

MEETING DATE: August 8, 2023

STAFF: Brian L. Harker, Planner

PROJECT NAME: Crown Light Rezoning

CASE NUMBER/REQUEST: **Case 23-100-19 – Rezoning – 704 N. Pearl Street** – A request by Chester Campbell to rezone this property from R-6 (Single-Family Residential) to R-12 (Two-Family Residential).

APPLICANT: Chester Campbell, Crown Light II, LLC

PROPERTY ADDRESS: 704 N. Pearl Street

SURROUNDING ZONING/LAND USE:

N/E/W: R-6 (Single-Family Residential)...single-family residences

South: R-6 (Single-family Residential)...health provider

PUBLIC NOTICE:

- Letters to internal and external property owners – July 20, 2023
- Public Notice published in the Independence Examiner – July 7, 2023
- Signs posted on property – July 21, 2023

FURTHER ACTION:

Following action by the Planning Commission, this rezoning request is scheduled for first reading by the City Council on September 5, 2023 and the public hearing/second reading on September 18, 2023.

RECOMMENDATION

Staff recommends **APPROVAL** of this rezoning request. The pull off area along Pearl Street will need to be configured to accommodate at least 2 head in parking spaces for the duplex.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION: A request by Chester Campbell to rezone the property at 704 N. Pearl Street from R-6 (Single-Family Residential) to R-12 (Single-Family Residential).

Current Zoning: R-6 (Single-Family Residential) **Proposed Zoning:** R-12 (Two-Family Residential)

Current Use: Duplex

PROPERTY HISTORY:

Prior to 2009, the property was zoned R-1b

Prior to 1980, the property was zoned R-1.

PROPOSAL:

The property included in this proposed rezoning is an existing duplex that is currently zoned R-6. While having been configured at times with more than three units, the building was originally designed as a duplex. Rezoning the property to R-12 will acknowledge the two-family nature of the existing structure.

PHYSICAL CHARACTERISTICS OF PROPERTY:

The 7,017-square foot lot contains a 1,476-square foot, one-story, red brick duplex. The lot has more lawn area in front of the duplex than behind it, where there is a 625-square foot accessory building. The property has no onsite parking, only a pull-off area which is mostly located in the right-of-way. This pull off area will need to be reconfigured to accommodate at least 2 head in parking spaces.

CHARACTERISTICS OF THE AREA:

To the north, west, southwest, east and southeast of the property lies many, small single-family houses on small lots with a vacant corner lot at 709 N. Pearl. The health center property (group home) in the converted residence to the south, has a paved surface on its north side, otherwise the rest of the property is a residential-like lawn.

ANALYSIS

Consistency with *Independence for All*, Strategic Plan:

The application is within keeping with the Measures for Success for, “Improved housing conditions”.

Comprehensive Plan Guiding Land Use Principles for the Current Designation:

The City Comprehensive Plan recommends Residential Neighborhoods uses for this site. The Guiding Principles state the need to, “...maintain housing stock in established neighborhoods”.

Sub-Area Plans:

The vicinity around the lot is not located within a sub-area plan area.

Zoning:

The proposed R-12 (Two-Family Residential) zoning classification allows for one and two-family dwellings and various other uses (schools, churches, government facilities, cemeteries, home-based daycare, agriculture and others with conditions). Currently, the property is zoned R-6 (Single-Family Residential) which allows for the same uses as above except for two-family residences.

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

Public Utilities:

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

Floodplain/Stream Buffer:

There is not a floodplain or Stream Buffer zone present on the property.

Public Improvements:

No public improvements would be required.

CIP Investments:

The City does not have any capital improvements planned near this site.

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 Neighborhoods for the area. A Guiding Principle of the Comprehensive Plan states the need to, "...maintain housing stock in established neighborhoods."
- 2. Conformance of the requested zoning with any adopted neighborhood or sub-area plans in which the property is located or abuts.**
The vicinity around the lot is not located within a sub-area plan area.
- 3. The compatibility of the proposed zoning with the zoning and use of nearby property, including any overlay zoning.**
There are many nearby single-family residences. The adjacent health center use is a low-intensity use.
- 4. The compatibility of the proposed zoning and allowed uses with the character of the neighborhood.**
The proposed R-12 is zoning is compatible with the area's existing built environment.
- 5. The suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations.**
The R-6 zoning prevents the redevelopment of an existing duplex as a two-family structure.
- 6. The length of time the subject property has remained vacant as zoned.**
The duplex has existed for several decades.
- 7. The extent to which approving the rezoning will detrimentally affect nearby properties.**
The rezoning should have no detrimental effect on area properties. The rezoning would allow for the continued use of an existing duplex.
- 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.**
The residence was built as a duplex. If the rezoning is denied, it would limit the ability to redevelop the residence as designed.

EXHIBITS

1. Applicant Narrative
2. Application
3. Notification letter
4. Address List
5. Affidavit
6. Aerial Photographs

7. Comprehensive Plan map
8. Zoning map