CASE 010-26 TEXT AMENDMENT

Dustin Ellias of ProX, 809 Catherine Ave, explain that that the R-2 zoning currently requires at 7,800 square foot lot but many of the R-2 zoned lots are only 50 feet wide and 120 feet long so even though they are R-2 their square footage requirement isn't met. We are asking that that minimal lot size be 6,000 square feet rather than 7,800. This is meant to increase the number of affordable housing.

Mr. Kimble asked if there were any questions from the Commission.

Ms. Phillips asked if ProX wrote the text amendment or if the city was involved as well.

Mr. Bellairs explained that the staff report was provided by the city while the application was done by ProX. He went on to say that the way the amendment was written it does more than what was just explained. That there are two types of duplexes. One being the outward appearance of two home put together with a common wall. What ProX is typically building is what's called a multi-unit home, which has the forming, massing, and modulation of the outward appearance of one home that's just been divided into two units. This will not be the kind of suburban style that is spread out. This style of development is meant for in-fill in certain context in neighborhoods that match what they're trying to do. In a lot of our more urban neighborhoods there are several homes that you would not know that are divided into multiple units because they are in R-3 districts. Currently the zoning code allows for that type of duplex in an R-3 district at 3,000 square foot per unit. But the suburban style is still at 7,800 square feet. You will not be able to build the suburban style at 6,000 square feet. But in those neighborhoods where it is truly in-fill and the surrounding context where there is similar housing types they can do that housing style where it still looks like a single-family house from the outside, but it has two units. This is not a broad approval of duplexes within 6,000 square feet, it is very much context based depending on the housing types there and it is very much subject to the review of the type of structure they're building.

Ms. Klue-Michael asked Mr. Bellairs if we were to approve this type of build on these smaller lots are we going to be facing any cons for the city or for other people who are looking to build this type of structure? Is there going to be any negative impact?

Mr. Bellairs said that this will be context based, because the way it was written it is limited applicability only in infill situations. We reduced the lot size for single-family homes to 6,000 in an R-2. So in neighborhood like the Schuber Mitchell subdivisions that were just done were at 6,000 square foot lots, that would be a suburban context that would not be infill. Think more like the walkable neighborhoods, the original street grids that are much more urban style of development where a variety of housing types already exist, that would be an ideal location where this would be permitted only through infill. More suburban neighborhoods, the way it is written it still protects those developments from being changed to two-family or multi-family. So it does have protections in there

based off the way it was written and anything that is outside infill they have to go to the commission and council through a planned development review, we can't approve that administratively it is only in the defined very narrow context that this is allowed. It still has those protections that would ideally prevent any negative outcomes from lowering that density.

Ms. Phillips asked if this could be handled on a case-by-case basis also by the Board of Adjustment?

Mr. Bellairs indicated that this would be a code change to allow it to be infill, so no, this would not go to the Board of Adjustment. The Board of Adjustment does not have the authority under the interpretation article of the zoning code. They don't have the authority to grant any amendments to zoning or district standards like density or lot size, zoning or what uses are allowed, that is outside their review. They can grant variances to the development standard but they cannot grant variances to matters of zoning or district standards.

Mr. Kimble asked Mr. Ellias what his team is hoping to gain by going to try to change or have this amendment for R-2 rather than going with an R-3 that would fit what the current building is right now.

Mr. Ellias stated that we just want to make R-2 lots that are available where there are infill lots, we just want to make those to where they can accommodate a duplex. We're not into building multi-family homes outside of bigger than a duplex. There is plenty of inventory in lots out there that are 6,000 square feet that have been sitting there with nothing built on there for quite a while. Doing this would allow duplexes to be built on them.

Mr. Kimble said that when you say duplex are you talking about just a two-family unit or a multi-family unit that looks like a regular house?

Mr. Ellias stated that it would be just a two-family unit.

Mr. Kimble stated that everything Tyler (Mr. Bellairs) has talked about and my understanding was that this was a multi-family unit not just a two-family unit.

Mr. Bellairs indicated that the definition is multi-unit home that can be hypothetically if you have the square footage you can do a three or four unit home but in an R-2 it is still limited to two family.

Dr. Rosenburg asked, you're not asking for a change to the width of the lot, you would like to change the depth of the lot?

Mr. Ellias responded that was correct.

Dr. Rosenburg said that most of the time you come anyway and you ask for a 50-foot lot and you're going to put a single family dwelling on it. That seems to be the trend that I'm seeing. That would reduce the depth of a lot to 100 feet?

Mr. Ellias stated that it would be 120 feet. There are plenty lots along Byers.

Dr. Rosenberg asked if those lots are just unbuildable.

