attny	37.5	$185	$6,938.00
Anderson Engineering			
Civil Engineer	8	$123	$984.00
SUBTOTAL SUPPLEMENTAL DIRECT COSTS			**$11,595.00**
TOTAL FOR PHASE 1			**$34,968.00**

FIG. VI - 4

Revised 02-14-00

COUNCIL BILL NO. 2012-126 **ORDINANCE NO.**

AN ORDINANCE authorizing the City of Joplin to enter into Supplemental Agreements for Planning Services with Missouri Highways and Transportation Commission (MoDOT) in the amount of $272,935 and with Lochner/BWR in the amount of $34,968 for an increase in scope to the 2012 Comprehensive Plan Update contract, authorizing the City Manager to execute said Agreements for the City, and containing an emergency clause.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That the City enter into Supplemental Agreements between the City of Joplin and Missouri Highways and Transportation Commission (MoDOT) in the amount of $272,935 and Lochner/BWR in the amount of $34,968 for an increase in scope to the 2012 Comprehensive Plan Update contract.

Section 2. That the City Manager of the city of Joplin, Missouri, is hereby authorized to execute said Agreement for and on behalf of the City of Joplin.

Section 3. This Ordinance is an emergency within the meaning of Section 2.2 (6) in that said ordinance provides for public improvements and is considered an emergency by the Council and as such shall become effective immediately upon this passage as provided by the Home Rule Charter for the City of Joplin

Passed by the Council of the City of Joplin, Missouri, this _____day of _____, 2012, by a vote of _____.

_____
Michael R. Woolston, Mayor

ATTEST:

_____
Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

_____
Brian W. Head, City Attorney

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: April 2, 2012

Item: SITE PLANS REVIEW FOR 2034 SOUTH CONNECTICUT AVENUE

Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Planning Report
2) Commission Minutes
3) Copy of Site Plans

Public Works Director: David Hertzberg — Date: 3/26/2012
City Attorney: Brian Head — Date: 3-27-12
City Manager: R. Mark Rohr — Date: 3-27-12
Board or Commission: Planning and Zoning Commission — Date: 3/26/2012

Recommended Action: Planning and Zoning Commission recommended approval by a vote of "6 in favor, 1 absent"

SUMMARY/REQUEST:
Case 026-12: NEW BUSINESS - 2034 South Connecticut Avenue – A request for a Site Plan Review for the reconstruction of an apartment house complex – Jorge DuQuene/ Crystal Goedereis.

STAFF SUMMARY:
This area is zoned correctly for this use, and the plans are in compliance with the development policies of the Comprehensive Plan. The plans are also consistent with the development codes of the City of Joplin.

The reconstruction of this development is a result of tornado damage. Staff recommends approval of the development plans.

PLANNING & ZONING COMMISSION TESTIMONY:
Crystal Goedereis and Jorge DuQuene appeared to request review of site plans for the reconstruction of an apartment house complex. Ms. Goedereis explained that the plans contain everything that the City staff has recommended to make this the best project possible for the area.

PUBLIC COMMENT:
None.

UPDATE:
Due to the proposed density of lot per family unity, the Board of Adjustment met on March 26, 2012 and granted a variance for allowing a waiver of 737 square feet per family unit from the required 2,500 square feet. This allows the developer to construct 150 market rate apartment units on 6.1 acres. The previous apartment complex housed 101 units on 5 acres. The developer acquired the additional land in order to expand the multi-family housing development. This development will help to meet the needs for market rate housing for the City.

The developer has taken extra steps to address greater landscaping along Connecticut Avenue, storm water management, higher percentage of masonry materials on the exterior facades, and emergency vehicle access/circulation throughout the development area. Many of these extra accommodations exceed the minimum code requirements in order to meet the CART's recommendation for housing needs and exterior design into the development plans.

