CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2019- 264 -Rezone to R-2 (Two-Family Residential).

MEETING DATE:
June 3, 2019

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, Interim City Manager- Daniel Pekarek.

SUMMARY REQUEST:
Case 016-19: Located approximately 500 feet west of the property addressed as 2902 N. St. Louis Avenue – A request to rezone from Single-Family Residential (R-1) District to Two-Family Residential (R-2) District for the construction of a duplex – David & Sarah Harrell.

BACKGROUND:
The size of the property in this request to be rezoned to a two-family residential district could potentially allow a maximum of 21 duplexes or 42 living units. One duplex will have minimal impact on this area. The size of the property will allow the property owner to install a septic system to service the proposed duplex since the closest public sewer that can potentially serve this property is located almost a quarter of a mile away through existing easements. Access will also need to be improved and streets installed in the future to accommodate the additional traffic that will be generated by any duplexes or single-family residential development. The construction of one duplex will not warrant that these improvements be made at this time.

PLANNING & ZONING COMMISSION TESTIMONY:
David Harrell, 111 Gum Rd., Carl Junction, MO. Mr. Harrell stated he purchased this property approximately two (2) months ago and wanting to build a home with a mother-in-law apartment on the side to be able to take care of my Grandmother or mine or my wife's Mother when they reach a point when they need to have additional assistance.

PUBLIC COMMENT;
None.

FUNDING SOURCE:
These payments are included in the FY 2018-19 budget of the Community Planning Fund.

RECOMMENDATION:
Planning & Zoning Commission recommends approval (7 in Favor, 0 Nay)
Staff recommends approval of Case 016-19.

ATTACHMENTS
CB 2019- 264, Staff Planning Report, P&Z Commission Minutes

CB 2019-264

Case 016-19: Located approximately 500 feet west of the property addressed as 2902 N. St. Louis Avenue - A request to rezone from Single-Family Residential (R-1) District to Two-Family Residential (R-2) District for the construction of a duplex – David & Sarah Harrell.

David Harrell, 111 Gum Rd., Carl Junction, MO. Mr. Harrell stated he purchased this property approximately two (2) months ago and wanting to build a home with a mother-in-law apartment on the side to be able to take care of my Grandmother or mine or my wife's Mother when they reach a point when they need to have additional assistance. It won't be a traditional duplex where it is the same on both sides it will be a small apartment.

Mr. Ramsour asked the Commissioners if they had any questions for Mr. Harrell? Mr. Ramsour stated he noticed a for sale sign on the street and does that have to do with your property?

Mr. Harrell stated it did not.

Mrs. Steele wanted to know if the access to the property is off Zora.

Mr. Harrell stated it was.

Mr. Ramsour asked if there was anyone that would like to speak in favor of this case? There was not. Is there anyone to speak against this case? There was not.

MR. DERMOTT MOVED, SECONDED BY MR. EASTMAN, TO APPROVE CASE 016-19 AND BE FORWARDED TO THE CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MR. RAMSOUR, MR. DERMOTT, MRS. BRUECKNER-SEARS, MRS. KOELKEBECK, MRS. STEELE, MR. MCCULLOUGH, AND MR. EASTMAN VOTING "AYE". (7 IN FAVOR, 0 NAYS).

Z&P Meeting: May 13, 2019
City Council Meeting: June 3, 2019

STAFF PLANNING REPORT
Rezoning

CASE 016-19 A request to rezone from R-1 (Single Family Residential District) to R-2 (Two-Family Residential) for the construction of a duplex.

LOCATION Located approximately 500 feet west of the property addressed as 2902 N. St. Louis Avenue

APPLICANT David and Sarah Harrell

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-1	Vacant	Approx. 3.9 acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	R-1	R-1	R-1	R-1
Land Use	Undeveloped & Single-Family Residence	Single-Family Residence	Electrical Substation	Undeveloped

FUTURE LAND USE

The Future Land Use Map shows this property appropriate for single-family residential development.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
Dedicated unnamed street via St. Louis Ave. and/or Zora St.	Local	30 ft.

