City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: August 1, 2016

Item: COUNCIL BILL NO. 2016-270
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Copy of Council Bill
2) Planning Report
3) Commission Minutes

Planning/Community Development Manager: Troy Bolander
City Attorney: Peter C. Edwards
City Manager: Samuel L. Anselm
Board or Commission: Planning and Zoning Commission Date: 7/11/2016

Recommended Action: Planning and Zoning Commission recommended approval by a vote of "6 in favor, 1 opposed, and 0 absent"

SUMMARY/REQUEST:
Case 023-16: 2024, 2025, and 2119 Maryland Avenue – A request to rezone from R-1 (Single Family Residential) to R-2 (Two-Family Residential) for the construction of duplexes – Brad Allphin Investments.

STAFF SUMMARY:
This property is located at 22nd Street and Maryland Avenue. Currently, Maryland Avenue dead ends at the northern edge of the property and does not go through from 20th Street to 22nd Street. The developer will be improving the street to City of Joplin specifications in order to connect 20th Street to 22nd Street at Maryland Avenue. The duplex rentals will be three bedroom, two and a half bedrooms with storm shelters. There are a total of thirteen proposed duplexes on the site.

Staff recommends approval of Case 023-16.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Eric Allphin appeared on behalf of Brad Allphin Investment, who plan to extend Maryland Avenue between 20th Street and 22nd Street. Following completion of the roadway, they plan to construct duplexes as show on the plot plan.

Mr. Allphin's engineer will develop the storm water detention plans. He did not want to proceed with detention plans pending the outcome of the rezoning request. Preliminary plans are for the water to drain onto the new Maryland Avenue towards 22nd Street.

Mr. Allphin stated the construction would be really nice, with the duplexes being something he would like to live in. The duplexes will contain granite countertops and tile floors, with these not being low-income units. He would like to cater to the housing needs for the new medical school.

Mr. Duncan asked how many units these duplexes would contain, and Mr. Allphin replied 13 duplexes containing 26 units.

Mr. Smith asked about the rent, and Mr. Allphin replied around $1,000 monthly.

Mr. Duncan asked Mr. Allphin where the water will be retained. He replied along the west side of Maryland Avenue and along the back side of the duplexes on the west side of Maryland. There is sufficient room behind the duplexes along the east side of Maryland to retain the water.

Mr. Smith asked about a retaining wall. Mr. Allphin replied there will be a concrete retaining wall or a berm type, depending on how much room there is and how high it would have to be.

Mr. Duncan asked if there will be condominiums on both sides of Maryland Avenue, and Mr. Allphin replied yes.

Mr. Smith asked if a roadway will be constructed, and Mr. Allphin replied Maryland Avenue will be extended through where it doesn't currently exist. Maryland Avenue can be accessed from 20th Street or from 22nd Street. This will improve traffic flow through the area.

Mr. Allphin also owns the duplexes along the west side of Delaware Avenue south of 20th Street. He maintains very nice places and keeps residents who are really nice.

Mr. Ramsour discussed the planning report, which states the request is consistent with the comprehensive plan. He asked if this is before or after the tornado. Ms. Cunningham stated the plan was adopted during 2012, after the tornado.

Mr. Ramsour asked if duplexes that far from 20th Street are consistent with the comprehensive plan. Ms. Cunningham stated the future land use map shows some low-density and moderate-density residential uses in this area. Because of the development to the north and west and along 20th Street, there will be some depth where mixed-use corridor will exist just by the nature of everything that is being rebuilt. The staff saw no inconsistencies with the comprehensive plan or the design guidelines since these are nice-looking facilities.

PUBLIC COMMENT:
Comments in opposition were received from the following:

Keith Adams, 2102 South Patterson Avenue, Joplin
Margaret Kannady, 2211 McConnell Avenue, Joplin
Gail Francis, 2115 Delaware Avenue, Joplin

They commented this area is a wonderful, family-oriented neighborhood and requested the zoning remain R-1 since the property in this request is surrounded by single-family homes. They expressed concerns regarding drainage issues, a decrease in residential property values, the construction of two-story duplexes versus one-story duplexes, and the use of wood privacy fencing versus plastic fencing.

In response to the neighbors' concerns, Ms. Cunningham stated all these requests are reviewed by the City engineers who work with sanitary sewer and storm water. They are totally aware of this development, and building permits would be totally dependent on an adequate storm water detention system based on engineering calculations that must be approved by a licensed engineer. No permits can be issued without an adequate storm water detention system.

Mr. Allphin thought the storm water will actually improve the situation since some of the water does run towards Ms. Francis' property. The water won't run that direction after he builds there.