JOPLIN | PLANNING & ZONING COMMISSION

MONDAY, JUNE 13, 2022
4:00 P.M.

The Planning and Zoning Commission met in a regular session, Monday, June 13, 2022. Present were Commission members Wendy Brueckner-Sears, Janice Steele, Rodney McCullough, Kent Eastman, Drew Kimble, Mary Ann Phillips and Amia Warren. Keegan Stanton, Olivia Stockdale and Vicky Copeland represented the Planning, Development and Neighborhood Services Department.

1. Roll Call: Olivia Stockdale called the roll.

MR. EASTMAN MADE THE MOTION TO EXCUSE MS. STEELE AND MR. KIMBLE SECONDED THE MOTION. MOTION CARRIED. (6 IN FAVOR, 0 NAYS, 1 ABSENT)

2. Approval of the May 9, 2022, Minutes:

MR. KIMBLE MADE THE MOTION TO APPROVE THE MAY 9, 2022 MINUTES. MR. EASTMAN SECONDED THE MOTION. MOTION CARRIED. (7 IN FAVOR, 0 NAYS)

Ms. Steele arrived to the meeting after roll was called.

Public Hearings

Ms. Brueckner-Sears read the Public Hearing Procedures.

Case 041-22: Rezoning-4579 Hwy 43-A request to remove from district R-1 (Single family Residential) and include in District M-2 (Heavy Industrial) for future commercial development-Brice Martin.

Cary Scheurich, 4 State Trucks located at 4579 S. Highway 43, Joplin, Missouri, our main goal is R-1 to M-1. Project details provided by Mr. Scheurich. He stated that 20 plus years ago when this was annexed into the City,the City never changed the zoning. Now, this is a requirement by the Building Department. We have an ongoing building project and we are waiting on the permit. This is part of the procedure.

The question was directed to Mr. Scheurich about the project.

Mr. Scheurich stated they were building an addition on the warehouse.

No further questions from the Commission.

No one appeared to speak in favor or opposition to request.

MOTION WAS MADE BY MR. KIMBLE TO FORWARD CASE 041-22 TO THE CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL. MS. PHILLIPS SECONDED THE MOTION. MOTION CARRIED. (7 IN FAVOR, 0 NAYS)

3. Old Business: None

4. New Business:

Case 042-22: Prelimary Plat, 3330 & 3332 N. St. Louis Ave.- A request to review a preliminary plat-Schuber Mitchell Homes.

Katrina Smith, 3019 S. Pennsylvania Ave., Joplin, Missouri with Anderson Engineering presenting a preliminary plat for Emerald Glades on behalf of Schuber Mitchell homes. The preliminary plat has 278 lots on approximately 80 acres. The property has been zoned as R1PD. Some of the PD bonus provisions that we are providing with this preliminary plat and subdivision are a public trail, providing the development of a neighborhood park, exceeding the open space requirements with 21% open space as well as preserving a natural area that is existing on site. Also, we will provide special treatments along the entryway of St. Louis Street by providing monuments and preserving the trees that are already existing there. Schuber Mitchell homes uses bricks and other desirable exterior building materials and an additional 5 ft buffer along the outside of the properties. Some of the concerns that were voiced the last time we came through with the preliminary plats were sidewalks and lot sizes. There are sidewalks throughout the property with sidewalks on one side of the street per the subdivision regulations. They interconnect with the trails that are being provided in the open

space. As well, the lot sizes are extra-long to provide larger backyards for the residents of Emerald Glades. Are there any questions?

Mr. Kimble asked the question of Ms. Smith about the lot sizes. Mr. Kimble stated it was mentioned that the lots were narrow but extra-long. How much longer are they than a standard lot size?

Ms. Smith answered at least 10 feet. With the lot size we are still meeting all of the setbacks required for a R-1 zoning.

Mr. Kimble thanked Ms. Smith.

Mr. Kimble proposed another question to Ms. Smith about a couple of people in his neighborhood that have done an annoying thing. They have put up a front yard fence because they don't have enough space in their back yard for a dog or they want to be more accessible to walk out basements. With smaller lot sizes young people want to have dogs, so if the residents wanted to have a dog of significance size is there a rule in place with the HOA about putting in front yard fences?

Terry Mitchell, Schuber Mitchell Homes located at 3331 N. Range Line, Joplin, Missouri, stated they could include that in the HOA. He stated he had not known that to be a problem because the City has restrictions.

Mr. Stanton advised that under current regulations you can have up to 4 ft fence in the front and side yards and it must be open construction. (ie. Picket style, chain length fence) Privacy fences or anything like that that is closed construction and greater than 4 ft. is only permitted in the back yard. Mr. Stanton stated they are looking at and we will discuss at our next meeting changes that would allow privacy fences in partial of the side yard. But it still restricts the front yard to the open construction and less than 4 ft.

Mr. Kimble acknowledged the responses and stated his only concern was the unsightly fence in the front yard.

Mr. Mitchell stated the back yard are approximately 20-30 feet deeper around 130 ft. on the lot size.

Mr. Kimble thanked Mr. Mitchell and Mr. Stanton for the information provided.

Ms. Brueckner-Sears asked for any further questions.

Mr. McCullough stated that to the west side there are two exits to the property, is there already a road there or will a road have to be established for entry and exit?

Ms. Smith asked for clarification, on the east side or west?

Mr. McCullough stated on the west.

Ms. Smith stated on the west side are stub outs that we provided due to comments and feedback from the City when we presented the preliminary plat to them. By providing the stub outs it allows for future growth through that area for either another developer or if Schuber Mitchell decides to buy more property and expand out.

Ms. Phillips presented questions about the cul-de-sac. Ms. Phillips asked if the cul-de-sac was going to go close to the proposed new zoning because there were all kinds of pictures presented to do that.

Mr. Stanton answered Ms. Phillips by stating cul-de-sacs will still be permitted under the new zoning as proposed. We are going to stress more creative alternatives that you see pictured in the proposed zoning code. But we cannot require that now because that code is not in effect.

Ms. Phillips stated she knew that but was questioning the phase. Ms. Phillips did not know what phase. Because when they phase things in, how does that work?

Mr. Stanton said that if the preliminary plat is approved today under the existing regulations the developer has vested rights to continue to develop the property under these existing regulations. When they bring the final plat to us we can't then go back and require them to change it. Because they have been operating up until this point and made investments up until this point under the existing regulations. Even though our regulations may change by the time they do a final plat, because we have already approved a preliminary plat, we can't make them change that.

Ms. Phillips stated that made sense. Ms. Phillips questioned if the Board was looking at all phases.

Mr. Stanton replied yes.

Ms. Smith stated this is the preliminary plat and the cul de sac is in phase one.

Ms. Brueckner-Sears asked if there were any further questions. There were no questions. Ms. Brueckner-Sears asked if anyone wanted to speak in favor of this request. There were none. Ms. Brueckner-Sears asked if anyone wanted to speak in opposition of this request. There were none.

Before Motion is entertained Mr. Stanton did want to remind the Board that the Council has passed rezoning that would grant them the ability to have these smaller lots. That said it is our staff recommendation to approve as this meets all of our regulations considering Council's approval of that plan development overlay.

MR. MCCULLOUGH MADE THE MOTION TO APPROVE CASE 042-22. MR. EASTMAN SECONDED THE MOTION. MOTION CARRIED, WITH MS. BRUECKNER-SEARS, MR. EASTMAN, MR. KIMBLE, MS. STEELE, MR. MCCULLOUGH AND MS WARREN, "AYE" AND MS. PHILLIPS, "NAY". (6 IN FAVOR, 1 NAYS)

5. Other Business: None

Ms. Brueckner-Sears asked if there is any other business.

Mr. Stanton replied none.

6. Adjournment

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

Approved _____

~~Wendy Bruekner-Sears~~, ~~Chair~~
VICE CHAIRMAN - CO-CHAIR

Approved Vicky Copeland

Vicky Copeland, Recording Secretary