

## Case 012-23: Rezoning

A request to Rezone from District R-1 (Single-Family Residential) to C-3 PD (Commercial-Planned District) for Property located at 2501 E. 20<sup>th</sup> St. to operate administrative and counseling offices-Rapha House International

Mr. Brandon Freed, 712 S. Main St., Joplin, Missouri 64801. Mr. Freed stated they wanted to convert the church building into administration offices and a counseling center. They would relocate their administrative headquarters to this location.

Mr. Kimble asked if there were any questions from the Commission on Case 012-23.

Mr. Rosenberg asked why they were asking for C-3 instead of C-1.

Mr. Freed stated it was City staff recommendation.

Mr. Bellairs stated to stay with consistency along 20<sup>th</sup> Street.

Mr. Rosenberg stated that what that meant to him was that if Rapha House changed their mind or decided to sell it, they could put in a convenience store, liquor store, a marijuana store or a 24-hour gas station in if the property was zoned C-3. He asked for clarification.

Mr. Bolander stated you are correct. When you rezone C-3 you must allow all those usages under C-3. He stated he thought they were looking at an extension of the C-3-PD district that is located there already. He stated if you feel that was too heavy of a district, we do have C-1 PD located to the east. It could actually be an extension of that district as well. It sounds like C-1 PD would be an appropriate district to allow offices.

Mr. Rosenberg stated he felt more comfortable with the C-1 PD rather than the C-3.

Mr. Bolander stated you have every right to amend it. He said it sounds like if it was going to be restricted to office use that would be appropriate.

Mr. Freed stated was he correct that the property adjacent to the west is already C-3.

Mr. Bolander stated that is correct.

Mr. Freed stated doesn't it make sense to just continue with C-3 since they are already adjacent.

Mr. Bolander stated you can, but you also have C-1 PD to the east that is existing as well.

Mr. Rosenberg said to the east the zoning is C-1 and to the north you would abut some nice homes. Mr. Rosenberg stated he was not concerned about Rapha House, but he was concerned about the future. Once they rezone the property it remains rezoned.

Ms. Phillips stated plus there are additional lots that are not developed. Ms. Phillips said she agreed with Mr. Rosenberg that the rezoning was too close to R-1 single family residential.

Mr. Jackson asked Mr. Freed if he would be agreeable to C-1 or would you rather have C-3.

Mr. Freed stated that C-1 would fulfill their needs but obviously they plan on staying there a long time. They do not have any intention on moving but C-3 would be preferable. He said he did not know what the future of the 20<sup>th</sup> Street development would entail.

Mr. Kimble asked if there were any other questions from the Commission on Case 012-23.

There were none.

Mr. Kimble asked if anyone wished to speak in favor of Case 012-23.

Dana Parker, 1808 SE Murphy Blvd., Joplin, Mo. She thanked Dr. Rosenberg for recognizing that they live there. She stated she has nothing against Rapha House, she believed they are a very good organization. She is terrified of the C-3. They live in a

wonderful neighborhood. It is quiet and they would like to keep that. Casa just moved in, and they do not have a problem with that. She stated their main problem was that if you go C-3 they need to put in a water retention pond because their property was being destroyed by the water coming off 20<sup>th</sup> Street. Across the street on the property they are buying, the previous owners put in big pipes to gush the water into their yard. She stated that everything they have built since the tornado had been destroyed. The water goes through their yard into the neighbor's yard and then across into someone else's pool. All their dirt. She said that is their big concern. Those large grassy areas that you mentioned belong to my brother and me. They had hoped to build more residences but there was too much water pooling down because there is no water retention pond in this location. She stated before the storm they never had an issue. Their basement floods constantly. They would like some recognition of that. Casa when they were building recognized there was an issue, and they built a better pond. She does not know how well it will work but they did try. She stated they would like to see something done, dig a hole, they do not want the water in their yard. That is their biggest problem. They are terrified of bars or filling stations going in their yard. They have always had a good neighborhood.

Mr. Jackson asked Ms. Parker as far as the water retention issues have you ever addressed the City.

Ms. Parker stated yes, and they always say they would get back to us.

Mr. Jackson stated he knew they were there before any of the development. He said he believed Rapha House would have less of an impact than putting in a car wash.

Ms. Parker stated absolutely.

Mr. Jackson asked if the City was looking into the impact of the addition of the adjacent properties on homeowners.

Mr. Bolander asked as far as water.

Mr. Jackson stated yes.

Mr. Bolander stated he was out on the property one day when she called. He was accompanied by the City Manager, and he believed Engineering had been looking into it. He does not know the extent of the conversation between Engineering and the homeowner. He stated he could check with engineering on the stormwater concerns. He said the requirements today whether it was C-3 or C-1 there must be storm water

retention. Any additions made on this property the water must be retained regardless of the zoning district it is in.

Ms. Parker stated they built a berm that didn't really do anything. They would have liked to have planted a garden. We cannot do anything. They have a large lot. She stated they have been told they do not need that by people of the City way back. She said they own this property, they take care of it, they are good citizens, they pay their taxes, and they obey the laws. They would like some courtesy in return. They want to protect their assets.

Mr. Jackson asked Mr. Bolander if those issues had been presented to Rapha House.

Mr. Bolander stated first we need to see what was discussed and what had been done. He said the last time he was out there was a couple of years ago. Mr. Bolander said if they are not making any additions to the building, they are not required to put in any storm water retention in if it is already being accommodated. He stated in relation to the onsite visit he did not have enough good information concerning storm water to give at this time. He would have to follow up with engineering and report back to the Commission.

Mr. Kimble asked if anyone else wished to speak in favor of Case 012-23.

There were none.

Mr. Kimble asked if anyone wished to speak in opposition of Case 012-23.

There were none.

**MR. JACKSON MOVED THAT CASE 012-23 BE MODIFIED FOR REZONING AT C-1 PD. MR. ROSENBERG SECONDED THE MOTION. MOTION CARRIED. MS. STEELE OPPOSED THE MOTION. (6 IN FAVOR, 1 NAY)**