CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2020-257-Rezone to R-2 (Two-family Residential)

MEETING DATE:
May 18, 2020

ORIGINATING DEPARTMENT:
Planning, Development and Neighborhood Services

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

SUMMARY REQUEST:
Case 013-20: 2511 Murphy Ave. – A request to remove from District R-1 (Single-family Residential) and include in District R-2 (Two-family Residential) for the purpose of future residential development. – Amir and Hina Anis

BACKGROUND:
The applicant is requesting the rezoning in order to allow for the construction of a duplex. The property is originally platted as two lots; together, they are a double lot. However, considering the City has a 10' stormwater easement along the South side of the South lot, the buildable area on that lot is restricted further than the typical setback requirements. As two-family residential is low-density and has characteristics of single-family residential, this request is not inappropriate

PLANNING & ZONING COMMISSION TESTIMONY:

Amir & Hina Anis, 4322 Blue Herron, Joplin, MO. They have purchase property on Murphy. The plan is to build two very nice townhomes for rental purposes. We found out that because of the easement, we found out afterwards the two townhomes could not be built. We are planning on having duplexes in the center of that lot. We have a plan and it will be a very nice duplex. That is what the request is for. Mrs. Anis stated that both the houses we have are going to be joined together to make a duplex instead. The easement has basically cut down our property size. She also stated that she has plans with her to show the commissioners.

PUBLIC COMMENT;
None.

FUNDING SOURCE:
These payments are included in the FY 2019-20 budget of the Community Planning Fund.

RECOMMENDATIONS:
Planning & Zoning Commission recommends be tabled for Case 013-20, 6 in favor, 1 Absent.
Staff Recommends approval.

ATTACHMENTS
CB 2020-257, Staff Planning Report, P&Z Commission Minutes

Z&P Meeting: March 9, 2020
City Council Meeting: May 18, 2020

STAFF PLANNING REPORT
Rezoning

CASE 013-20 A request to rezone from R-1 (Single-family Residential) to R-2 (Two-family Residential)

LOCATION 2511 Murphy Ave.

APPLICANT Amir & Hina Anis

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-1	Vacant	0.3 Acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	R-1	R-1	R-1	R-1
Land Use	Single-family Residential	Single-family Residential	Vacant	Single-family Residential

FUTURE LAND USE

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

TRANSPORTATION

Streets with access	Classification	Right-of-way width
Murphy Ave.	Local	60'

UTILITIES

Utilities do not need to be extended to this property. Utilities are currently in place.

FLOOD PLAIN

This property is not in the flood plain.

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

The request is consistent with the comprehensive plan. The future land use map shows this property is in an area designated as low-density residential. Both the R-1 and R-2 districts could be considered low-density.

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

The current zoning of R-1 does allow uses that would be appropriate in this location.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning to R-2 will not be detrimental the nearby property. Two-family residential uses, namely duplexes, are still low-density and share many of the same characteristics of single-family development. Due to the size of the property, only one duplex would be permitted to be built.

DISCUSSION

The applicant is requesting the rezoning in order to allow for the construction of a duplex. The property is originally platted as two lots; together, they are a double lot. However, considering the City has a 10' stormwater easement along the South side of the South lot, the buildable area on that lot is restricted further than the typical setback requirements. As two-family residential is low-density and has characteristics of single-family residential, this request is not inappropriate. Furthermore, there are other cases of R-2 lots in this area on Annie Baxter, Empire, and Picher.

Staff recommends approval of Case 013-20.

ATTACHMENTS

- Application
- Map

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.: 03-20
Filing Fee: $550.00
Date Advertised: 2-23-20
Date Notices Sent 2-25-20
Public Hearing Date: 3-9-20

APPLICANT: Amir and Hina Anis PHONE: 4175406018
ADDRESS: 4322 Blue Heron, Joplin, MO ZIP: 64801
OWNER: Same PHONE:
ADDRESS: Same ZIP:
LOCATION OF PROPERTY: 2511 Murphy, Joplin, MO 64804
LEGAL DESCRIPTION:
all of lots numbered 112 and 113 in Commercial Club addition to the City of Joplin, Jasper County, Missouri.
Present Zoning R-1 Requested Zoning: R-2 Acreage: 0.287
Present Use of Property: 2 Vacant lots

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Homes	R1
South	homes/duplexes	Residential
East	Homes	Residential
West	homes	Residential

CHARACTER OF THE NEIGHBORHOOD: Residential

RELATIONSHIP TO EXISTING ZONING PATTERN:
1. Would proposed change create a small, isolated district unrelated to surrounding districts? N.
2. Are there substantial reasons why the property cannot be used in accord with existing zoning? If yes, explain: Y*

CONFORMANCE WITH COMPREHENSIVE PLAN:
1. Consistent with Development Policies? Unknown
2. Consistent with Future Land Use Map? Unknown

will be there 10:13 am LPD 3/9/20

* We have 2 lots on said property. Title Co. did not inform us that one lot has a sewer/drainage easement and City will not allow us to build on it, ~~not~~ leaving us with only 1.5 lot. We did initially plan to build two homes, but with current situation, the best way to use 1.5 lot is to build a duplex, which can be seen that several have been built nearby. without disturbing the pattern of the surrounding neighborhood.

