Z&P Meeting: September 14, 2015
City Council Meeting: October 5, 2015

STAFF PLANNING REPORT
Rezoning

Case 033-15: A request to rezone from R-1 (Single-Family Residential) to R-2 (Two-Family Residential District).

LOCATION: 1136 W 26th Street

APPLICANT: Donald Johnson

EXISTING CONDITIONS:

Zoning	Land Use	Property Size
R-1 (Single-Family Residential)	Undeveloped	11,869 ft²

SITE CONTEXT:

	North	East	South	West
Existing Zoning	R-1	R-1	C-O	CO PD
Land Use	Single-Family Residential	Single-Family Residential	Non-Retail Commercial	Dentist's Office

FUTURE LAND USE:

This area has been designated for office and institutional use.

TRANSPORTATION:

Streets with access	Classification	Right-of-way width
26th Street	Major Arterial	100'
Picher Avenue	Secondary	60'

UTILITIES: The property has utility connections.

FLOOD PLAIN: N/A

STAFF ANALYSIS:

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

Yes.

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

The property owner would like to construct a duplex on this property which is not permitted with current zoning. This property would need to be rezoned to R-2 to allow duplexes.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

Although this is in an area that the Future Land Use map has designated Office and Institutional, a Two-Family Residential structure would not detrimentally affect nearby commercial development.

DISCUSSION

Mr. Johnson would like to build a duplex on this property to serve future medical school, which will be a few blocks away. There is a mixture of low-density residential and commercial development in this area; a moderate-density residential lot could serve as a buffer between single family homes and commercial businesses. Although this corridor has been marked for Office and Institutional development, a two-family residential structure would fit within the character of this corridor.

Staff recommends approval of Case 033-15.

ENCLOSURES:

Map.

REZONING APPLICATION FORM

RECEIVED 8-14-15
Received Money 8-25-15

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.: 033-15
Filing Fee: $ 350.00
Date Advertised: 8-30-15
Date Notices Sent: 8-31-15
Public Hearing Date: 9-14-15

APPLICANT: Donald & Judy Johnson PHONE: 417-317-3600
ADDRESS: 3901 County LN. 272 Joplin MO ZIP: 64801
OWNER: Donald & Judy Johnson PHONE:
ADDRESS: ZIP:
LOCATION OF PROPERTY: 1136 W 26th Joplin MO
LEGAL DESCRIPTION: All of Lot Numbered forty-four (44), in Brickcliff Addition, in the City of Joplin, Jasper County, Missouri, being subject to all easements, right-of-ways, and restrictions of record.

Present Zoning R1 Requested Zoning: R2 Acreage: 75' x 155'
Present Use of Property: Vacant

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	Residential	R-1
South	Commercial	C-O
East	Residential	R-1
West	Commercial	CO-PD

CHARACTER OF THE NEIGHBORHOOD: Mixed Commercial & residential

RELATIONSHIP TO EXISTING ZONING PATTERN:

1. Would proposed change create a small, isolated district unrelated to surrounding districts? NO
2. Are there substantial reasons why the property cannot be used in accord with existing zoning? yes
   If yes, explain: Adding duplex to property

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. Consistent with Development Policies? yes
2. Consistent with Future Land Use Map? yes

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: 26TH Street, Picher
2. Classification of Street(s):
   Arterial 26TH Collector _____ Local Picher
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: None

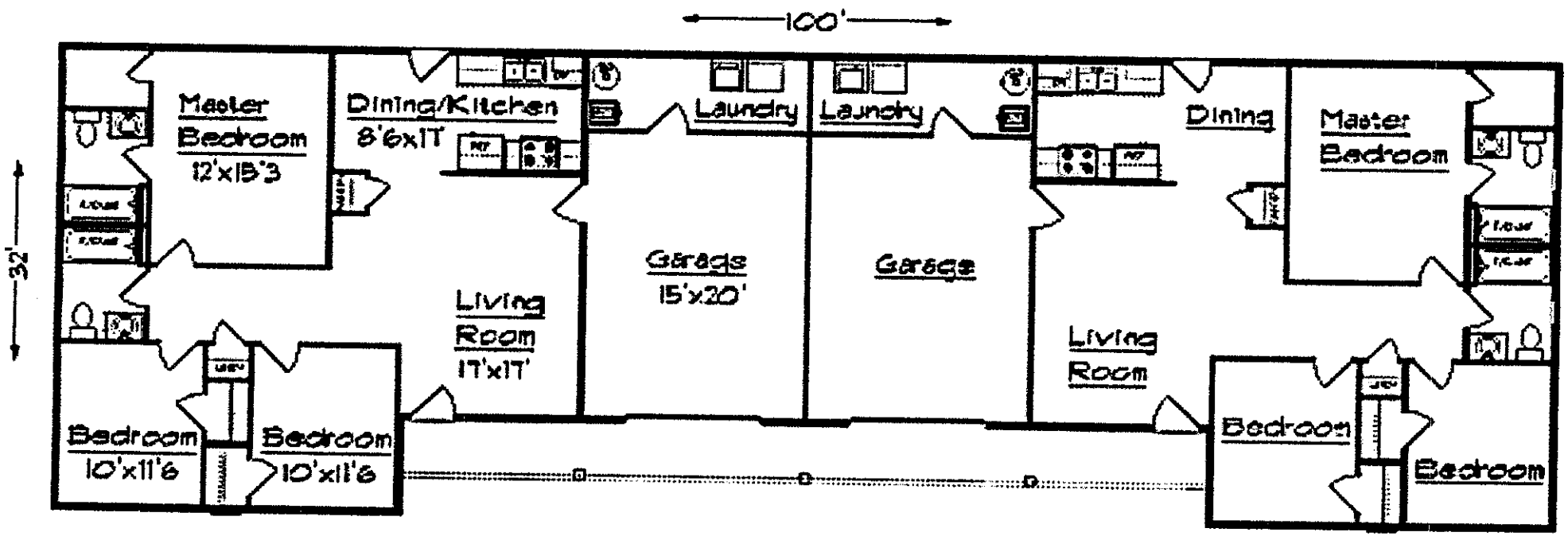
UNIQUE CHARACTERISTIC OF PROPERTY AND ADDITIONAL COMMENT:

