MINUTES
PLANNING AND ZONING COMMISSION
REGULAR MEETING
JULY 10, 2017
4:00 P.M.

The Planning and Zoning Commission met in regular session on Monday, July 10, 2017. Present were Commission members Gary Duncan, Keenan Cortez, Seth Dermott, Peter Ramsour, Debra Koelkebeck, and Janice Steele. Taylor Cunningham, Tyler Overstreet, Troy Bolander, and Lindsay Dunn, represented the Planning, Development, and Neighborhood Services Department.

Mr. Duncan read the public hearing procedures and stated that the cases on this agenda will be presented to the City Council on Monday, August 7, 2017 and roll call was taken.

Old Business:

Mr. Duncan brought up that in the minutes of the last meeting on page 1, 3rd paragraph from the bottom of the page, the minutes state that Schuber Mitchell requested the Commission to table the request for rezoning. In fact, Mr. Duncan had proposed to table the case. The minutes should reflect that Mr. Duncan made a motion and Mr. Dermott seconded it. He also brought up that the minutes go to City Council before the Planning and Zoning sees them or approve them. After speaking with Mr. Bolander, Mr. Overstreet and Mr. Edwards, he proposes the minutes be sent out before the City Council meeting so any corrections can be made. Mr. Overstreet will email the minutes to the Commission and if there are any inconsistencies, Commissioners will notify Mr. Duncan or Staff. The Commission will start approving the minutes at every meeting. Mr. Duncan asked if there was any further discussion on the topic. Seeing none, the meeting continued.

MR. CORTEZ MOVED, SECONDED BY MR. DERMOTT TO APPROVE THE JUNE 12, 2017 MINUTES WITH CORRECTIONS. MOTION CARRIED, WITH MR. DUNCAN, MR. CORTEZ, MR. RAMSOUR, MR. DERMOTT, MS. KOELKEBECK, AND MS. STEELE VOTING "AYE". (6 IN FAVOR, 0 NEYS, 1 ABSENT).

New Business - None

Public Hearings

Case 021-17: Northeast corner of I-44 and US Highway 66 - A request to rezone from R-1 (Single-Family Residential) to C-3 (Commercial) for the continued operation of a billboard - Quapaw Tribe.

Mr. Jack Brill, Attorney for the Quapaw Tribe of Oklahoma, 8215 Gold Finch, Neosho, MO. 64850. Mr. Brill stated that the Quapaw Tribe would like to rezone the property from R-1 (Single Family Residential) to C-3 (Commercial). Upon annexation into the City of Joplin, the property went to R-1 (Single Family Residential). He stated that the primary purpose of the application was to bring their existing billboard into compliance with the City Zoning Code.

Mr. Ramsour had a question for Staff. He wanted to know where the city limits were in relation to the property.

Ms. Cunningham stated that wherever there is an R-1 on the map is in the city limits.

Mr. Ramsour asked if this is the farthest East the city limits reach.

Mr. Bolander stated that right now this is the farthest East. A few years ago, the Quapaw Tribe applied for this land to be annexed into the City of Joplin.

Jack Brill mentioned that the Quapaw Tribe owns about 100 acres that has been annexed into the City of Joplin.

Alan Mauk, 4404 Aardvark Drive, Joplin, MO. The round-about and the Convenience Store is in the city limits.

Mr. Cortez asked other than being in compliance with the city sign laws, are there any other plans for this property if rezoned to Commercial?

Mr. Brill stated not to his knowledge.

Mr. Bolander mentioned that the City has worked with the Tribe for many years on the property in Missouri, including providing sewer service to the property. Many years ago, when development began, everyone agreed to a land-use plan for this area. The land-use plan notates the area as future commercial development.

Mr. Duncan asked if there was anyone else to speak in favor? There were not. He asked if there was anyone to speak against the zoning request.

Larry Linthicum, 4348 Greenwood Dr., Joplin, MO. Mr. Linthicum voiced his concern about the future use of the property. He stated that he did not want commercial development across the street from his home. He wondered how commercial development would affect his property values.

Mr. Ramsour stated he drove out there and it looks like we are only rezoning one area, but there is a mobile home park. Is that still going to be R-1.

Mr. Bolander stated that whenever the City annexes property it comes in as R-1.

Mr. Duncan wanted to know when the sign first went up was there approval from this body?

Mr. Bolander stated there was not, due to it was not in the city limits at the time.

MR. CORTEZ MOVED, SECONDED BY MR. RAMSOUR, THAT CASE 021-17 BE FORWARD TO CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. THE MOTION CARRIED, WITH MR. DUNCAN, MR. CORTEZ, MR. RAMSOUR, MR. DERMOTT, MS. KOELKEBECK, AND MS. STEELE VOTING "AYE". (6 IN FAVOR, 0 NEYS, 1 ABSENT).

Case 022-17: 2829 South Joplin Avenue - A request for a Special Use Permit (1st Request) for the construction of a parking lot - Giap and Angela Vu.

Dave Johnson, Construction Adventures, 5465 Hwy 43 South, Joplin, MO. He was there on behalf

of the owners and they purchased this property after the tornado. They want to construct a paved parking lot on the property. It is on the corner of 29th Street and Main Street.

Mr. Cortex asked Mr. Johnson if the property directly North of their property is occupied.

Mr. Johnson stated he was not sure.

Mr. Ramsour stated it was for sale.

Ms. Cunningham mentioned that the Planning and Zoning sent out a letter to all property owners within 185 feet and have not received any official protest petitions. It was noted in the report that there were some parking issues without the lot being constructed. The employees of Hunan Garden were parking there and the owners are coming into compliance with our code.

Mr. Duncan asked what the plans are for the covering of the parking lot and screening since adjacent properties are R-1.

Mr. Johnson stated they had a pre-development meeting with city staff and are following all guidelines. They will construct a low-rise fence between the residents and provide a landscape buffer. The lot will have two entrances, one be off the alley and the off the west end of 29th Street, holding about 11 spaces. It will be a dust-free paved parking lot.

Mr. Ramsour asked about their storm water plans, considering the slope of the lot.

Mr. Johnson stated that he talked with the city about what they were going to do about water quality and storm water runoff.

Ms. Cunningham mentioned that the City Storm Water Engineer Dan Johnson was present at the predevelopment meeting. At that meeting he discussed constructing a little swale using the contour of the land so they won't have to build a new basin.

Mr. Duncan asked if there was anyone else who would like to speak in favor of this request? There were not. He asked if there were anyone wanting to speak against this request?

Chester Fritz, 2826 South Joplin, Joplin, MO. He lives across the street from the proposed parking lot. He stated that he would prefer not to have a parking lot next to his property, since he already picks up trash from the restaurant on his lots.

Mr. Ramsour stated that this was not a rezoning but a Special Use Permit. It will remain R-1 but have a Special Use Permit for a specified period.

Ms. Cunningham stated that this SUP is on a permanent basis for parking lots. Mr. Bolander mentioned the advantage of having a special use permit as opposed to rezoning is that the property may only be used for a parking lot; it is barred from additional commercial development unless later rezoned.

MR. DERMOTT MOVED, SECONDED BY MR. CORTEZ, THAT CASE 022-17 BE FORWARD TO CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. THE MOTION CARRIED, WITH MR. DUNCAN, MR. CORTEZ, MR. RAMSOUR, MR. DERMOTT, MS. KOELKEBECK, AND MS. STEELE VOTING "AYE". (6 IN FAVOR, 0 NEYS, 1 ABSENT).

