JOPLIN | PLANNING & ZONING COMMISSION

MINUTES
MONDAY, APRIL 10, 2023
4:00 P.M.

The Planning and Zoning Commission met in a regular session, Monday, April 10, 2023. Present were Commission members Drew Kimble, Janice Steele, Amia Warren, Rodney McCullough, Mary Anne Phillips, Ryan Jackson and Benjamin Rosenberg. Troy Bolander, Rachel Holcomb, Tyler Bellairs, and Vicky Copeland represented the Planning, Development and Neighborhood Services Department.

1. **Roll Call:** Vicky Copeland called the roll.

2. **Approval of Minutes:**

MR. ROSENBERG MOVED TO APPROVE THE MARCH 13, 2023, MINUTES WITH THE CORRECTION TO BE MADE ON PAGE 6 MODIFYING THE REZONING TO C-1-PD. MR. JACKSON STATED THE MODIFICATION WAS ALREADY RECORDED IN THE MINUTES. MR. ROSENBERG WITHDREW HIS MOTION FOR THE CORRECTION TO THE MINUTES. MR. JACKSON MOVED TO APPROVE THE MARCH 13, 2023, MINUTES AS PRESENTED. MS. PHILLIPS SECONDED THE MOTION. MOTION CARRIED. (7 IN FAVOR, 0 NAY)

Public Hearings

Mr. Kimble read the Public Hearing Procedures.

Case 017-23: Rezoning

2927 E. 9th St.-Rezoning-A Request to Rezone from District R-1 (Single Family Residential) to District C-3 (Commercial) to construct a parking lot for a restaurant-Hoan Van Nguyen.

Uyen Nguyen, 1209 Van Winkle St., Joplin, Missouri. She stated she was the applicant's daughter and representative. Their request was made to rezone the property and construct a parking lot. The restaurant that is presently in the location at 842 S. Range Line is moving. Their desire is to remodel the present restaurant, but they need additional parking. Therefore, they are seeking to rezone the property at 2927 E. 9th. She stated the house had already been demolished.

Mr. Kimble asked if there were any questions from the Commission on Case 017-23.

Mr. Rosenberg proposed a question to staff if they were required to fence off the west side.

Mr. Bolander stated yes, they would be required to landscape and provide a 6 ft. minimum fence.

Mr. Jackson asked why not grandfather.

Mr. Bolander stated currently grandfathered.

There were no further questions.

Mr. Kimble asked if anyone wished to speak in favor of Case 017-23.

There were none.

Mr. Kimble asked if anyone wished to speak in opposition of Case 017-23.

There were none.

MR. ROSENBERG MOVED THAT CASE 017-23 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MS. WARREN SECONDED THE MOTION. MOTION CARRIED. (7 IN FAVOR, 0 NAY)

Case 018-23: Special Use Permit

2907 E. 22nd St.-Special Use Permit-A Request for a Permanent Special Use Permit to operate a Dominos with a drive through in a C-1-PD Zoning District-Bates Building.

Lillian Bryant, 811 E. 3rd St., Joplin, Missouri. Ms. Bryant stated she was a representative from Anderson Engineering and was prepared to answer any questions.

Mr. Rosenberg asked the staff if there were certain business hours that C-1-PD must adhere to.

Mr. Bolander stated no time restriction on special use permit. They must fence and buffer and it is form based. All four sides of the building must be constructed with correct materials.

Mr. Rosenberg asked about outdoor lighting.

Mr. Bolander stated the lighting intensity could not intrude on other property. They must have glare guards.

Ms. Phillips asked about the sign restriction.

Mr. Bolander stated the sign could not be more than six feet off the ground in a residential area.

Mr. Jackson asked Ms. Bryant for a drawing.

Ms. Bryant stated they had a site plan.

Mr. Bolander stated this was more about land use. The design would be administratively approved.

Mr. Jackson asked if C-1 would work for restaurant.

Mr. Bolander stated yes.

Mr. Kimble asked if there were any questions from the Commission on Case 018-23.

There were none.

Mr. Kimble asked if anyone wished to speak in favor of Case 018-23.

There were none.

Mr. Kimble asked if anyone wished to speak in opposition of Case 018-23.

There were none.

MS. STEELE MOVED THAT CASE 018-23 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MS. PHILLIPS SECONDED THE MOTION. MOTION CARRIED. (7 IN FAVOR, 0 NAY)

Case 019-23: Special Use Permit

4429 W. 27th Pl-Special Use Permit-A Request for a Special Use Permit to operate a Group Day Care Home-Carrie J. Swinferd.

