**MINUTES**
**PLANNING AND ZONING COMMISSION**
**REGULAR MEETING**
**JULY 8, 2019**
**4:00 P.M.**

The Planning and Zoning Commission met in regular session on Monday, July 8, 2019. Present are Commission members Peter Ramsour, Seth Dermott, Wendy Brueckner-Sears, Janice Steele, Rodney McCullough and Kent Eastman. Troy Bolander, Director, and Lindsay Dunn represented the Planning, Development, and Neighborhood Services Department.

1. Roll Call:

Ms. Ball called the roll.

**MRS. BRUCKNER-SEARS MOVED, SECONDED BY MRS. STEELE, TO EXCUSE MRS. KOLKEBECK. MOTION CARRIED, WITH MR. RAMSOUR, MR. DERMOTT, MRS. BRUECKNER-SEARS, MRS. STEELE, MR. MCCULLOUGH, AND MR. EASTMAN VOTING "AYE". (6 IN FAVOR, 0 NAYS, 1 ABSENT).**

2. Approval of June 10, 2019 Minutes:

**MR. DERMOTT MOVED, SECONDED BY MR. MCCULLOUGH, TO APPROVE THE JUNE 10, 2019 MINUTES. MOTION CARRIED, WITH MR. RAMSOUR, MR. DERMOTT, MRS. BRUECKNER-SEARS, MRS. STEELE, MR. MCCULLOUGH, AND MR. EASTMAN VOTING "AYE". (6 IN FAVOR, 0 NAYS, 1 ABSENT).**

3. Public Hearing:

Mr. Ramsour read the procedures for the public hearing.

Case 022-19: 3106 S Connecticut Ave – A request to rezone from Neighborhood Commercial (C-1) to Commercial (C-3) for the operation of a Medical Marijuana Dispensary – Suzanne Nelson.

Suzanne Nelson, 67 Horseshoe Drive, Joplin, MO. She is requesting for this s property to be rezoned from C-1 to C-3 for the operation of a Medical Marijuana Dispensary. Mrs. Nelson is wanting to add a 3,000sq addition to her buildingg with a separate entrance for her Medical Marijuana Dispensary operation from Suzanne's Natural Foods. Mrs. Nelson is planning on a phase II remodel that will take place if/when she is granted a dispensary license. She currently sells CBD oil and has offered this product for the last 3-4 years along with herbal and retail experience. Suzanne Nelson's husband is a practicing physician of over 35 years. Located in the heart of the medical district which will make it convenient for qualifying patients.

Mr. Ramsour asked if the commissioners have any questions for Mrs. Nelson.

Mr. Ramsour asked if the driveway off of thirty-second (32"d) is going to be finished into a parking lot and driveway.

Mrs. Nelson stated yes, her builder a couple years ago told her to wait until after the construction phase because of the concrete trucks and all of the equipment would tear it up. Planning on waiting until construction is finished to work on which should be by September.

Mr. Ramsour asked if the addition had its own entrance.

Mrs. Nelson stated yes, the addition has its own entrance.

Mr. Ramsour asked if the commissioners had any other questions.

Mr. Ramsour asked if there was anyone that would like to speak in favor of this case?

Connie Willmack, 1020 W Kensington Rd, Joplin, Missouri, has worked for Suzanne for 5 years and has been in the herbal industry for twenty-five (25) years. Suzanne's is located across from the VA and always have multiple veterans come in wanting assistance. The approval would benefit both veterans and local citizens that need guidance.

Mr. Ramsour asked if the commissioners had any other questions?

Mr. Ramsour asked if there was anyone that would like to speak in favor of this case?

Margo Gardner, 315 N. Tyler, Joplin, Missouri, she is very much in favor of Suzanne and her husband on their endeavor. Mrs. Gardner has a background of twenty-five (25) years of pharmacy experience. Suzanne is presenting an area for patients to be comfortable and that present real medical needs is crucial.

Mrs. Steele asked about the triangle that is inside of the presented area.

Mr. Bolander responded that was not owned by Mrs. Nelson.

Mr. Ramsour asked if there was anyone else that would like to speak in favor of this case? There was not. Anyone who would like to speak in opposition to this case? There were not.

**MRS. BRUCKNER-SEARS MOVED, SECONDED BY MR. DERMOTT, TO BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL FOR CASE 022-19. MOTION CARRIED, WITH MR. RAMSOUR, MR. DERMOTT, MRS. BRUECKNER-SEARS, MRS. STEELE, MR. MCCULLOUGH, AND MR. EASTMAN VOTING "AYE". (6 IN FAVOR, 0 NAYS, 1 ABSENT).**

Case 023-19: Located approximately 145 ft. West and 175 ft. South from the intersection of 26th St. and Maiden Lane Ave.– A request to vacate a utility easement – Joplin Redevelopment Corporation.

Troy Bolander, 602 S. Main Street, Joplin, MO. This is property that the Joplin Redevelopment Corporation owned, and I am representing them. You may have heard, Aldi's has purchased this

property and in their due diligence they did find out there was an old easement on this property. In our research we did find it and they are requesting it to be vacated so they can develop this property.
Mr. Ramsour asked if there were any questions from the Commissioners? Mr. Ramsour stated he drove by the property and there is a drop off and was wondering if that will be an issue?

Mr. Bolander stated they are not purchasing the little piece of property to the north. Basically, the length of the easement is what they are purchased.

Mr. Ramsour asked if there anyone else that would like to speak in favor of this case? There were not. There was no one to speak in opposition of this request.

**MRS. STEELE MOVED, SECONDED BY MR. MCCULLOUGH, TO BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL FOR CASE 023-19. MOTION CARRIED, WITH MR. RAMSOUR, MR. DERMOTT, MRS. BRUECKNER-SEARS, MRS. STEELE, MR. MCCULLOUGH, AND MR. EASTMAN VOTING "AYE". (6 IN FAVOR, 0 NAYS, 1 ABSENT).**

Case 024-19: Located on the West side of Virginia Ave. between 9th St. and 10th St. – A request to declare surplus city property – City of Joplin.

Mr. Troy Bolander, 602 S. Main Street, Joplin, MO. This property the city owns, this is the old sight for the Clean Uniform Company. We have received some interest from a group that is interested in purchasing this property. We have been maintaining and mowing the property. The city would like it to be surplus, so we can sell it.

Mr. Ramsour asked if there was anyone to speak in favor of this case? There were not. Is there anyone to speak in opposition of this case?

**MR. DERMOTT MOVED, SECONDED BY MRS. STEELE, TO BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL FOR CASE 024-19. MOTION CARRIED, WITH MR. RAMSOUR, MR. DERMOTT, MRS. STEELE, MR. MCCULLOUGH, MRS. BRUCKNER-SEARS, AND MR. EASTMAN VOTING "AYE". (6 IN FAVOR, 0 NAYS, 1 ABSENT).**

Case 025-19: 1202 S. Joplin Ave. – A request to rezone from Heavy Industrial (M-2) to Central Business (C-2) for the operation of a duplex – Lera Dill.

Mr. Ramsour stated that there are two (2) members, Mr. Dermott and Mr. Eastman, from the Commission that recused themselves.

Lera Dill, 1220 E 44th Street, Joplin, MO 64804. Ms. Dill stated that they had the property for about 22 years and was originally built as a two-family dwelling. They have had different businesses on the property. They have recently remodeled and made the building back into a duplex.

Mr. Ramsour asked if there were any questions for Ms. Dill from the commissioners?

Mrs. Steele asked in this is the property with the beautiful magnolia on it?

Mrs. Dill stated it was the property.

Mr. Ramsour asked if there was anyone to speak in favor of this case? There were not. No one spoke in opposition of the case.