Mr. Ellias responded that they are not buildable for a duplex even though they are zoned for a duplex. But based on the square foot requirement we can't build duplexes.

Dr. Rosenberg asked if the lots are not necessarily as narrow as 50 feet that they might be 65 feet or 60 feet.

Mr. Ellias indicated that most of the lots are 50-foot wide.

Mr. Bellairs clarified that the density standards for the district give you a certain square footage for each type of development that you have to have. In this instance what they are referring to is that there are lots in the City of Joplin that are zoned R-2 they just aren't 7,800 square feet. In an R-2 district where the infill context is appropriate they could build a two-unit home in a 6,000 square foot lot with this change. Specifically what he is referring to is existing lots that are already zoned R-2 that just aren't at that 7,800 square foot size.

Mr. Kimble asked Mr. Bellairs could this just be a case-by-case basis rather than making an amendment to what's already there where someone is wanting to put a duplex on a lot this size because they come up and ask for the change rather than making an across-the-board change. Why not just have that happen every time rather than the overall change or amendment to the text.

Mr. Bellairs said that in our procedures we do have codes to address the fluctuation of density requirements but that is what is called a planned development or in some areas a planned unit development. There is usually a specific size where it is going to benefit more than the individual property. It is going to be more of a neighborhood style development where there is typically a size requirement for that in a PD. That would be a case-by-case basis. Because we're talking about individual lots that's the goal behind this change because you are going into an individual lot that typically is not going to qualify or meet the size requirements to do a PD on a case by case basis which is why they are requesting to amend the code to allow it by right.

Dr. Rosenberg said that it seems to me that if I remember right the housing development on North St. Louis has a whole bunch of 5,000 square foot lots for a single family dwelling.

Mr. Bellairs responded that was done through a PD and then amended the code to 6,000 square feet for single-family. That was the Schuber development.

Dr. Rosenberg stated that the whole trend is to get a smaller lot.

Ms. Phillips said that just because something is zoned R-2 is probably historically because they changed a single-family dwelling to a duplex. Just because something is R-2 we are force a duplex onto a lot that was something before we even had zoning. If there is an empty lot that's not being developed as R-2, I say put a single-family lot there. Because the infill houses that I'm seeing aren't sympathetic to the neighborhoods. Not all of them, some are not sympathetic to the single-family dwelling in the neighborhood. Though I say single-family they may be technically zoned R-2 because of historic reasons. If we did a case-by-case and the neighbors within 185 feet said "No" that's not going to look good for the neighborhood, density in this neighborhood is not a good thing or we don't want it at this time.

Mr. Ellias said that one of our big things is to reduce housing costs and to be able to provide affordable housing. As a builder I can tell you there's a duplex you get to build off of one electrical drop, one roof. There are costs that are shared between the two units. My square footage cost between building a duplex and building a single home is almost one and a half times. It's 40% higher to build a single-family home. If I'm renting the same I got to charge more for a single-family. We are trying to make it so that everybody, not just us, can build these more affordable housing in areas that are already zoned R-2. They're zoned for a duplex the code but by putting 7,800 square feet means that they're not really zoned for a duplex.

Ms. Klue-Michael asked what the rent rate would be for affordable housing.

Mr. Ellias responded that for these being brand-new homes with three bedroom and two bath, we are renting them at $1,200 - $1,250 range.

Mr. Kimble asked Mr. Bellairs to clarify why it wouldn't be better to go case-by-case rather than making a sweeping amendment on this right now.

Mr. Bellairs stated that with the issues of zoning beside the PD is that you can't do it on a case-by-case basis. The Board of Adjustment does not have that authority to grant a case-by-case exception. The only way to do that would be a PD and a lot-by-lot basis wouldn't work. You need to look at the zoning districts across the board. We can't pick it out on a case-by-case district.

Mr. Kimble asked what happens if we pass the text amendment and this gentleman wants to come and build a house on a lot where the zoning is not aligning, the text amendment is saying that we can have this conversation.

Mr. Bellairs indicated that the text amendment is to reduce the size for that kind of development. If it were an R-1 then it would need to be rezoned. But if the property is 6,000 square feet in a neighborhood where there are already a mix of housing types and it is already zoned R-2, they wouldn't have to come back.

Mr. Kimble asked if there were any other questions from the commission.

Mr. Kimble asked if there was anyone in attendance who would like to speak in favor.

Mr. Kimble asked if there was anyone in attendance who would like to speak in opposition.

Mr. Kimble asked the commission for a motion.

DR. ROSENBERG MADE A MOTION TO APPROVE CASE 010-26. THIS MOTION WAS SECONDED BY MS. KLUE-MICHAEL, MOTION DID NOT PASS. (3 IN FAVOR, 4 IN OPPOSITION, 0 ABSENT).