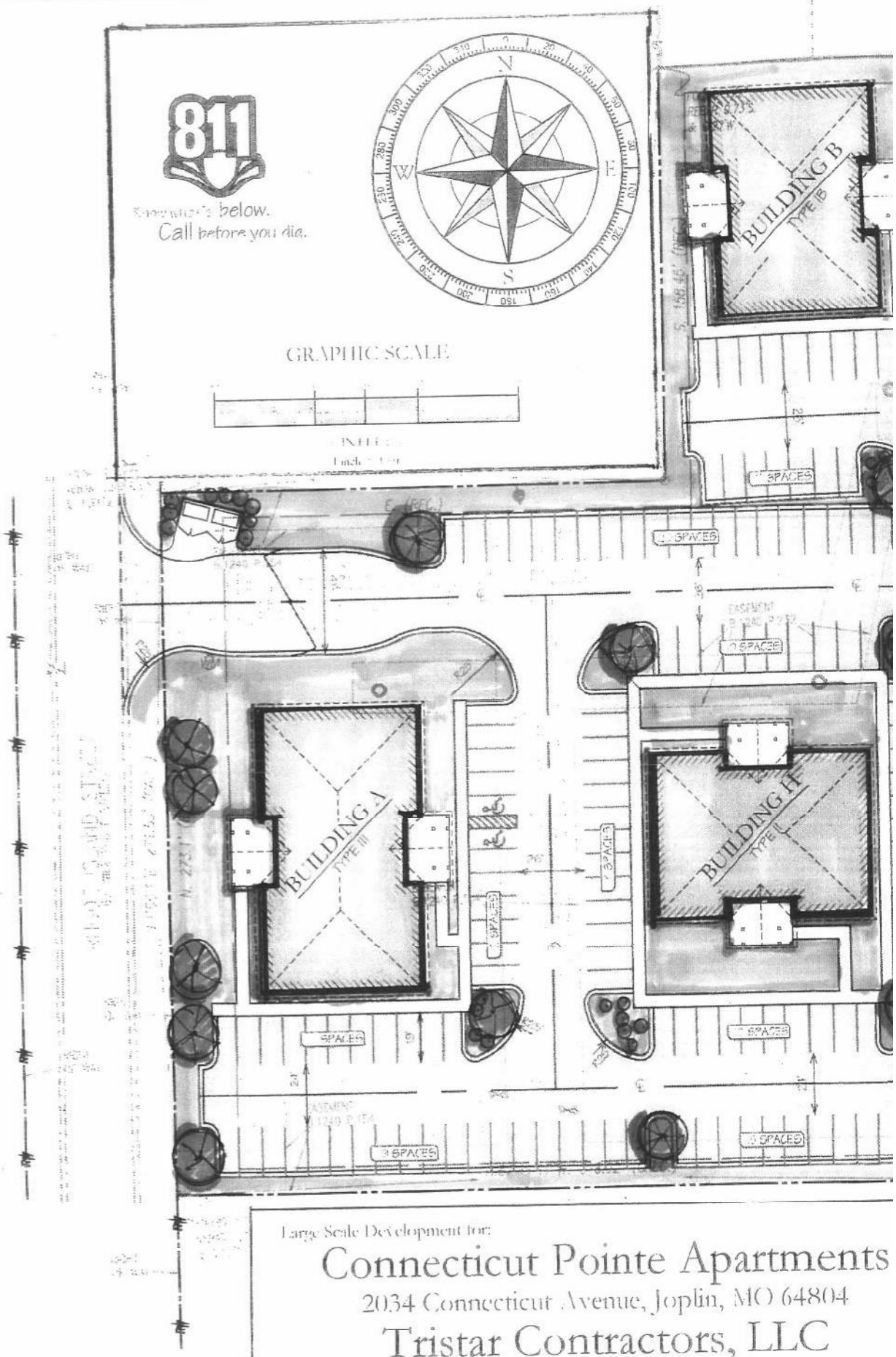
Case 026-12: NEW BUSINESS - 2034 South Connecticut Avenue – A request for a Site Plan Review for the reconstruction of an apartment house complex – Jorge DuQuene/ Crystal Goedereis.

Mr. Anderson opened the public comment period for Case 026-12.

Ms. Crystal Goedereis, Siloam Springs, Arkansas, and Jorge DuQuene, Rogers, Arkansas, appeared to request review of site plans for the reconstruction of an apartment house complex. Ms. Goedereis explained that the plans contain everything that the City staff has recommended to make this the best project possible for the area.

Mr. Anderson asked for comments from the commissioners and the audience, and none were received. He then closed the public comment period for Case 026-12.

MR. HARRINGTON MOVED, SECONDED BY MR. McCLURE, THAT THE SITE PLANS AS PRESENTED IN CASE 026-12 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL, BASED UPON THE COMMENTS RECEIVED IN THE PLANNING REPORT AND DURING THE PUBLIC COMMENT PERIOD. THE MOTION CARRIED, WITH MR. ANDERSON, MR. GILSTRAP, MR. HARRINGTON, MR. LANDRITH, MR. McCLURE, AND MR. SMITH VOTING "AYE"; AND WITH MR. EASTMAN BEING ABSENT (6 IN FAVOR, 1 ABSENT).



Large Scale Development for:

Connecticut Pointe Apartments

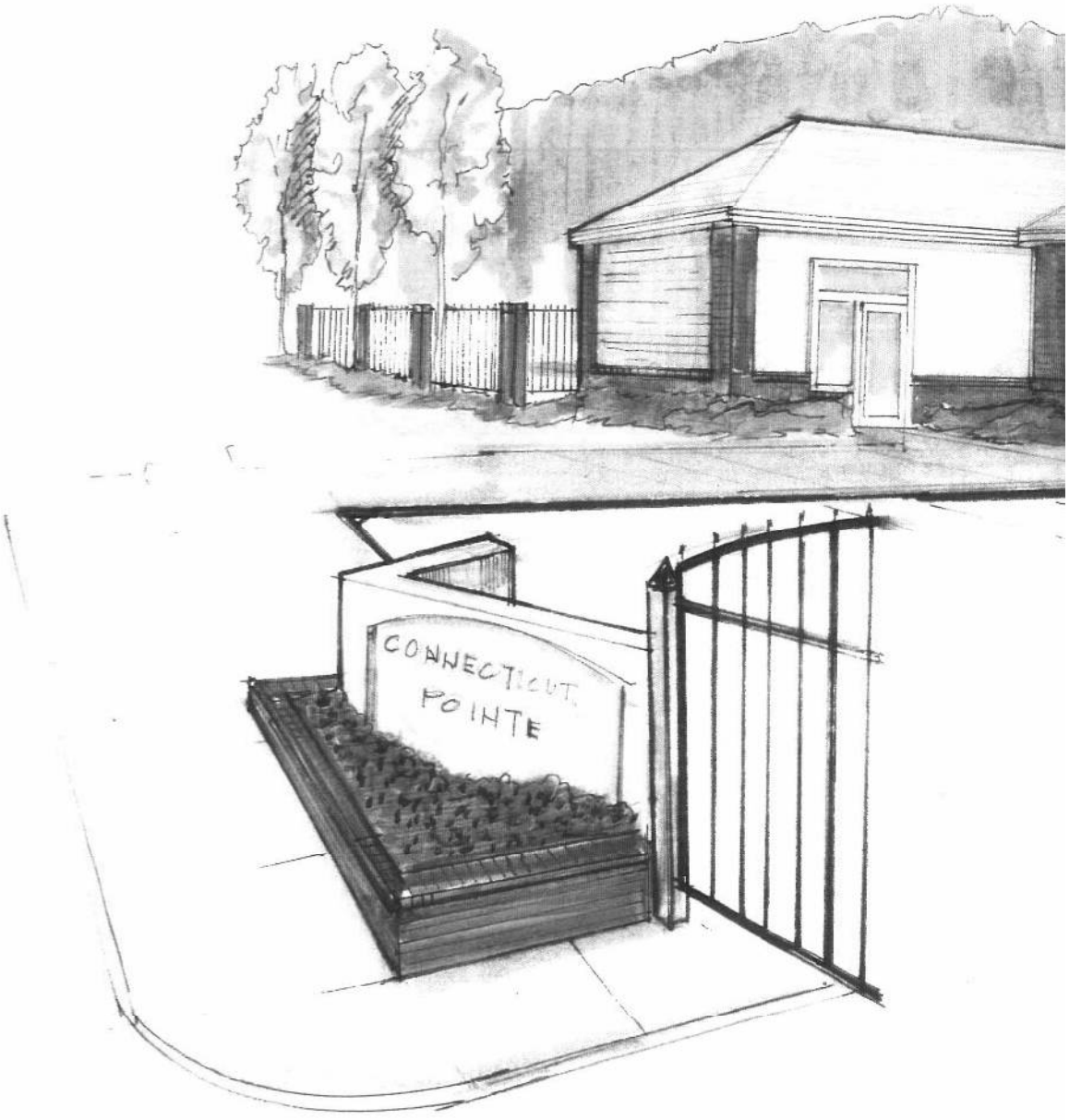
2034 Connecticut Avenue, Joplin, MO 64804