Ms. Carrie Swinferd, 3707 Wisconsin, Joplin, Missouri. Ms. Swinferd stated she would like to open a private preschool with a maximum of 20 children ages 4-6.

Ms. Phillips asked about the parking.

Ms. Swinferd stated there was a two-car garage and could park six in the driveway and there were six off street parking sites. There was a maximum of three employees and the offsite parking would accommodate parents.

Mr. Kimble asked if there were any questions from the Commission on Case 019-23.

There were none.

Mr. Kimble asked if anyone wished to speak in favor of Case 019-23.

There were none.

Mr. Kimble asked if anyone wished to speak in opposition of Case 019-23.

There were none.

MR. ROSENBERG MOVED THAT CASE 019-23 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MR. JACKSON SECONDED THE MOTION. MOTION CARRIED. (7 IN FAVOR, 0 NAY)

Case 021-23: Rezoning

216 N. Wall Ave-Rezoning-A Request to rezone from District R-3 (Apartment House) to District R-3 HP (Apartment House, Historic Preservation)-Samuel Wimsett and Christiana Williams Wimsett

Tyler Bellairs, 602 S. Main St., Joplin, Missouri. He represented City of Joplin Zoning and Planning Department and presented the rezoning request. Mr. Bellairs stated the property owners are requesting a HP overlay. The Historic Preservation Commission recommended approval based on Criteria 3.

Mr. Kimble asked if anyone wished to speak in favor of Case 021-23.

Mr. Samuel Wimsett, 2602 S. Kingsdale, Joplin, Missouri. Mr. Wimsett stated their intention was to preserve history. The property was built in 1894 and had remained in the same family until they purchased the property. The home was owned by a pioneer citizen of Joplin and had remained a single-family residence. The property had never been a rental property.

Mr. Kimble asked if there were any other questions from the Commission on Case 021-23.

Mr. McCullough said the rezoning stated for an apartment house.

Mr. Bolander stated that was just for rezoning purposes.

Mr. Kimble asked Mr. Wimsett if the intent was to sell the home.

Mr. Wimsett stated yes. They want to preserve the history of the home and honor the legacy of the family in the preservation and then pass that on to the next owner. The home will be marketed as a single-family home.

Ms. Steele asked the question to Mr. Wimsett that no matter who they sell the property to, could it be a rental. And the zoning indicated it could be an apartment.

Mr. Bolander stated they could not prevent it from becoming a rental, but the square footage requirement would make it difficult to be made into a multi-family unit.

Mr. Jackson asked if it would be better in a R-1 district and asked Mr. Wimsett if he had a preference.

Mr. Wimsett stated there was no benefit to us and it would not impact the value of the home. The house was privately owned, and the layout was not conducive to splitting up the house.

Mr. Bolander stated it was originally platted for a single-family home and everything around it is zoned R-3.

Ms. Steele asked even though the property was historical they could still rent the home.

Mr. Kimble asked if anyone wished to speak in opposition of Case 021-23.

There were none.

MR. JACKSON MOVED THAT CASE 021-23 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MR. MCCULLOUGH SECONDED THE MOTION. MOTION CARRIED. MS. PHILLIPS ABSTAINED. (6 IN FAVOR, 1 ABSTAINED)

3. <u>New Business:</u>

Case 020-23: Site Plan Review

2907 E. 22nd St.-Site Plan Review-A request to review a Site Plan for a drive through Dominos restaurant-Bates Building.

Lillian Bryant, 811 E. 3rd St., Joplin, Missouri. Ms. Bryant stated she was a representative from Anderson Engineering and was prepared to answer any questions.

Mr. Bolander corrected a previous statement and stated a 15ft wide buffer would be required which would be totally green scaped.

Mr. Kimble asked if there were any other questions from the Commission on Case 020-23.

There were none.

Mr. Kimble asked if anyone wished to speak in favor of Mr. Kimble asked if anyone wished to speak in favor of Case 020-23.

There were none.

Mr. Kimble asked if anyone wished to speak in opposition of Case 020-23.

There were none.

MR. ROSENBERG MOVED THAT CASE 020-23 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MS. PHILLIPS SECONDED THE MOTION. MOTION CARRIED. (7 IN FAVOR, 0 NAY)

4. **Adjournment:**

MS. STEELE MOVED, SECONDED BY MR. JACKSON TO ADJOURN. MOTION CARRIED. (7 IN FAVOR, 0 NAY)

Approved _____
Drew Kimble, Chairman

Approved Vicky Copeland
Vicky Copeland, Recording Secretary