CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2023-294 – Rezoning Request

MEETING DATE:
December 4, 2023

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:
These payments are included in the FY2023 budget of the Community Planning Fund.

SUMMARY REQUEST:
Case 049-23: 216 E 12th St – Rezoning – A request to rezone from District M-2 (Heavy Industrial) to District C-2 (Central Business) – LaVerne Miller Trust

BACKGROUND:

The property located at 216 E 12th Street is one of several lots in the neighborhood owned by Laverne Miller Trust. Formerly a law office, the property triggered a zoning inspection when the tenant applied for a business license to operate a tattoo shop. Law offices do not require a business license, so an inspection was never performed. Staff notified the owner that the property would need to be rezoned, and the owner decided to rezone this lot along with their other legally non-conforming commercial properties.

The Future Land Use Map identifies the area as Retail Commercial. The existing uses of the property are consistent with this. The request will make the present uses consistent with the zoning. This property is best suited for commercial use. The subject property and surrounding properties are still zoned M-2 from old Industrial Districts. Most of the uses within this area are legally nonconforming residential or commercial. All the uses within the subject property are legally nonconforming commercial uses. The request will not negatively impact the neighborhood or surrounding properties. Several of the neighboring properties are already zoned C-2 and the subject property's current use is a mix of commercial uses.

PLANNING & ZONING COMMISSION TESTIMONY:
Jim Hardy represented the case on behalf of LaVerne Miller Trust. Mr. McCullough asked why there was one address listed for several parcels being rezoned. Mr. Bellairs stated that it was staff's attempt to make it easier to find. The addresses on the street do not match up with the City's assigned addresses. He stated they did advertise in the Joplin Globe with all the parcels, but to minimize confusion between departments and the public, they described the property with one address.

PUBLIC COMMENT;
There was no comment in favor or opposition of this case.

RECOMMENDATIONS:
Staff recommends approval for Council Bill 2023-294
Planning & Zoning Commission recommends approval for Case 049-23 (7 in Favor, 0 Opposed)

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