

MEETING DATE: June 14, 2022

STAFF: Stuart Borders, Senior Planner

PROJECT NAME: South Avenue Rezoning

CASE NUMBERS/REQUEST: Case 22-100-10 – Rezoning – 1314 W. South Avenue - A request by G & B Holdings, LLC to rezone this property from I-1 (Industrial) to R-6 (Single Family Residential).

APPLICANT/OWNER: Matt Baker/Tonya Gudde, G & B Holdings LLC

PROPERTY ADDRESS: 1314 W. South Avenue

SURROUNDING ZONING/LAND USE:

- North:** R-12 (Two Family Residential); Single family homes
- South:** I-1; Former freight yard in commercial use
- East:** I-1, Single family homes
- West:** I-1; Warehouse

PUBLIC NOTICE:

- Letters to adjoining property owners – May 26, 2022
- Public Notice published in the Independence Examiner – May 28, 2022
- Sign posted on property – May 27, 2022

FURTHER ACTION:

Following action by the Planning Commission, this rezoning request is scheduled for first reading by the City Council on July 5, 2022 and the public hearing/second reading on July 18, 2022.

RECOMMENDATION

Staff recommends **APPROVAL** of this rezoning request.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION: G & B Holdings LLC (G & B) requests to rezone the property at 1314 W. South Avenue from I-1 (Industrial) to R-6 (Single Family Residential)

Current Zoning:	I-1	Proposed Zoning:	R-6
Current/Proposed Use:	Contractor’s office to Single-family residence	Acreage:	0.14 acres +/-

BACKGROUND:

Since purchasing this property on South Avenue, which is a block west of Chrysler Avenue, a few years ago G & B has been unable to find a commercial tenant for the site. Its most recent use was

for a cleaning/restoration service which closed in 2019 before G & B purchased the property. As it has had interest in the property only for residential use, it decided to rezone the property to residential for lease or resale. The building contains 1,560 SF in mostly open storage areas. If rezoned for residential use, the company will convert the storage rooms into the typical kitchen, living room, bedrooms, and bathrooms. Off-street parking is available on a concrete pad north of the building accessed by a rear alley.

The two adjoining properties to the east contain occupied single-family homes, the properties to the west are two warehouses.

ANALYSIS

The Proposal's Consistency with *Independence for All*, Strategic Plan:

The proposed rezoning could help to stabilize the other residential uses along this street. In addition, it would get a vacant structure back into occupied use.

Comprehensive Plan Guiding Land Use Principles for the Current Designation:

The City Comprehensive Plan recommends Residential Urban Neighborhood uses for this site.

Historic and Archeological Sites: There are no apparent historic issues with this property.

Public Utilities:

As this is a long-established neighborhood, all utility services are existing.

REVIEW CRITERIA

Recommendations and decisions on rezoning applications must be based on consideration of all the following criteria:

1. Conformance of the requested zoning with the Comprehensive Plan.

The Comprehensive Plan envisions Residential Urban Neighborhood uses for this site.

2. Conformance of the requested zoning with any adopted neighborhood or sub-area plans in which the property is located or abuts.

There are no neighborhood or sub-area plans for this area.

3. The compatibility of the proposed zoning with the zoning and use of nearby property, including any overlay zoning.

This proposed R-6 zoning is consistent with the residential zoning to the north and the use of the two adjoining lots to the east.

4. The compatibility of the proposed zoning and allowed uses with the character of the neighborhood.

As it is located across from a former railroad freight yard, this lot, along with others along the north side of South Avenue, were zoned I-1 based upon the perception that the properties would also be used in an industrial manner. It's actual character however is diverse with the street featuring residential, commercial service, and warehouse uses.

5. The suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations.

The site is suitable for a small service business, such as its most recent tenant, but there has been no interest in the property for that type of use.

6. **The length of time the subject property has remained vacant as zoned.**
The building has been vacant for three years.
7. **The extent to which approving the rezoning will detrimentally affect nearby properties.**
The rezoning will have no detrimental effect on area properties.
8. **The gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.**
If the rezoning is denied, it would have a negative effect on the owners as the building may continue to be unoccupied.

EXHIBITS

1. Applicant's letter
2. Mailing affidavit
3. Address List
4. Notification Letter
5. Comprehensive Plan map
6. Zoning map