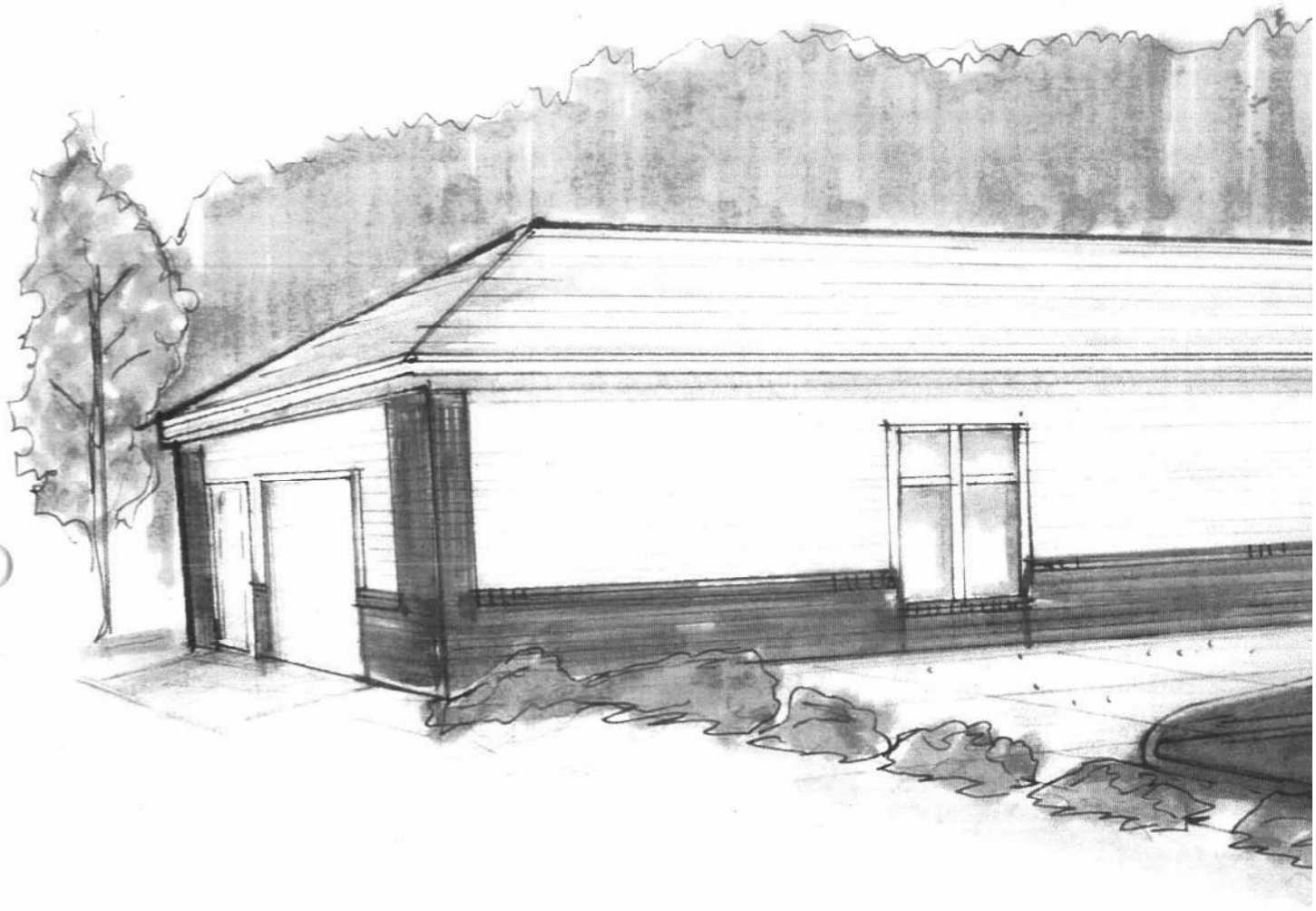
Tristar Contractors, LLC

Nick / Crystal Goedereis

1910 Waukesha / Siloam Springs, AR 72761

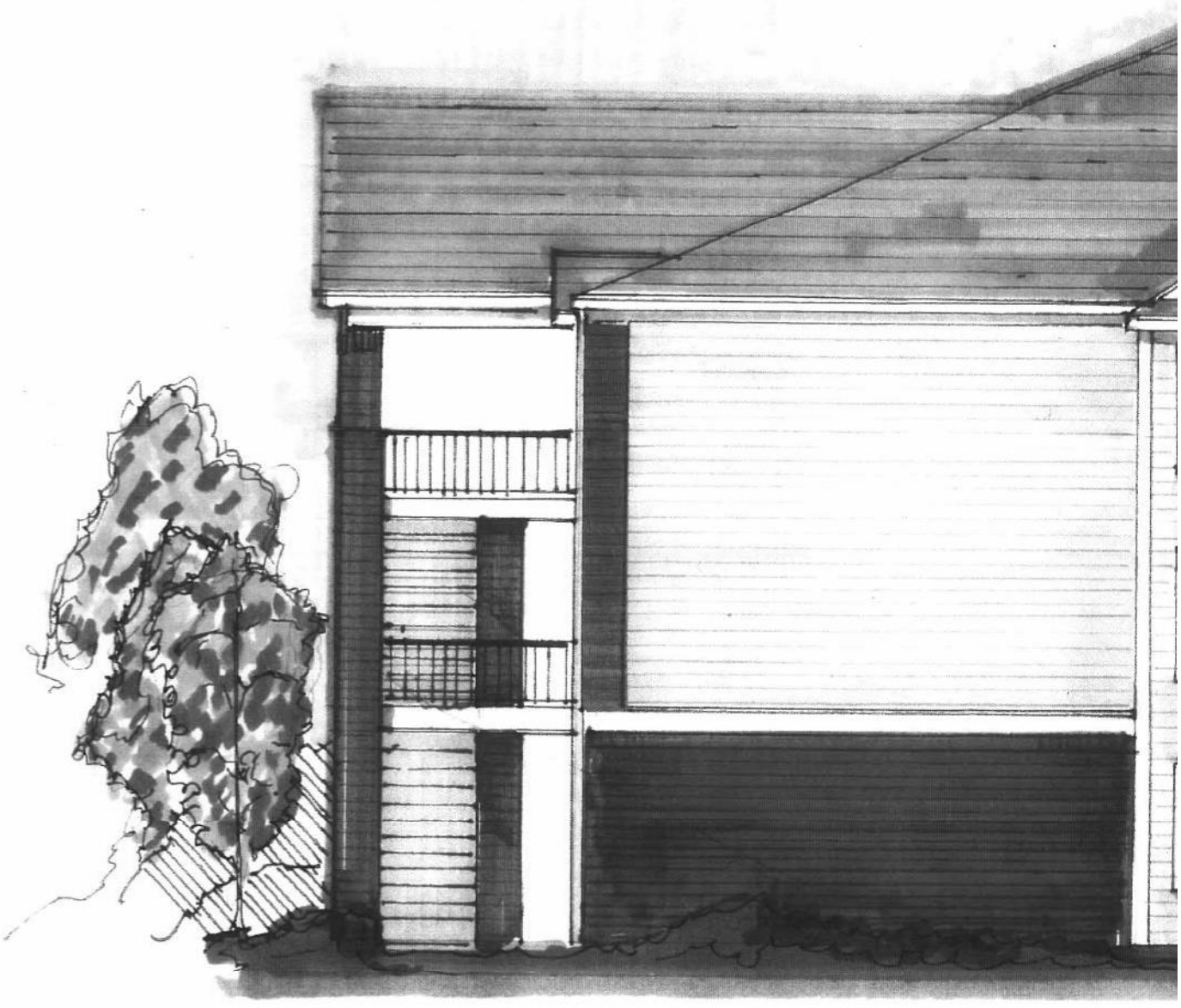
(479) 238-1088


CONNECTICUT
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City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: April 2, 2012

Item: SITE PLAN REVIEW – 611 WEST 25TH STREET
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Planning Report
2) Commission Minutes
3) Copy of Site Plans

Public Works Director: David Hertzberg — Date: 3/23/2012
City Attorney: Brian Head — Date: 3-27-12
City Manager: R. Mark Rohr — Date: 3-27-12
Board or Commission: Planning and Zoning Commission — Date: 3/12/2012

Recommended Action: Planning and Zoning Commission recommended approval by a vote of "5 in favor, 2 absent"

SUMMARY/REQUEST:
Case 029-12: 611 W. 25th Street – A request for a Site Plan Review for the construction of an apartment house complex, Eagle Ridge Housing – Anderson Engineering.

STAFF SUMMARY:
This area is zoned correctly for this use and the plans are in compliance with the development policies of the Comprehensive Plan. The plans are consistent with development codes of the City of Joplin.

The reconstruction of this development is a result of tornado damage. Staff recommends approval of the development plans.

The effective date shall be May 6, 2012, to coincide with the effective date of the 24th Street vacation.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Cody Sexton, Anderson Engineering, appeared representing Joplin One LP. The developer is requesting a site plan review for the development of Eagle Ridge Housing, a 40-unit multi-family housing development. The site of the project was previously a similar multi-family development that was destroyed in the tornado.

Mr. Eastman asked about stormwater detention, and Mr. Sexton replied that stormwater detention will be provided in a basin at the southwest corner of the property.

PUBLIC COMMENT: None.

STAFF PLANNING REPORT

CASE 029-12:

Review plans for Eagle Ridge Apartments.

APPLICANT:

Anderson Engineering for Matt Fulson

NAME OF DEVELOPMENT:

Eagle Ridge Apartments

LOCATION:

24th & Moffett Avenue

PRESENT ZONING:

R-3-PD (Apartment House District – Planned Development)

EXISTING CONDITIONS:

PROPERTY SIZE

Approximately 2.7 Acres

FLOOD PLAIN

Flood Zone "X" (Areas of Minimal Flooding)

	LAND USE	EXISTING ZONING
SITE	Former Apartment Complex	R-3-PD
NORTH	Former Office and Single-Family House	C-O and R-1
SOUTH	Former Nursing Home	R-1
EAST	Former Church	R-1
WEST	Former Autism Center	C-O

TRAFFIC CONDITIONS:

STREET(S) WITH ACCESS TO PROPOSED DEVELOPMENT

Sergeant Avenue
Moffet Avenue
24th Street
25th Street

CLASSIFICATION OF STREET(S)

Sergeant Avenue – local street
Moffet Avenue – local street
24th Street – local street
25th Street - local street

RIGHT-OF- WAY WIDTH

Sergeant Avenue – 60 feet
Moffet Avenue – 60 feet
24th Street – 50 feet
25th Street - 50 feet

WILL TURNING MOVEMENTS OF THE PROPOSED DEVELOPMENT CREATE AN UNDUE TRAFFIC HAZARD?

The proposed apartment complex will not create an undue traffic hazard

PARKING REQUIRMENTS:

Parking is in compliance with City requirements.

UTILITIES:

The site has all utilities

LANDSCAPING REQUIREMENTS:

Landscaping is provided on site. It is in compliance with the requirements of City code.

BUFFERING REQUIREMENTS:

This property is adjacent to commercially and residential zoned land, appropriate buffering is provided.

STAFF ANALYSIS:

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

Yes, this area is zoned correctly for this use and the plans are in compliance with the development policies of the Comprehensive Plan.

DISCUSSION

Plans are consistent with development codes of the City of Joplin.

ADDITIONAL INFORMATION OR COMMENTS

The reconstruction of this development is a result of tornado damage.

STAFF RECOMMENDATION:

Staff recommends approval of the development plans.

ENCLOSURES:

Plans

CITY OF JOPLIN, MISSOURI

RECEIVED 1-3-12

SITE PLAN REVIEW CHECKLIST

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: 09-12
Filing: _____
Date Advertised: _____
Date Notices Sent: _____
Public Hearing Date: 3-12-12

I. Name of Project: Eagle Ridge Housing

II. Location of Project: 611 W. 25th St

III. Name of Owner: Matt Fulson

IV. Name of Person who Prepared the Site Plan: Anderson Engineering - Cody Sexton P.E.

V. Instructions:

The following checklist is to be completed by the applicant/developer and shall accompany the Site Plan when it is submitted to the Planning and Zoning Commission. The Site Plan shall include the following data, details and supporting information which are found to be relevant to the proposal. All site plans shall be prepared by an architect or landscape architect registered in the State of Missouri, or by a professional engineer licensed in the State of Missouri. The number of pages submitted will depend on the proposal's size and complexity.