UTILITIES	Utilities will need to be extended to serve this property. Public sewer is not readily available to this property. Since the sewer is not available, the property owner will have the option of installing a septic system. The county septic system requirements will need to be followed if the owner chooses this option.
FLOOD PLAIN	N/A

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

Although the Future Land Use map shows this property as appropriate for single-family residential, the property has been difficult to market for single-family residential development.

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

The existing residential single-family residential zoning does not permit the construction of a duplex or duplexes.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

As proposed, staff believe the rezoning for the construction of one duplex will have minimal impact on nearby property and land uses since most of the properties are undeveloped.

DISCUSSION

Even though the property owner is proposing to construct one duplex, the size of the property in this request to be rezoned to a two-family residential district could potentially allow a maximum of 21 duplexes or 42 living units. One duplex will have minimal impact on this area. The size of the property will allow the property owner to install a septic system to service the proposed duplex since the closest public sewer that can potentially serve this property is located almost a quarter of a mile away through existing easements. In the future if additional duplexes and/or single-family homes are constructed on this property, public sewer will need to be extended to serve the new development. Access will also need to be improved and streets installed in the future to accommodate the additional traffic that will be generated by any duplexes or single-family residential development. The construction of one duplex will not warrant that these improvements be made at this time.

Also, the former property owner (located next to this property at 2902 N. St. Louis Ave.) has stated this property has been difficult to market for single-family homes due to the large electrical substation that is currently located adjacent to this property. A better use of the property may be for a higher density residential development since the market has already determined the struggle in selling this property under its current zoning restriction for single-family residential development.

Staff recommends approval of Case 016-19.

ATTACHMENTS

- Application

RECEIVED 4-15-19

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.: 016-19
Filing Fee: $500.00
Date Advertised: 4-28-19
Date Notices Sent 4-26-19
Public Hearing Date: 5-13-19

APPLICANT: David + Sarah Harrell PHONE: 417-850-7985
ADDRESS: [redacted] 111 Gum Rd - Carl Junction ZIP: 64834
OWNER: David + Sarah Harrell PHONE: 417-850-7985
ADDRESS: 111 Gum Rd - Carl Junction, MO ZIP: 64834
LOCATION OF PROPERTY:
LEGAL DESCRIPTION:
See Attached

Present Zoning R1 Requested Zoning: R2 Acreage: ~3.8 acres
Present Use of Property: Undeveloped

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	undeveloped	R1
South	undeveloped	R1
East	Single	R1
West	undeveloped	R1

CHARACTER OF THE NEIGHBORHOOD: undeveloped - Rural

RELATIONSHIP TO EXISTING ZONING PATTERN:

1. Would proposed change create a small, isolated district unrelated to surrounding districts?
   yes - but near electric substation and busy intersection
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? no - near electric sub station and busy intersection

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: Zora
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: _____