N/A

SIGNATURE: Donald Johnson DATE: 8-14-15

BY: _____

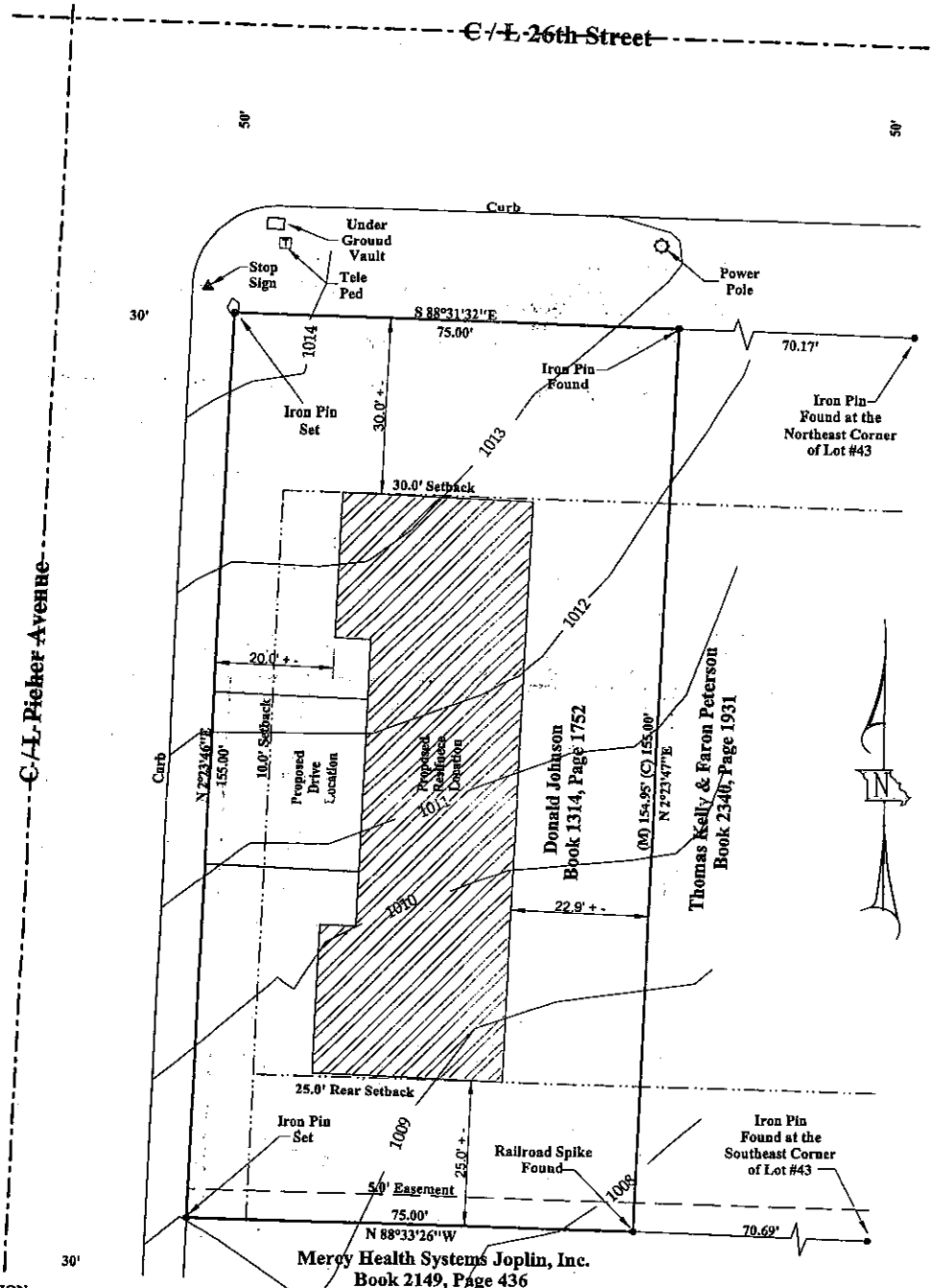
TITLE: _____


100'
32'
Master Bedroom 12'x15'3
Dining/Kitchen 8'6x17
Laundry
Laundry
Dining
Master Bedroom
Garage 15'x20'
Garage
Living Room 17'x17'
Living Room
Bedroom 10'x11'6
Bedroom 10'x11'6
Bedroom
Bedroom

Allgood

SCALE: ONE INCH EQUALS 20 FEET.
0 10 20 30 40

BASIS OF BEARINGS: The East line of Picher Avenue taken as North 02 Degrees, 23 Minutes, 46 Seconds East, as per Missouri West NAD83 per MODOT GPS Network.
CLASS OF PROPERTY:(C) Urban.
SOURCE DEED: Donald Johnson Book 1314, Page 1752



LEGAL DESCRIPTION:
All of Lot Numbered Forty-four (44),in Briarcliff Addition, in the City of Joplin, Jasper County, Missouri, Being subject to all easements, right-of-ways, and reservations of record.

SURVEYOR'S CERTIFICATE

I, RODNEY C. NEECE, A REGISTERED LAND SURVEYOR OF JOPLIN, JASPER COUNTY, MISSOURI, DO HEREBY CERTIFY THAT THE FIELD NOTES AND THE ATTACHED PLAT ARE A TRUE AND ACCURATE DESCRIPTION OF THE WORK PERFORMED AND MEASUREMENTS TAKEN; SURVEY WAS MADE IN ACCORDANCE WITH THE MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS OF THE MISSOURI DEPARTMENT OF AGRICULTURE, DIVISION OF WEIGHTS & MEASURES AND LAND SURVEY, AND IS NOT A WARRANTY OF TITLE EITHER EXPRESSED OR IMPLIED. THIS DECLARATION IS MADE TO THE ORIGINAL OWNER AND/OR PURCHASER OF THE SURVEY AS OF THE DATE INDICATED IN THE TITLE BLOCK. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS AND MAY NOT BE USED IN CONNECTION WITH A "SURVEY AFFIDAVIT" OR SIMILAR DOCUMENT, STATEMENT, OR MECHANISM TO OBTAIN TITLE INSURANCE FOR ANY SUBSEQUENT OR FUTURE GRANTEES. FURTHERMORE, THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND EMBOSSED SEAL.

Rodney C. Neece 7/27/2015
RODNEY C. NEECE, MO.L.S. #2691

SURVEY & TOPO FOR:

Curtis King

PROPERTY ADDRESS: 26th Picher Avenue, Joplin, Missouri

SECTION - 15	TOWNSHIP - 27	RANGE - 33
SCALE: 1 = 20'.00"		DATE: 5-26-15

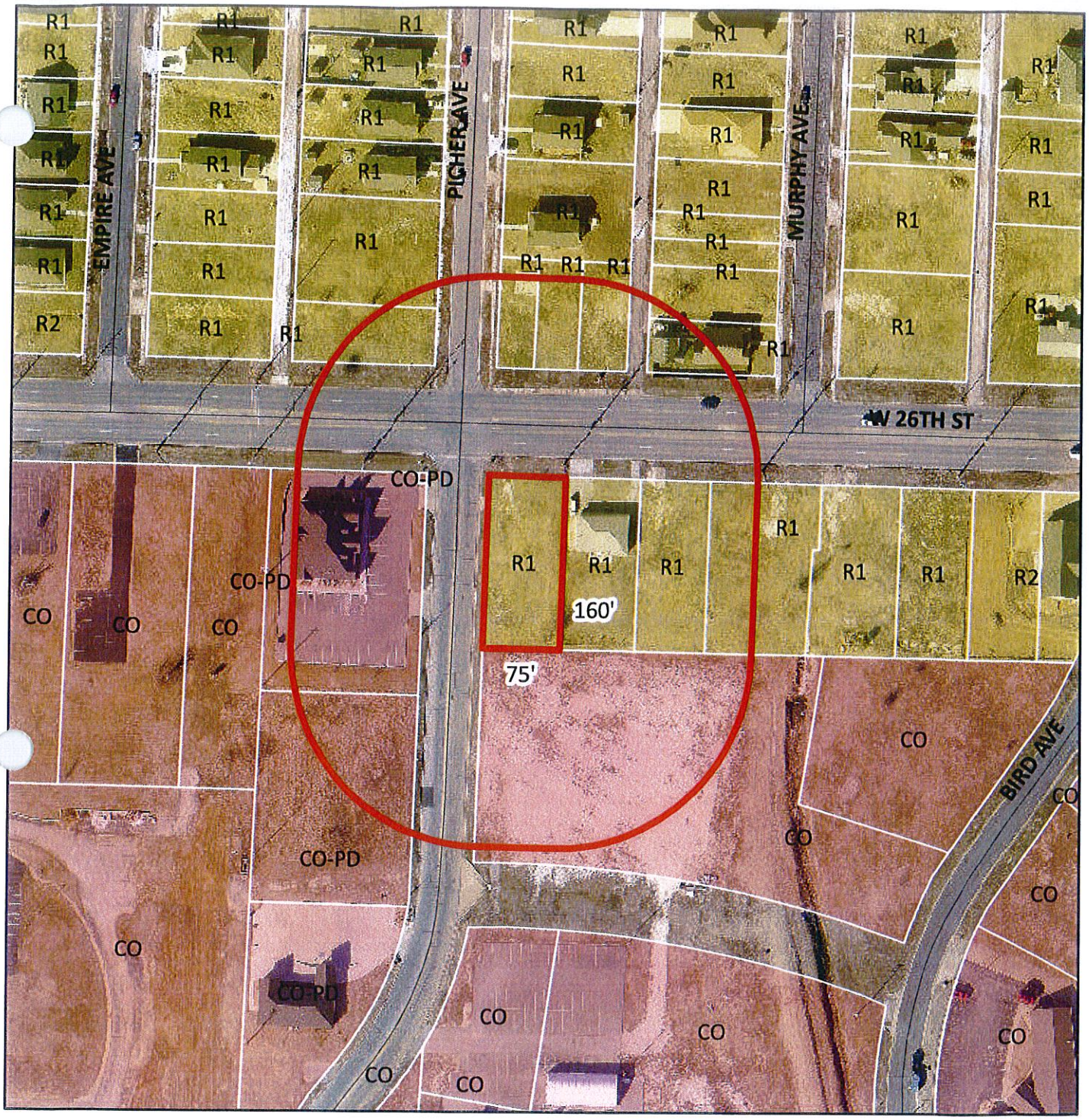
FILE NAME:L44BCA

STEWART & NEECE LAND SURVEYING COMPANY INC.
1201 EAST 15TH STREET, JOPLIN, MISSOURI 64804
PHONE: 417-624-0311 FAX: 417-624-0365

SERVING SOUTHWEST MISSOURI SINCE THE YEAR 1922.

LAND SURVEYS, LOT SURVEYS, SUBDIVISIONS, MINE DATA, BLUEPRINTS

CERT OF AUTHORITY - LSC-2004000198



0 0.0225 0.045 0.09 0.135 0.18 Miles

Case 033-15 1136 W 26th – A request to rezone from R-1 (Single-Family Residential) to R-2 (Two-Family Residential) – Donald Johnson.

N

Case 033-15: 1136 West 26th Street – A request to rezone from R-1 (Single-Family Residential) to R-2 (Two-Family Residential) – Donald Johnson.

Mr. Eastman opened the public hearing for Case 033-15.

Mr. Curtis King, 3900 County Lane 272, Joplin, appeared representing Donald and Judy Johnson, the owners of the property at 1136 West 26th Street. They are requesting rezoning from District R-1 to District R-2 for the construction of duplexes to serve the medical students who are coming to Joplin in the next couple of years. Each unit would contain three bedrooms and two baths.

Mr. Bolander has received two protest petitions concerning this request.

Mr. Eastman asked Mr. Bolander about long-term plans for 26th Street. He stated the future land use map shows a light commercial designation along this corridor, with heavier commercial districts being located closer to Main Street and also near Maiden Lane.

Mr. Eastman asked for comments from the commissioners and the audience, and none were received. He then closed the public hearing for Case 033-15.

MR. DUNCAN MOVED, SECONDED BY MR. BROWN, THAT CASE 033-15 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENATION FOR APPROVAL, BASED UPON THE COMMENTS RECEIVED IN THE PLANNING REPORT AND DURING THE PUBLIC HEARING. THE MOTION CARRIED, WITH MR. BROWN, MR. CORTEZ, MR. DERMOTT, MR. DUNCAN, MR. EASTMAN, MR. RAMSOUR, AND MR. SMITH VOTING "AYE" (7 IN FAVOR, 0 ABSENT).