Does the Site Plan comply with or show the following?	Yes	No
A. Name of the project, address, boundaries, date, north arrow and scale of the plan.	☒	☐
B. Name and address of the owner of record, developer, and seal of the engineer, architect or landscape architect.	☒	☐
C. Name and address of all owners of record of abutting parcels.	☒	☐
D. All existing lot lines, easements, and rights-of-way. Include area in acres or square feet, abutting land uses and structures.	☒	☐

E. The location and use of all existing and proposed buildings and structures within the development. Include all dimensions of height and floor area, show all exterior entrances and all anticipated future additions and alterations. For developments in the "C-2" Central Business District (CBD), indicate design details to make new construction compatible with existing structures. ☒ ☐

F. The location of all present and proposed public and private ways, parking areas, driveways, sidewalks, ramps, curbs and fences. Location type and screening details for all waste disposal containers shall also be shown. ☒ ☐

G. The Municipal Planner may require location, height, intensity, and bulb type (e.g., fluorescent, sodium incandescent) of all external lighting fixtures. The direction of illumination and methods to eliminate glare onto adjoining properties. ☒ ☐

H. The location, height, size, materials, and design of all proposed signage. ☒ ☐

I. A landscape plan showing all existing open space, trees forest cover and water sources, and all proposed changes to these features including the size and type of plant material. Water sources will include ponds, lakes, brooks, streams, wetlands, flood plains, and drainage retention areas. ☒ ☐

J. The location of all existing and proposed utility systems including:

1. sewer lines and manholes; ☒ ☐
2. water lines and fire hydrants; ☒ ☐
3. telephone, cable and electrical systems; and ☒ ☐
4. storm drainage system including existing and proposed drain lines, culverts, catch basins, headwalls, endwalls, hydrants, manholes, and drainage swales. ☒ ☐

K. Plans to prevent the pollution of surface or groundwater, the erosion of soil both during and after construction, excessive run-off, excessive raising or lowering of the water table, and flooding of other properties, as applicable. ☒ ☐

L. Existing and proposed topography shown at not more than two-foot contour intervals. All elevation shall refer to United States Geodetic Survey (U.S.G.S.) datum. If any portion of the parcel is within the 100-year flood plain, the area shall be shown, with base flood elevations; and the developer shall present plans for meeting Federal Emergency Management Agency (F.E.M.A.) requirements. ☒ ☐

M. Zoning district boundaries adjacent to the sites perimeter shall be drawn and identified on the plan. ☒ ☐

N. Traffic flow patterns within the site, entrances and exits, loading and unloading areas, curb cuts on the site and within 100 feet of the site. The City Engineer may require a detailed traffic study for mixed use and multi-tenant developments, or for developments in heavy traffic areas to include:

1. The projected number of motor vehicle trips to enter or leave the site, estimated for daily and peak hour traffic levels. NA ☐ ☐

2. The projected traffic flow pattern including vehicular movements at all major intersections likely to be affected by the proposed use of the site; and NA ☐ ☐

3. The impact of this traffic upon existing abutting public and private ways in relation to existing road capacities. Existing and proposed daily and peak hour traffic levels, as well as road capacity levels, shall also be given. NA ☐ ☐

O. For new construction or alterations to any existing structure, a table containing the following information must be included:

1. Area of structure to be used for a particular use, such as retail operation, office, storage, etc.; ☒ ☐

2. Maximum number of employees; NA ☐ ☐

3. Maximum seating capacity, where applicable; NA ☐ ☐

4. Number of parking spaces existing and required for the intended use; and ☒ ☐

5. A landscape plan for improving large areas of paved parking with appropriate landscaping may be required. NA ☐ ☐

Case 029-12: NEW BUSINESS - 611 West 25th Street – A request for a Site Plan Review for the construction of an apartment house complex, Eagle Ridge Housing – Anderson Engineering.

Mr. McClure opened the comment period for Case 029-12.

Mr. Cody Sexton, Anderson Engineering, 811 East Third Street, Joplin, appeared representing Joplin One LP. The developer is requesting a site plan review for the development of Eagle Ridge Housing, a 40-unit multi-family housing development. The site of the project was previously a similar multi-family development that was destroyed in the tornado.

Mr. Eastman asked about stormwater detention, and Mr. Sexton replied that stormwater detention will be provided in a basin at the southwest corner of the property.

Mr. McClure asked if this is not open for public comment at this time, and if a vote for approval is just taken to forward this request to the City Council. Mr. Bolander replied that is correct.

MR. HARRINGTON MOVED, SECONDED BY MR. LANDRITH, THAT THE SITE PLANS AS PRESENTED IN CASE 029-12 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL, BASED UPON THE COMMENTS RECEIVED IN THE PLANNING REPORT AND DURING THE COMMENT PERIOD. THE MOTION CARRIED, WITH MR. EASTMAN, MR. HARRINGTON, MR. LANDRITH, MR. McCLURE, AND MR. SMITH VOTING "AYE", AND WITH MR. ANDERSON AND MR. GILSTRAP BEING ABSENT (5 IN FAVOR, 2 ABSENT).

