

Jefferson City
Planning & Zoning Commission

September 10, 2015

Case No. P15011
Price Development Company, LLC
2301 & 2305 E. McCarty Street

- A. Rezoning from C-2 to RA-1**
- B. Comprehensive Plan Amendment**

PLANNING STAFF REPORT
JEFFERSON CITY PLANNING AND ZONING COMMISSION
September 10, 2015

Case No. P15011 – 2301 and 2305 E. McCarty Street, Rezoning from C-2 to RA-1 and Comprehensive Plan Amendment. Request filed by Price Development Company LLC, property owner, John Price, authorized representative, to rezone 0.49 acres from C-2 General Commercial to RA-1 Multi-family Residential and an amendment to the development plan map of the Comprehensive Plan to show the property as High Density Residential. The property is located at the northeast corner of the intersection of E. McCarty Street and Doehla Drive and is described as lots 18 and 19 of Doehlas Subdivision, Jefferson City, Missouri.

Nature of Request

The property consists of two lots fronting on E. McCarty Street that were platted in 1955 as part of Doehla's Subdivision. The property owner has had the property listed for sale as a commercial site for a number of years, but has been unsuccessful in selling the property. The property owner has been approached about potential multi-family residential development of the property, and is seeking a rezoning to a multi-family residential district in order to make the property available for a buyer interested in developing the property in a residential manner. An amendment to the development plan map to show the property as intended for high density residential use is also proposed in order to support the requested rezoning.

Zoning History

The property has been zoned C-2 General Commercial since incorporation into the City in 1968. The property has never been developed.

Zoning and Surrounding Land Use

Current Zoning: C-2

Current Use: Vacant

Requested Zoning: RA-1

Intended Use: Multi-family Residential

	Surrounding Zoning	Surrounding Uses
North	RS-2	Single Family Residential
South	C-2	Commercial Businesses
East	C-2	Single Family Home
West	C-2	Residential 4-plex

Allowed Uses:

Pending approval of the recent Zoning Code amendment by the City Council, the RA-1 district will permit multi-family residential buildings with four units or less and a maximum density of 12 units per acre.

Staff Analysis

Standard checklist for rezoning:	Yes	No	Notes:
Complies with Comprehensive Plan		X	The Comprehensive Plan development plan map identifies this property as intended for Commercial Use. A proposed amendment to the development plan map would support the requested rezoning.
Has access to necessary utilities	X		Necessary utilities serve the property. A sewer line extension may be necessary to serve the western lot.
Located outside flood zone	X		The property does not lie within the 100 year floodplain.
Meets district size requirement		X	The minimum size for the RA-1 district is one acre. Although the property consists of less than one acre, when combined with the existing multi-family residential use to the west it would meet the one acre requirement.

Standard checklist for rezoning:	Yes	No	Notes:
Benefit to City is substantial when compared to adverse effects on adjacent property	X		The City would benefit from the development of the property and the proposed multi-family residential use would be more compatible with adjacent residential uses.
After rezoning, the allowed uses would be compatible with uses allowed in adjacent districts	X		The adjacent property to the north is zoned residential and the property to the west is developed in a multi-family residential manner.
After rezoning, the allowed uses would be compatible with adjacent existing land uses	X		The current land use of the properties to the north, east, and west is residential.
If not rezoned, the owner would be deprived of use advantages enjoyed by surrounding owners (reverse spot zoning)	X		The property to the north and west is used residentially.
The requested rezoning would be an expansion of an existing district		X	The property would need to be paired with the adjacent property to the west, which is currently a non-conforming multi-family residential use in the C-2 district, in order to meet this requirement.

Staff Recommendation

Staff supports the requested rezoning and comprehensive plan amendment. The request would be an expansion of the adjacent multi-family residential use, which (although currently zoned C-2 General Commercial) is intended for high density residential use as represented on the development plan map. The multi-family residential use of this property is more compatible with the adjacent residential uses than many uses that are permitted in the C-2 district.

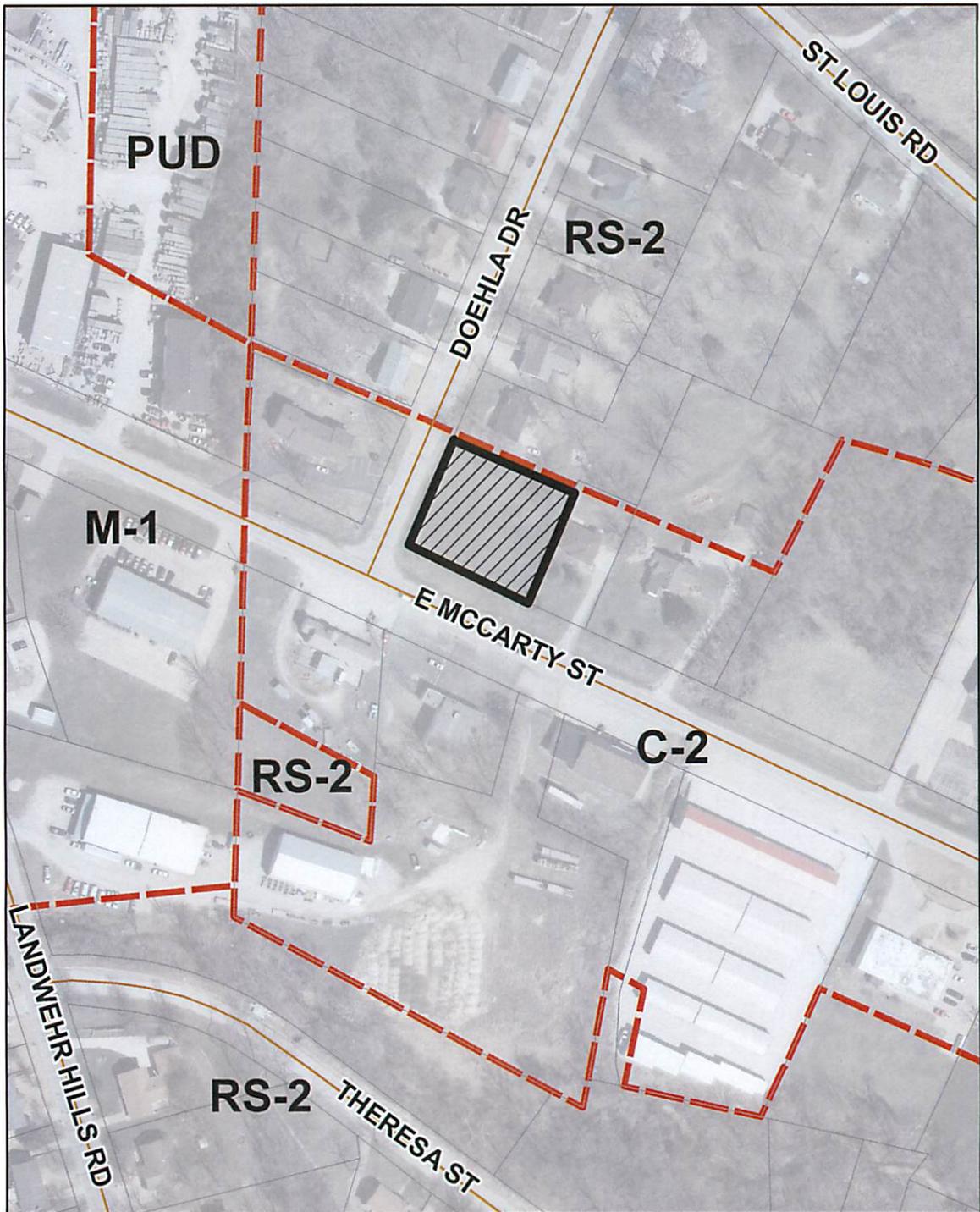
Staff recommends pursuing a rezoning of the adjacent property to the west from C-2 to RA-1 in order to bring that property into conformance with the Zoning Code, match the intended use outlined on the Development Plan map, and meet the one acre minimum district size for this pocket of multi-family zoning.

Form of Motion

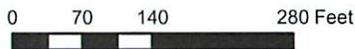
1. Motion for approval of the request to amend the Development Plan Map of the Comprehensive Plan to show the property as High Density Residential.
2. Motion for approval of the request to rezone the property from C-2 General Commercial to RA-1 Multi-Family Residential.
3. Motion to direct staff to pursue a staff initiated rezoning of the adjacent property at 2219 E. McCarty Street in order to bring the property into conformance with its current use and with the Comprehensive Plan.

City of Jefferson Planning & Zoning Commission

LOCATION MAP

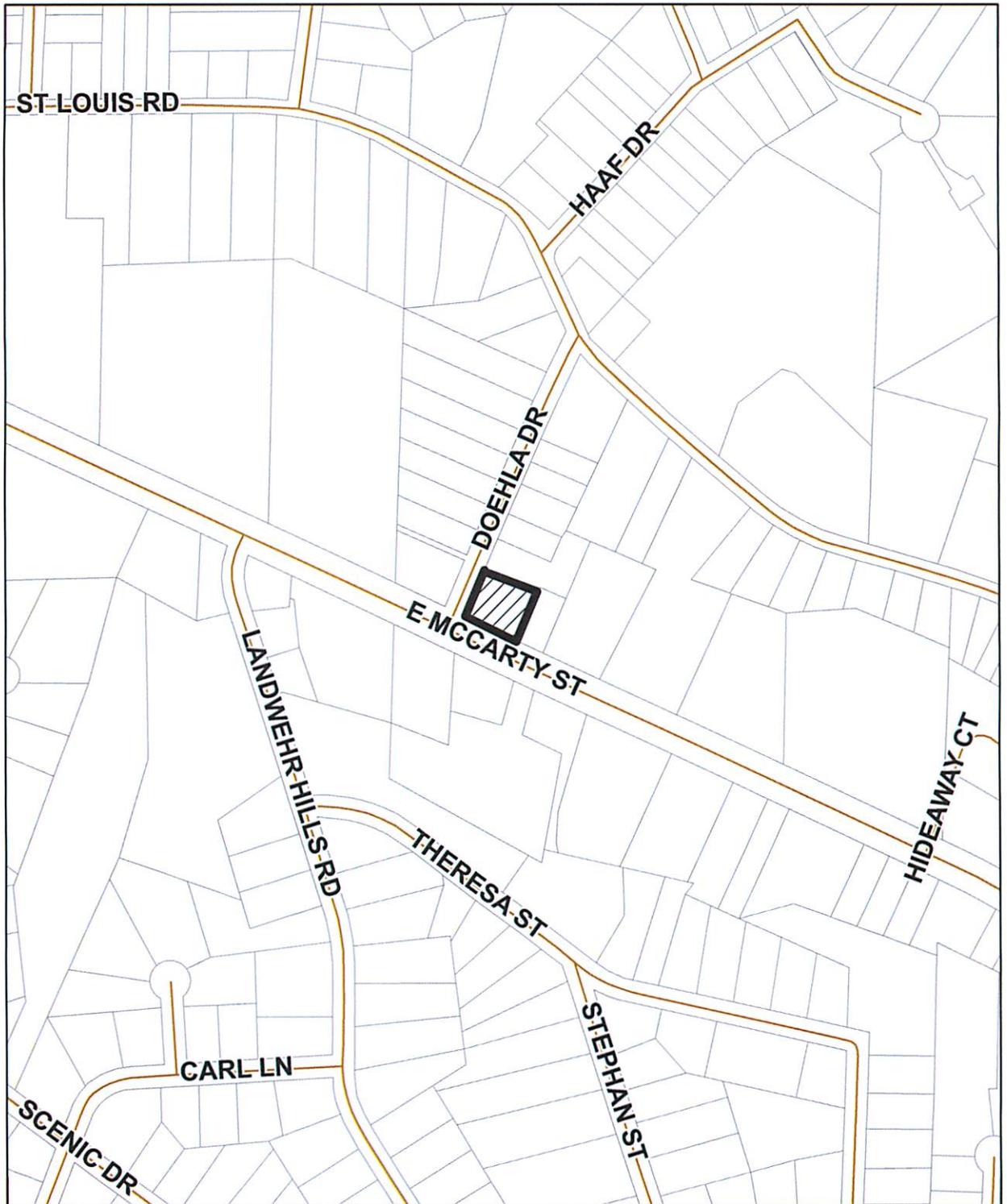


Case No. P15011
2301 & 2305 E McCarty St
Rezoning from C-2 to RA-1 and
Comprehensive Plan Amendment

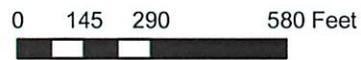


City of Jefferson Planning & Zoning Commission

VICINITY



Case No. P15011
2301 & 2305 E McCartv St
Rezoning from C-2 to RA-1 and
Comprehensive Plan Amendment





City of Jefferson
 Department of Planning & Protective Services
 320 E. McCarty Street
 Jefferson City, MO 65101
 Phone: 573-634-6410
icplanning@jeffersoncitymo.gov

APPLICATION FOR ZONING AMENDMENT

The undersigned hereby petitions the Planning and Zoning Commission and City Council of the City of Jefferson, Missouri, for the following amendment to the Zoning Code:

Zoning Text Amendment (Describe below or attach complete narrative)
 Article and Section Affected (if applicable) _____

Description of proposed text amendment: _____

Zoning Map Amendment (Rezoning of Real Estate)
 The undersigned hereby state they are the owners of the following described real estate:

Property Address: 2301 and 2305 E. McCarty St.

Legal/Property Description (write out or attach as an exhibit): _____

LOTS 18 and 19 of DOENLAS Subdivision and part of VACATED ALLEY

Who petition to rezone the above described real estate from its present classification of C-2 district to

RA 1 district. The purpose of this rezoning request is to: MAKE PROPERTY

AVAILABLE FOR duplex, Triplex or Fourplex development.

ALL OWNERS OF REAL PROPERTY PROPOSED TO BE REZONED MUST SIGN THE APPLICATION, AND ALL SIGNATURES MUST BE NOTARIZED. IF ADDITIONAL SIGNATURES ARE NEEDED, PLEASE ATTACH SEPARATE SHEETS.

John Price, member
 Property Owner #1 Name (type or print)

John Price, member
 Property Owner Signature

Property Owner #2 Name (type or print)

Property Owner Signature

Subscribed and sworn before me this 12th day of August in the year 2015.

ANNE M. STRATMAN
 Notary Public - Notary Seal
 State of Missouri
 Commissioned for Osage County
 My Commission Expires: August 27, 2015

Anne M Stratman
 Notary Public

Address of Property Owner #1	
Name	<u>Price Development, LLC John Price, member</u>
Mailing Address	<u>3120 Arrowhead Drive, New Bloomfield, MO 65063</u>
Phone Number	<u>573-680-0843</u>
Address of Property Owner #2	
Name	
Mailing Address	
Phone Number	

For City Use Only: Application Filing Fee \$210 (Revised June 30, 2015)
 Payment Received: _____ Cash (Receipt # _____); _____ Check (Copy; check # _____)
 Attachments: _____ Additional sheets or documentation _____ Applicant/Project Information Sheet _____ Location Map

Credit Card
\$ 470 Total

Individuals should contact the ADA Coordinator at (573) 634-6570 to request accommodations or alternative formats as required under the Americans with Disabilities Act. Please allow three business days to process the request.



City of Jefferson
 Department of Planning & Protective Services
 320 E. McCarty Street
 Jefferson City, MO 65101
 Phone: 573-634-6410
icplanning@jeffersoncitymo.gov

APPLICATION FOR AMENDMENTS TO THE COMPREHENSIVE PLAN

The undersigned hereby petitions the Planning and Zoning Commission and City Council of the City of Jefferson, Missouri, for the following amendment(s) to the City's Comprehensive Land Use Plan or Development Plan Map.

Text Amendment Map Amendment

Current Development Plan Map Designation Commercial

Proposed Development Plan Map Designation High Density Residential

Applications for Map amendments shall include a location map and level of detail required for site plan review as outlined in Exhibit 35-71.

All applications shall attach a narrative which addresses the following criteria, as outlined in Section 35-74.A.4, Jefferson City Zoning Code.

- Whether there was error in the original Comprehensive Plan adoption in that the Planning and Zoning Commission failed to take into account then existing facts, projections or trends that were reasonably foreseeable to exist in the future.
- Whether events subsequent to the Comprehensive Plan adoption have invalidated the Commission's original premises and findings made upon plan adoption.
- Whether the change is consistent with the goals, objectives and policies of the Plan.
- Whether events subsequent to the Comprehensive Plan adoption have changed the character and/or condition of the area so as to make the application acceptable.
- Whether the change is needed to improve consistency between the Comprehensive Plan and other adopted plans.
- Whether public and community facilities, such as utilities, sanitary and storm sewers, water, police and fire protection, schools, parks and recreational facilities, roads, libraries, solid waste collection and disposal, and others are adequate to serve development for the type and scope suggested by the proposed zone. If utilities are not available, whether they can be extended reasonably.
- Whether there is an adequate supply of land available in the subject area and the surrounding community to accommodate the zoning and community needs.
- Whether there will be benefits derived by the community or area by the proposed change.

Amendment Requested by: Property Owner Staff Planning and Zoning Commission

Price Development, LLC John Price, member
 Name (typed or printed)

[Signature], member
 Signature

Property Owner Name Price Development, LLC John Price, member

Address 3120 Arrowhead Drive, New Bloomfield, MO 65063

Phone Number(s): 573-680-0843

Applicant Name (if different from owner): _____

Address: _____

Phone Number(s) _____

For City Use Only: Application Filing Fee \$210 (Revised June 30, 2015)
 Application Filing Fee Received: _____ Cash (receipt #) _____ Check (copy; check #)

Attachments: _____ Narrative _____ Map _____ Applicant/Project Information Sheet

Credit card
\$420 Total

Individuals should contact the ADA Coordinator at (573) 634-6570 to request accommodations or alternative formats as required under the Americans with Disabilities Act. Please allow three business days to process the request.

COMPREHENSIVE PLAN AMENDMENTS

Excerpt from Section 35-74 Legislative Approval - Development Permits

Ordinance No. 13361

- A. Whether there was error in the original Comprehensive Plan adoption in that the Planning and Zoning Commission failed to take into account then existing facts, projections or trends that were reasonably foreseeable to exist in the future.

At the time of development of the Comprehensive Plan, an expansion of multi-family residential uses along East McCarty Street was not envisioned. Redesignation of this property to a multi-family residential zoning designation in order to match the use of the property to the west is requested.

- B. Whether events subsequent to the Comprehensive Plan adoption have invalidated the Commission's original premises and findings made upon plan adoption.

See Item A.

- C. Whether the change is consistent with the goals, objectives and policies of the Plan.

The change would be compatible with the development pattern in the area.

- D. Whether events subsequent to the Comprehensive Plan adoption have changed the character and/or condition of the area so as to make the application acceptable.

At the time of development of the Comprehensive Plan, a more intensive level of commercial development along East McCarty Street than has taken place was envisioned.

- E. Whether the change is needed to improve consistency between the Comprehensive Plan and other adopted plans.

The change would be compatible with the development pattern in the area.

- F. Whether public and community facilities, such as utilities, sanitary and storm sewers, water, police and fire protection, schools, parks and recreation facilities, roads, libraries, solid waste collection and disposal, and others are adequate to serve development for the type and scope suggested by the proposed zone. If utilities are not available, whether they can be extended reasonably.

All public utilities are available for extension to serve the property.

- G. Whether there is an adequate supply of land available in the subject area and the surrounding community to accommodate the zoning and community needs.

Not applicable. This requested change is for a small portion of property bordering existing residential uses.

- H. Whether there will be benefits derived by the community or area by the proposed zone.

The community will benefit from the development of compatible land uses in the area.

 _____
Sign Date 8/12/15

City of Jefferson

Department of Planning & Protective Services
320 E. McCarty St.
Jefferson City, MO 65101



Carrie Tergin, Mayor

Janice McMillan, AICP, Director
Phone: 573-634-6410
Fax: 573-634-6457

August 27, 2015

Dear Property Owner:

This letter is to notify you that the Jefferson City Planning and Zoning Commission will meet at 5:15 p.m. on Thursday, September 10, 2015 in the Council Chambers of the John G. Christy Municipal Building, 320 East McCarty Street, to consider the following matter (see map on back):

Case No. P15011 – 2301 and 2305 E. McCarty Street, Rezoning from C-2 to RA-1 and Comprehensive Plan Amendment. Request filed by Price Development Company LLC, property owner, John Price, authorized representative, to rezone 0.49 acres from C-2 General Commercial to RA-1 Multi-family Residential and an amendment to the development plan map of the Comprehensive Plan to show the property as High Density Residential. The property is located at the northeast corner of the intersection of E. McCarty Street and Doehla Drive and is described as lots 18 and 19 of Doehlas Subdivision, Jefferson City, Missouri.

As a nearby landowner and/or neighbor, you have the privilege of attending this hearing. Unfortunately, we are unable to record comments received by telephone, however, written comments may be directed to the Planning and Zoning Commission in one of the following ways:

e-mail: jcplanning@jeffcitymo.org
fax: Dept. of Planning and Protective Services / Planning Division 573-634-6457
mail: Dept. of Planning and Protective Services / Planning Division
John G. Christy Municipal Building, 320 E. McCarty Street Jefferson City, MO 65101

Written comments received on or before 1:00 p.m. on the day of the meeting will be made a part of the official record and copied and distributed to Commission members at the meeting. Those unable to provide written comments in advance are invited to deliver their comments to the Commission Chairman only at the meeting. Correspondence received after 1:00 p.m. will be included in the official record, but there is no guarantee that copies will be made for distribution to all Commission members.

For your information, this case is tentatively scheduled for a public hearing in front of the City Council on October 19, 2015. The City Council meets at 6:00 p.m. in the Council Chambers of the John G. Christy Municipal Building, 320 East McCarty Street.

Information regarding this case may be viewed on the Planning and Zoning Commission webpage at: www.jeffcitymo.org/pps/planning/pzcommission.html.

If you have any questions concerning this matter, please feel free to contact us at 573.634.6475.

Sincerely,

Eric Barron, AICP
Senior Planner

Individuals should contact the ADA Coordinator at (573) 634-6570 to request accommodations or alternative formats as required under the Americans with Disabilities Act. Please allow three business days to process the request.

Please call (573) 634-6410 with questions regarding agenda items.

Property Owners List

Case No. P15011

2301 & 2305 E. McCarty Street

September 10, 2015

GILMORE, LARRY D
MAJERSKY, PAULA J
2322 ST LOUIS RD
JEFFERSON CITY, MO 65101
2322 ST LOUIS RD

PARKER, GENE B & LORRAINE M
113 DOEHLA DR
JEFFERSON CITY, MO 65101
113 DOEHLA DR

FOSTER, KELLIE L
111 DOEHLA DR
JEFFERSON CITY, MO 65101
111 DOEHLA DR

GRIGGS, STEPHEN L & KAREN L
356 E SIMON BLVD
HOLTS SUMMIT, MO 65043
107 DOEHLA DR

SCHRIMPF, CHARLES R & DONNA R
TRUSTEES
4023 WARDSVILLE RD
JEFFERSON CITY, MO 65101
2219 E MCCARTY ST

PRICE DEVELOPMENT CO L L C
3120 ARROWHEAD DR
NEW BLOOMFIELD, MO 65063
2301 E MCCARTY ST (*Subject Property*)

BRANDT, TERRY & ERIN E
108 DOEHLA DR
JEFFERSON CITY, MO 65101
108 DOEHLA DR

MAHANEY, STEPHANIE Y
110 DOEHLA DR
JEFFERSON CITY, MO 65101
110 DOEHLA DR

SCHNIEDERS, GARY A & CYNTHIA M
2708 LAKELAND DR
JEFFERSON CITY, MO 65109
114 DOEHLA DR

BRANDT, GREG B & STACEY M RICHARDS
2309 E MCCARTY ST
JEFFERSON CITY, MO 65101
2309 E MCCARTY ST

GREEN, KEVIN L & KELLY L
2311 E MCCARTY ST
JEFFERSON CITY, MO 65101
2311 E MCCARTY ST

DIAMOND R EQUIPMENT L L C
4012 HWY 63
FREEBURG, MO 65035
2312 E MCCARTY ST

DIAMOND R EQUIPMENT L L C
4012 HWY 63
FREEBURG, MO 65035
2302 MCCARTY ST REAR

DAISY PROPERTY MANAGEMENT L L C
2715 E MCCARTY ST
JEFFERSON CITY, MO 65101
2304 E MCCARTY ST

GRAESSLE, THOMAS F & AGNES J
2222 E MCCARTY ST
JEFFERSON CITY, MO 65101
2222 E MCCARTY ST

MIDWEST BUILDING BLOCK CO
PO BOX 2290
JEFFERSON CITY, MO 65102
2203 E MCCARTY ST

POETTGEN, FELICIA M
220 SCHAEFER CT
JEFFERSON CITY, MO 65101
2216 E MCCARTY ST

Case No. P15011
2301 & 2305 E McCarty St
Rezoning from C-2 to RA-1 and
Comprehensive Plan Amendment



185 ft. Notification Buffer