**MRS. BRUCKNER-SEARS MOVED, SECONDED BY MRS. STEELE, TO APPROVE CASE 025-19 AND BE FORWARDED TO THE CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MR. RAMSOUR, MRS. BRUECKNER-SEARS, MRS. STEELE, MR. MCCULLOUGH, VOTING "AYE". MR. DERMOTT, MR. EASTMAN -ABSTAINED. (4 IN FAVOR, 0 NAYS, 1 ABSENT, 2 ABSTAINED).**

4. New Business.

Case 026-19: Preliminary Plat Review – A request to review the Preliminary Plat of Sonic Addition Plat 2 located at 1030 E. 7th Street – D.L. Rogers Corporation.

Steve Lewis, Olsson Associate, 702 S. Main St., Joplin, MO. He is representing the D.L. Rogers Corporation and requesting approval of the preliminary plat. This is essentially a consolidation plat.

Mr. McCullough stated there are parking spaces but none are designated as handicap spaces and is it because no one goes inside?

Mr. Lewis stated that he did not know what the actual requirements are for the parking at this type of facility.

Mr. Bolander stated that they will check with the Building department and if needed we will change the parking.

Mr. Ramsour asked if there were any other questions from the commissioners? There were not.

Mr. Bolander stated that this meets the requirements of our subdivision code. We recommend approval.

**MR. EASTMAN MOVED, SECONDED BY MR. DERMOTT, TO APPROVE CASE 026-19. MOTION CARRIED, WITH MR. RAMSOUR, MR. DERMOTT, MRS. BRUECKNER-SEARS, MRS. STEELE, MR. MCCULLOUGH, AND MR. EASTMAN VOTING "AYE". (6 IN FAVOR, 0 NAYS, 1 ABSENT).**

Mr. Bolander stated for the minutes that the Preliminary Plat only takes your approval. It is the Final Plat that you forward to the City Council. The reason why we have the Preliminary and the Final Plat on the same agenda is it a minor subdivision, 12 lots or less both items can be on the agenda.

Case 027-19: Final Plat Review – A request to review the Final Plat of Sonic Addition Plat 2 located 1030 E. 7th Street – D.L. Rogers Corporation.

Steve Lewis, Olsson Associate, 702 S. Main St., Joplin, MO. He is representing the D.L. Rogers Corporation and requesting approval of the Final Plat. This is essentially a consolidation plat.

Mr. McCullough stated there are parking spaces, but none are designated as handicap spaces and is it because no one goes inside?

Mr. Lewis stated that he did not know what the actual requirements are for the parking at this type of facility.

Mr. Bolander stated that they will check with the Building department and if needed we will change the parking.

Mr. Ramsour asked if the Commissioners had any questions? They did not.

**MRS. STEELE MOVED, SECONDED BY MR. EASTMAN, TO APPROVE CASE 027-19 AND BE FORWARDED TO THE CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MR. RAMSOUR, MR. DERMOTT, MRS. BRUECKNER-SEARS, MRS. STEELE, MR. MCCULLOUGH, AND MR. EASTMAN VOTING "AYE". (6 IN FAVOR, 0 NAYS, 1 ABSENT).**

5. Old Business: None.

Other Business

Mr. Bolander introduced Keegan Stanton, the new Planner in our department. Also, he thanked Olivia Ball for filling in today as Lindsay Dunn was on vacation.

**MR. DERMOTT MOVED, SECONDED BY MR. EASTMAN, TO ADJOURN THE MEETING. MOTION CARRIED, WITH MR. RAMSOUR, MR. DERMOTT, MRS. BRUECKNER-SEARS, MRS. STEELE, MR. MCCULLOUGH, AND MR. EASTMAN VOTING "AYE". (6 IN FAVOR, 0 NAYS, 1 ABSENT).**

Approved Peter Ramsour
Peter Ramsour, Chairman

Approved Olivia Ball
Olivia Ball, Secretary