Case 023-17: 230 acres north of Highway FF and east of Prigmor Road - A request to rezone from R-1 (Single-Family Residential) to M-2 (Heavy Industrial) for future industrial development - Joplin Industrial Development Authority

Ms. Cunningham wanted to note that in the Joplin Globe advertisement, there was additional property advertised that is not in the city limits. Looking at the map, the highlighted area was included in the legal description but it is not in the city limits. The request should be amended to exempt the parcel which we have the legal description for.

Mr. Cortez wanted to know the approximate acreage.

Mr. O'Brian stated it was about 26 acres.

Mr. Duncan asked whether we amend the proposal before voting on recommendation.

Ms. Cunningham answered yes.

Rob O'Brian, Vice President of the Joplin Industrial Development Authority, 320 East 4th Street, Joplin, MO. This is part of the Crossroads Business Park. This came into the city last year, Heartland Pet Food and Windsor to the west both are in the city limits and zoned correctly. The idea of this request is to finish off the rezoning process for all the undeveloped land from 32nd Street up to Apple Road except for the 26 acres.

Mr. Duncan wanted to know why the other piece did not come in with the other property?

Mr. O'Brian stated that all the land came in but Heartland, Coco Cola, Eagle Pitcher, Windsor, as existing, separate, property owners, had to come to the Commission separately.

Mr. Ramsour needed some information from staff. He wanted to know why they are zoned R-1?

Mr. Bolander stated that a lot of that on the map is incorrect. Much of the area was rezoned to heavy industrial several years ago. The City's database needs to be updated with the new zoning information (M-2).

Mr. Ramsour reconfirmed that the blue highlighted area is not in the city limits.

Mr. Bolander stated that was correct.

Mr. O'Brian mentioned that the property to the East of that is not within the City. JIDA acquired the property after annexation, and is not choosing to at this time due to the Turkey Creek basin.

Mr. Duncan asked if there were anyone else to speak in favor of this request? There were not. Is there anyone that would like to speak against this request?

Justin Forrest, 420 County Rd 180, Joplin, MO. We were not clear on what was trying to be rezoned. On the map, it doesn't look like it is going up to County Road180. We are trying to keep it residential if possible. We are worried about the extra noise, traffic, and our property values. We have never received a letter before but we did on this one.

Mr. Bolander stated that technically you weren't supposed to be. Anyone within 185' of the proposed rezoning should have received letters. We still appreciate input from anyone interested.

Mr. Forrest thanked Mr. Bolander and stated they were very appreciative of receiving the letter.

Carrol Bowman, 510 County Rd 180, Joplin, MO. They didn't know what was going on. She was Was glad to hear it is the property in the yellow. Their concern was a road coming out of the Industrial Park onto County Rd. 180. Their request is not to put a road out to County Rd 180.

Mr. Duncan Closed the Public Hearing.

MR. CORTEZ MOVED, SECONDED BY MR. DERMOTT, THAT CASE 023-17 BE AMENDED TO EXCLUDE TRACKS A, B, AND C. THE MOTION CARRIED, WITH MR. DUNCAN, MR. CORTEZ, MR. RAMSOUR, MR. DERMOTT, MS. KOELKEBECK, AND MS. STEELE VOTING "AYE". (6 IN FAVOR, 0 NEYS, 1 ABSENT).

MR. RAMSOUR MOVED, SECONDED BY MR. DERMOTT, THAT CASE 023-17 AMENDED PROPOSAL BE FORWARD TO CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. THE MOTION CARRIED, WITH MR. DUNCAN, MR. CORTEZ, MR. RAMSOUR, MR. DERMOTT, MS. KOELKEBECK, AND MS. STEELE VOTING "AYE". (6 IN FAVOR, 0 NEYS, 1 ABSENT).

Mr. Duncan asked if there were anything else to come before this commission?

There being no further business to come before the Planning and Zoning Commission, the meeting stood adjourned at 4:25 p.m.

Approved _____ Approved _____

Gary Duncan, Vice-Chairman Lindsay Dunn, Secretary