CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2024-283 – Rezoning

MEETING DATE:
October 7, 2024

ORIGINATING DEPARTMENT:
Planning, Development and Neighborhood Services

REVIEWED BY:
Director of Planning, Development & Neighborhood Services – Troy Bolander
Director of Finance – Leslie Haase
City Attorney – Peter Edwards
Assistant City Manager – Tony Robyn
City Manager – Nicholas Edwards

FUNDING SOURCE:
Not applicable for this item.

SUMMARY REQUEST:
Case 028-24: 630 S Porter Ave – Rezoning – A request to rezone from C-1 (Neighborhood Commercial) to District R-2 (Two-Family Residential) – Thanh Cong Pham

BACKGROUND:
The applicant, Tang Cong Pham, is seeking to sell the home as part of the Joplin Housing Assistance Program (JHAP). The applicant is unable to close on the property, due to the commercial zoning district. Rezoning the property to match the existing use will permit single-family use by right and allow the owner to build a new home in the future.

The existing character of the lot and the rest of the block is low-density residential. There is an existing single-family home on the lot. A lot of this size is very limited in its potential to be developed as a commercial site. The highest and best use of this property based on its size and the surrounding uses is single-family residential. To keep the zoning district compatible with the rest of the block, staff recommends an R-2 zoning district. R-2 still allows for a single-family home.

The property is not within a planned corridor. While this property does fall within a future retail-commercial zone, this lot and the others nearby fall within the Comprehensive Plan's definition of Residential Low-density: "Existing areas of single-family development in long-standing neighborhoods."

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Pham stated he would like to rezone from commercial to residential. Ms. Phillips asked Mr. Pham if he wanted to rezone so another person could use JHAP money to rebuild the lot. She stated she thought you had to live in the home currently to receive the grant money. Mr. Pham responded that he had lived in the home since 1997, and the home had burnt down two years ago.

Mr. Pham stated he had remodeled the home and would like to sell the home but was having difficulty selling to a potential buyer because the bank will not finance a commercial lot through the JHAP program.

Mr. Bellairs stated to Mrs. Phillips that JHAP was not relevant to the zoning and the use of the property. Whether or not the property makes it through the JHAP process was not relevant to the case.

Mrs. Alisha Nunnelly spoke in favor of the case. She explained that when Mr. Pha had listed the home for sale, the county said it was zoned residential. The home went under contract for a buyer using JHAP. Mrs. Nunnelly states that she does not believe that the buyer's lender would approve of the buyer purchasing the property due to it being C-1.

PUBLIC COMMENT;
None.

RECOMMENDATIONS:
Staff recommends approving Council Bill 2024-283
Planning & Zoning Commission recommends approving Case 028-24 (7 in Favor, 0 Opposed, 0 Absent)

ATTACHMENTS
Staff Planning Report
P&Z Commission Minutes
Applicant Materials
Map