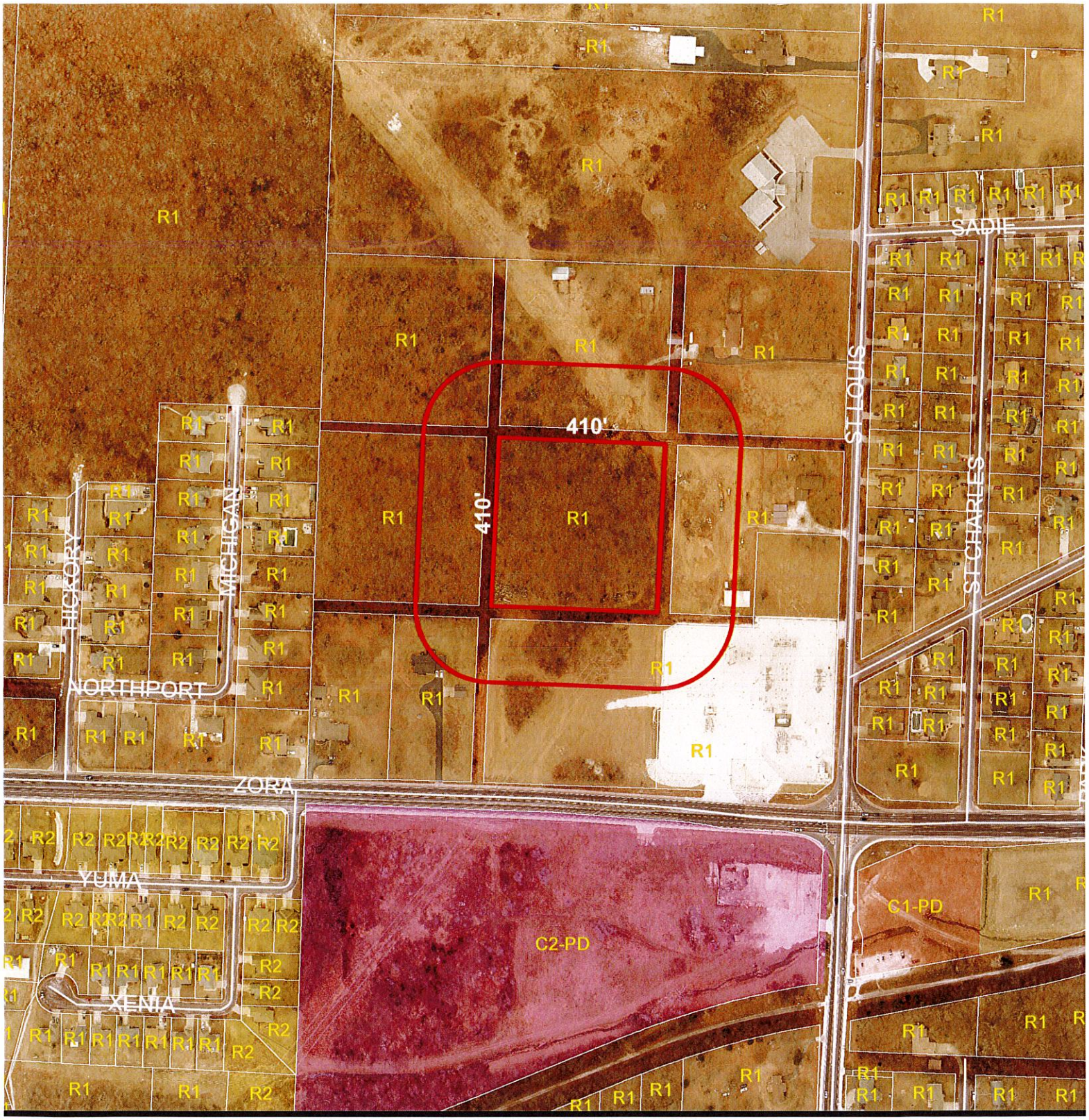
UNIQUE CHARACTERISTIC OF PROPERTY AND ADDITIONAL COMMENT:

Property not developed - zoned R1

SIGNATURE: David W Hall DATE: 4-15-19

BY: _____

TITLE: _____



300 150 0 300 600 900 1,200 1,500 1,800

Feet

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P & Z Case 016-19
David & Sarah Harrell
(P & Z Recommended Approval)

COUNCIL BILL NO. 2019-264 ORDINANCE NO.

AN ORDINANCE approving the location approximately 500 feet west of the property addressed as 2902 N. St. Louis Avenue to include in District R-2 (Two-Family Residential District), 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:

All of Lots Numbered Fifteen (15), Sixteen (16), Twenty-one (21) and Twenty-two (22) in Joplin-Webb City Acres 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 thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of_____, 2019, by a vote of _____.

_____
Gary L. Shaw, Mayor

ATTEST:

_____
Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney