City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: December 7, 2015

Item: COUNCIL BILL NO. 2015-277
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: 11/09/2015

Recommended Action: Planning and Zoning Commission recommended approval by a vote of "5 in favor, 2 absent"

SUMMARY/REQUEST:
Case 040-15: 103-105 North Wall Avenue – A request to rezone from C-1 (Non-Retail Commercial) to C-2 (Central Business District) – Gus Enterprises.

STAFF SUMMARY:
Currently, the property owner can build multi-family residential units in this zoning designation. However, a C-2 zoning designation would give more buildable lot space because of the differing setback requirements. This would not require any building setbacks except on the north side of the property where it abuts a residential zoning district. In this case, a ten foot setback would be required.

A C-2 zoning designation for this property would also more closely mirror our growing downtown district in development style. A C-2 zoning district already exists directly south of this lot across First Street and one block east on Joplin Avenue.

Staff recommends approval of Case 040-15.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Bob Higginbotham, owner of Gus Enterprises, stated the property at 103-105 North Wall Avenue is currently zoned C-1. He would like to rezone the property to District C-2 since the parking restrictions in District C-1 make it not practical to include all the parking spaces he wants since he plans to construct 12 living units there. Because of the infrastructure costs involved, it is not economically viable to construct fewer than 12 units. The property to the south is already zoned C-2, with the residences to the north being zoned R-3. The change in zoning would facilitate the project.

Mr. Duncan asked Mr. Higginbotham if the zoning remained R-1, how many parking spaces would be required for 12 units. He replied he can only have five living units with C-1 zoning since parking must be provided on the property. The C-2 zoning eases the setback restrictions so he can fit what he needs to do on the property to address any drainage issues and to provide ample parking for the tenants.

Mr. Bolander stated Mr. Higginbotham will continue to have parking on the property, but the setbacks will be changed. District C-2, the downtown district, provides for zero setback lines and will allow him to place parking on the property to accommodate those units. It is not a situation where Mr. Higginbotham will not have any parking at all.

Mr. Duncan understood an apartment complex existed there years ago with on-street parking and no problems. He asked if all the parking will be on-street parking. Mr. Higginbotham stated there should be no parking on the street. He will provide ample off-street parking.

Mr. Ramsour asked Mr. Higginbotham about his plans for the stone fence or wall. He would like the development to look like the downtown business district and will incorporate that particularly into the building on the south side to retain some history and make the property look commercial.

PUBLIC COMMENT:
None.