ITEM:
CB 2021-257-Rezone to District R-1

MEETING DATE:
February 1, 2021

ORIGINATING DEPARTMENT:
Planning, Development and Neighborhood Services

REVIEWED BY:
Director of Planning, Development & Neighborhood Services-Troy Bolander, Director of Finance-Leslie Haase, City Attorney- Peter Edwards, City Manager-Nicholas Edwards.

SUMMARY REQUEST:
Case 006-21: 4330 & 4400 Swede Ln. - A request to remove from District M-1-PD (Restricted Industrial Planned Development) and include in District R-1 (Single-family Residential) for future residential development – Alan Bemo.

BACKGROUND:
The change in zoning to R-1 will not be detrimental to nearby property. The R-1 district is the most protected districted with the fewest allowable uses. Rezoning to a district that allows for much less intense developments will not have a detrimental affect on nearby property.

PLANNING & ZONING COMMISSION TESTIMONY:
Alan Bemo, 4409 Swede Ln., Joplin, MO. Mr. Bemo stated there is a residence there on the property, which is a rental and a family is living there. There is the old Joplin Humane Society building. Demolition of the two (2) kennels, which is attached to the front and the back has been done. Now it is the main office building. He wants to renovate that building into a residential home. Facing the street Swede Ln., eventually he will build residential homes

PUBLIC COMMENT:
None.

FUNDING SOURCE:
These payments are included in the FY 2020-21 budget of the Community Planning Fund.

RECOMMENDATIONS:
Staff recommends approval for case 006-21.
Planning & Zoning Commission recommends approval for Case 006-21 (7 Favor, 0 Nays).

ATTACHMENTS
CB 2021-257, Staff Planning Report, P&Z Commission Minutes
CB 2021-257

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Mr. Ramsour asked if the Commissioners had any questions? There were none. Mr. Ramsour asked if there anyone in the audience who would like to speak in favor of this case? There was not. Mr. Ramsour asked if there anyone who would like to speak in opposition of the case? There was not.

MR. KIMBLE MOVED, SECONDED BY MR. EASTMAN THAT CASE 006-21 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MR. RAMSOUR, MS. STEELE, MR. EASTMAN, MR. MCCULLOUGH, MS. BRUCKNER-SEARS (ON PHONE), MR. KIMBLE, AND MS. PHILLIPS VOTING “AYE” (7 IN FAVOR
# STAFF PLANNING REPORT
## Rezoning

**CASE 006-21**  
A request to rezone from M-1-PD (Restricted Industrial Planned Development) to R-1 (Single-family Residential)

**LOCATION**  
4330 & 4400 Swede Ln.

**APPLICANT**  
Alan Bemo

## EXISTING CONDITIONS

<table>
<thead>
<tr>
<th>Zoning</th>
<th>Land Use</th>
<th>Property Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>M-1-PD</td>
<td>Single-family Residential</td>
<td>Approx. 9.32 acres</td>
</tr>
</tbody>
</table>

## SITE CONTEXT

<table>
<thead>
<tr>
<th>Existing Zoning</th>
<th>North</th>
<th>East</th>
<th>South</th>
<th>West</th>
</tr>
</thead>
<tbody>
<tr>
<td>M-1-PD</td>
<td>M-1-PD</td>
<td>M-1-PD</td>
<td>R-1</td>
<td>Out of City Limits</td>
</tr>
<tr>
<td>Land Use</td>
<td>Single-family Residential</td>
<td>Single-family Residential</td>
<td>Single-family Residential</td>
<td>Vacant</td>
</tr>
</tbody>
</table>

## FUTURE LAND USE

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

## TRANSPORTATION

<table>
<thead>
<tr>
<th>Streets with access</th>
<th>Classification</th>
<th>Right-of-way width</th>
</tr>
</thead>
<tbody>
<tr>
<td>N. Swede Ln.</td>
<td>Local</td>
<td>50'</td>
</tr>
</tbody>
</table>

## UTILITIES

Utilities in place.

## FLOOD PLAIN

This property is not in the flood plain.
STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

The request is consistent with the comprehensive plan. The future land use map does show this property to be future low-density residential.

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

The current zoning of M-1-PD is not suitable in this area. At one time the plan was for this area to develop with industrial uses, given is proximity to the airport. However, pressure for residential development led to single-family zoning and uses occupying this area. Industrial uses are still in this area, however they are to be located to the North of Logan Dr., as shown in the Future Land Use Map.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning to R-1 will not be detrimental to nearby property. The R-1 district is the most protected districted with the fewest allowable uses. Rezoning to a district that allows for much less intense developments will not have a detrimental affect on nearby property.

DISCUSSION

This request is compatible with the Comprehensive Plan, the Future Land Use Map, and the zoning requested is appropriate for the area. Nearby properties will not be affected by the change to a less intense zoning district.

Staff recommends approval of Case 006-21.

ATTACHMENTS

- Application
- Map
REZONING APPLICATION FORM

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

For Office Use Only
Case No.: 03-2
Filing Fee: $550.00
Date Advertised:
Date Notices Sent:
Public Hearing Date:

APPLICANT: Alan Bemo
ADDRESS: 4409 SWEDE LN, JOPLIN, MO
PHONE: 417-497-5083
ZIP: 64801

OWNER: Jonathan Bemo
ADDRESS: 2083 67TH AVE. S, ST. PETERSBURG, FL
PHONE:
ZIP: 33712

LOCATION/ADDRESS OF PROPERTY: 4330 & 4400 SWEDE LN, JOPLIN, 64801

Present Zoning: M1-PD
Requested Zoning: R1
Acres: 9.32

Present Use of Property:

residence, storage building, pasture

SURROUNDING LAND USE AND ZONING:

North: residence + pasture
South: residence + pasture
East: undeveloped woods - Airport Drive
West: undeveloped woods

Character of the Neighborhood:
In the past, it was all M1-PD with only 5 residences on Suede Lane. It has been changing to R1, a quiet rural setting with deer & turkeys.

RELATIONSHIP TO EXISTING ZONING PATTERN:
1. Would proposed change create a small, isolated district unrelated to surrounding districts?
   Yes
2. Are there substantial reasons why the property cannot be used in accord with existing zoning?
   Yes, explain: I want to improve property to residence but cannot as zoned.

CONFORMANCE WITH COMPREHENSIVE PLAN:
1. Consistent with Development Policies?
2. Consistent with Future Land Use Map?
TRAFFIC CONDITIONS:
1. Street(s) with Access to Property: Suede Ln.
2. Classification of Street(s):
   Arterial  Collector  Local  
4. Will turning movements caused by the proposed use create an undue traffic hazard? No

IS PLATTING OR REPLATTING REQUIRED IN ORDER TO PROVIDE FOR:
1. Appropriately Sized Lots?
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/OR ADDITIONAL COMMENT:

THE FOLLOWING MUST ACCOMPANY YOUR APPLICATION:
1. One copy of a legal description of the property proposed to be rezoned from a deed or certified survey.
2. One copy of a statement describing the reasoning for the rezoning, the impact of the proposed change, including any traffic conditions that may result; any danger from fire hazards; how the proposed change may affect the character of the surrounding properties; and how the proposed change will benefit the City of Joplin.
3. Owner Affidavit, if applicant applying for the rezoning is not the owner of the property being rezoned.

SIGNATURE: 
DATE: 12/4/2020

EMAIL: alienonearth@psmail.net

TITLE:
Case 006-21: 4330 & 4400 Swede Ln. - A request to remove from District M-1-PD (Restricted Industrial Planned Development) and include in District R-1 (Single-family Residential) for future residential development – Alan Bemo.
P & Z Case 006-21
Alan Bemo
(P & Z Recommended Approval)

COUNCIL BILL NO. 2021-257

AN ORDINANCE amending Ordinance No. 2004-256, passed by the Council of the City of Joplin, Missouri, November 15, 2004, by removing from M-1-PD (Restricted Industrial Planned Development) and include in District R-1 (Single-family Residential) property as described below and located 4330 & 4400 Swede Ln., City of Joplin, Jasper County, Missouri.

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

Section 1. Having referred the subject matter of this ordinance to the City Planning and Zoning Commission and having given at least fifteen days’ notice of time and place of hearing on same by publication in the Joplin Globe, Ordinance No. 2004-256 is hereby amended by the following described property and including in District R-1:

Lots 13 & 14 of Midway Gardens except the North 90’ of the East 75’

Section 2. That the City Clerk is hereby ordered to file this ordinance with the Zoning District Map maintained in her office and to note the changes herein provided thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the __________ day of ______________, 2021, by a vote of ______________.

Ryan D. Stanley, Mayor

ATTEST:

Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

Peter C. Edwards, City Attorney