City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: April 2, 2012

Item: SITE PLAN REVIEW – 1300 NORTH RANGE LINE ROAD
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Planning Report
2) Commission Minutes
3) Copy of Site Plans

Public Works Director: David Hertzberg	Date: 3/23/2012
City Attorney: Brian Head	Date: 3-27-12
City Manager: R. Mark Rohr	Date: 3-27-12
Board or Commission: Planning and Zoning Commission	Date: 3/12/2012

Recommended Action: Planning and Zoning Commission recommended approval by a vote of "5 in favor, 2 absent"

SUMMARY/REQUEST:
Case 030-12: 1300 N. Range Line Road – A request for a Site Plan Review for the construction of an apartment house complex, Parkwood Senior Housing– Anderson Engineering.

STAFF SUMMARY:
This area is zoned correctly for this use and the plans are in compliance with the development policies of the Comprehensive Plan. The plans are consistent with development codes of the City of Joplin.

The property owner is seeking rezoning to commercial for an out-lot that fronts Range Line Road. Staff recommends approval of the development plans.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Cody Sexton, Anderson Engineering, appeared representing Gateway Altura Development in Joplin. The developer is requesting a site plan review for a proposed project consisting of a 42-unit multi-family senior housing development. The development will be one structure on North Range Line Road. The site is currently undeveloped, with stormwater detention to be provided on site at the southeast corner of the development.

Mr. Eastman asked if there will be only one access from Range Line Road, with no entrance from the rear. Mr. Sexton replied that is correct.

Mr. McClure asked about the offset from Range Line Road for the parking area. Mr. Sexton replied that there is a separate out lot that will not be developed at this time that lies directly off of Range Line, with this undeveloped area being 225 feet deep.

PUBLIC COMMENT: None.

STAFF PLANNING REPORT

CASE 030-12:

Review plans for Parkwood Senior Housing.

APPLICANT:

Anderson Engineering for Gateway Altura Development Co.

NAME OF DEVELOPMENT:

Parkwood Senior Housing

LOCATION:

1300 North Range Line Road

PRESENT ZONING:

R-3-PD (Apartment House District – Planned Development)

EXISTING CONDITIONS:

PROPERTY SIZE

Approximately 4.6 Acres

FLOOD PLAIN

Flood Zone "X" (Areas of Minimal Flooding)

	LAND USE	EXISTING ZONING
SITE	Undeveloped	R-3-PD
NORTH	Farm & Home/Tractor Store	C-3 and R-1
SOUTH	Lube & Oil Station and Undeveloped	C-3
EAST	Tamko & Fitness Club	M-2 & Webb City
WEST	Undeveloped	R-3-PD

TRAFFIC CONDITIONS:

STREET(S) WITH ACCESS TO PROPOSED DEVELOPMENT

Range Line Road

CLASSIFICATION OF STREET(S)

Range Line Road - Arterial

RIGHT-OF- WAY WIDTH

Range Line Road – 150 feet

WILL TURNING MOVEMENTS OF THE PROPOSED DEVELOPMENT CREATE AN UNDUE TRAFFIC HAZARD?

MoDOT has participated in development meetings and is comfortable with the placement of the drive in order to minimize any potential traffic hazards. The placement of the access complies with the City's requirements.

PARKING REQUIRMENTS:

Parking is in compliance with City requirements.

UTILITIES:

Utilities will be brought to the site from nearby service

LANDSCAPING REQUIREMENTS:

Landscaping is provided on site. It is in compliance with the requirements of City code.

BUFFERING REQUIREMENTS:

This property is adjacent to commercially and residential zoned land, appropriate buffering is provided.

STAFF ANALYSIS:

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

Yes, this area is zoned correctly for this use and the plans are in compliance with the development policies of the Comprehensive Plan.

DISCUSSION

Plans are consistent with development codes of the City of Joplin.

ADDITIONAL INFORMATION OR COMMENTS

The property owner is seeking rezoning to commercial for an out-lot that fronts Range Line Road

STAFF RECOMMENDATION:

Staff recommends approval of the development plans.

ENCLOSURES:

Plans

CITY OF JOPLIN, MISSOURI

RECEIVED 2-3-12

SITE PLAN REVIEW CHECKLIST

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: 030-12
Filing:
Date Advertised:
Date Notices Sent:
Public Hearing Date: 3-12-12

I. Name of Project: Parkwood Senior Housing

II. Location of Project: 1300 North Rangeline Road

III. Name of Owner: Gateway Altura Development Co.

IV. Name of Person who Prepared the Site Plan: Anderson Engineering – Cody Sexton, P.E.

V. Instructions:

The following checklist is to be completed by the applicant/developer and shall accompany the Site Plan when it is submitted to the Planning and Zoning Commission. The Site Plan shall include the following data, details and supporting information which are found to be relevant to the proposal. All site plans shall be prepared by an architect or landscape architect registered in the State of Missouri, or by a professional engineer licensed in the State of Missouri. The number of pages submitted will depend on the proposal's size and complexity.

Does the Site Plan comply with or show the following?	Yes	No
A. Name of the project, address, boundaries, date, north arrow and scale of the plan.	☒	☐
B. Name and address of the owner of record, developer, and seal of the engineer, architect or landscape architect.	☒	☐
C. Name and address of all owners of record of abutting parcels.	☒	☐
D. All existing lot lines, easements, and rights-of-way. Include area in acres or square feet, abutting land uses and structures.	☒	☐

E. The location and use of all existing and proposed buildings and structures within the development. Include all dimensions of height and floor area, show all exterior entrances and all anticipated future additions and alterations. For developments in the "C-2" Central Business District (CBD), indicate design details to make new construction compatible with existing structures. ☒ ☐

F. The location of all present and proposed public and private ways, parking areas, driveways, sidewalks, ramps, curbs and fences. Location type and screening details for all waste disposal containers shall also be shown. ☒ ☐

G. The Municipal Planner may require location, height, intensity, and bulb type (e.g., fluorescent, sodium incandescent) of all external lighting fixtures. The direction of illumination and methods to eliminate glare onto adjoining properties. ☒ ☐

H. The location, height, size, materials, and design of all proposed signage. ☒ ☐

I. A landscape plan showing all existing open space, trees forest cover and water sources, and all proposed changes to these features including the size and type of plant material. Water sources will include ponds, lakes, brooks, streams, wetlands, flood plains, and drainage retention areas. ☒ ☐

J. The location of all existing and proposed utility systems including:

1. sewer lines and manholes; ☒ ☐
2. water lines and fire hydrants; ☒ ☐
3. telephone, cable and electrical systems; and ☒ ☐
4. storm drainage system including existing and proposed drain lines, culverts, catch basins, headwalls, endwalls, hydrants, manholes, and drainage swales. ☒ ☐

K. Plans to prevent the pollution of surface or groundwater, the erosion of soil both during and after construction, excessive run-off, excessive raising or lowering of the water table, and flooding of other properties, as applicable. ☒ ☐

L. Existing and proposed topography shown at not more than two-foot contour intervals. All elevation shall refer to United States Geodetic Survey (U.S.G.S.) datum. If any portion of the parcel is within the 100-year flood plain, the area shall be shown, with base flood elevations; and the developer shall present plans for meeting Federal Emergency Management Agency (F.E.M.A.) requirements. ☒ ☐

M. Zoning district boundaries adjacent to the sites perimeter shall be drawn and identified on the plan. ☒ ☐

N. Traffic flow patterns within the site, entrances and exits, loading and unloading areas, curb cuts on the site and within 100 feet of the site. The City Engineer may require a detailed traffic study for mixed use and multi-tenant developments, or for developments in heavy traffic areas to include:

1. The projected number of motor vehicle trips to enter or leave the site, estimated for daily and peak hour traffic levels. NA ☐ ☐

2. The projected traffic flow pattern including vehicular movements at all major intersections likely to be affected by the proposed use of the site; and NA ☐ ☐

3. The impact of this traffic upon existing abutting public and private ways in relation to existing road capacities. Existing and proposed daily and peak hour traffic levels, as well as road capacity levels, shall also be given. NA ☐ ☐

O. For new construction or alterations to any existing structure, a table containing the following information must be included:

1. Area of structure to be used for a particular use, such as retail operation, office, storage, etc.; ☒ ☐

2. Maximum number of employees; NA ☐ ☐

3. Maximum seating capacity, where applicable; NA ☐ ☐

4. Number of parking spaces existing and required for the intended use; and ☒ ☐

5. A landscape plan for improving large areas of paved parking with appropriate landscaping may be required. NA ☐ ☐

Case 030-12: NEW BUSINESS - 1300 North Range Line Road – A request for a Site Plan Review for the construction of an apartment house complex, Parkwood Senior Housing– Anderson Engineering.

Mr. McClure opened the comment period for Case 030-12.

Mr. Cody Sexton, Anderson Engineering, 811 East Third Street, Joplin, appeared representing Gateway Altura Development in Joplin. The developer is requesting a site plan review for a proposed project consisting of a 42-unit multi-family senior housing development. The development will be one structure on North Range Line Road. The site is currently undeveloped, with stormwater detention to be provided on site at the southeast corner of the development.

Mr. Eastman asked if there will be only one access from Range Line Road, with no entrance from the rear. Mr. Sexton replied that is correct.

Mr. McClure asked about the offset from Range Line Road for the parking area. Mr. Sexton replied that there is a separate out lot that will not be developed at this time that lies directly off of Range Line, with this undeveloped area being 225 feet deep.

Mr. McClure asked for additional questions, and none were received. He asked for a motion from the commissioners.

MR. LANDRITH MOVED, SECONDED BY MR. HARRINGTON, THAT THE SITE PLANS AS PRESENTED IN CASE 030-12 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL, BASED UPON THE COMMENTS RECEIVED IN THE PLANNING REPORT AND DURING THE COMMENT PERIOD. THE MOTION CARRIED, WITH MR. EASTMAN, MR. HARRINGTON, MR. LANDRITH, MR. McCLURE, AND MR. SMITH VOTING "AYE", AND WITH MR. ANDERSON AND MR. GILSTRAP BEING ABSENT (5 IN FAVOR, 2 ABSENT).