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: Murphy and 26th
2. Classification of Street(s):
   Arterial Main St Collector 26th Street Local Murphy
3. Right-of-Way Width: Unknown
4. Will turning movements caused by the proposed use create an undue traffic hazard?
   NO

IS PLATTING OR REPLATTING REQUIRED TO PROVIDE FOR:

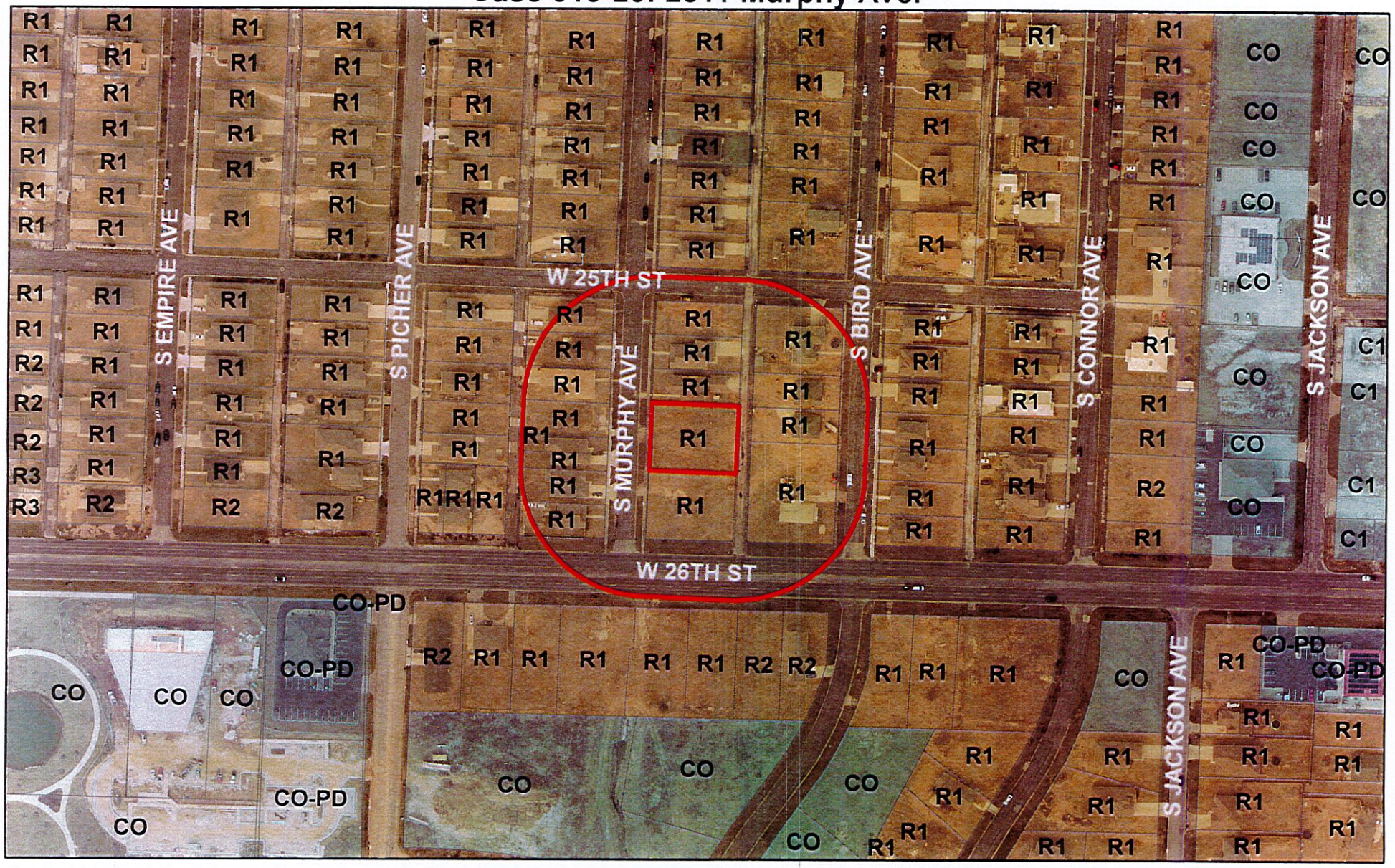
1. Appropriately Sized Lots? perhaps on building on it, will need survey
2. Properly Sized Street Right-of-Way? No
3. Drainage Easements? No (already in place)
4. Utility Easements:
   Electricity? No
   Gas? No
   Sewers? No
   Water? No
5. Additional Comments: Only survey needed for 1.5 lot for duplex.

UNIQUE CHARACTERISTIC OF PROPERTY AND ADDITIONAL COMMENT:
Since there is only 1.5 lot available, the best usage would be a duplex, which is still residential will not have major impact on traffic or neighborhood.

SIGNATURE: Amir Anis DATE: 2/9/20
BY: HINA ANIS/AMIR ANIS
TITLE: OWNERS

(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 013-20: 2511 Murphy Ave.



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0 87.5 175 350 525 700 Feet

N

CB 2020-257

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Mr. Ramsour asked the Commissioners if there were any other questions? There was not. Is there was anyone who would like to speak in favor to this case? There was not. He also asked if there was anyone to speak in opposition of this case? There was not.

MR. DERMOTT MOVED, SECONDED BY MR. MCCULLOUGH, CASE 013-20 BE FORWARDED TO THE CITY COUNCIL WITH MR. RAMSOUR, MR. DERMOTT, MRS. BRUCKNER-SEARS, MRS. STEELE, MR. MCCULLOUGH, AND MR. EASTMAN VOTING "AYE". (6 IN FAVOR, 0 NAYS, 1 ABSENT).

P & Z Case 013-20
Amir & Hina Anis
(P & Z Recommended Approval)

COUNCIL BILL NO. 2020-257 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 2511 Murphy Ave., 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-2:

As all of lots numbered one hundred twelve (112) and one hundred thirteen (113) in commercial club 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 thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of_____, 2020, by a vote of _____.

_____
Gary L. Shaw, Mayor

ATTEST:

_____
Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney