MINUTES
PLANNING AND ZONING COMMISSION
REGULAR MEETING
AUGUST 8, 2016
4:00 P.M.

The Planning and Zoning Commission met in regular session on Monday, August 8, 2016. Present were Commission members Chad Brown, Wendy Brueckner-Sears, Keenan Cortez, Seth Dermott, Gary Duncan, Peter Ramsour, and Lee Smith. Troy Bolander, Taylor Cunningham, and Susan Champlin represented the Planning, Development, and Neighborhood Services department.

Mr. Smith read the public hearing procedures and stated that the cases on this agenda will be presented to the City Council on Tuesday, September 6, 2016.

Case 022-16: 2306 Xenia Street – A request for a Special Use Permit (First Request) for the operation of a Day Care Home – Yvonne Vonderosa.

Mr. Smith opened the public hearing for Case 022-16.

Ms. Yvonne Vonderosa, 2306 Xenia Street, Joplin, appeared to request a special use permit for a home pre-school day care.

Mr. Smith asked Ms. Vonderosa if she has operated a day care home before or if she was present for some other request. She replied it was for the day care home, and the homeowner at that time opposed the request. He expressed concern about insurance and liability. Since that time, she has purchased the home. The deed is now in her name, so those issues have been resolved.

Mr. Smith asked for comments from the commissioners and the audience, and none were received. He closed the public hearing for Case 022-16.

MR. DERMOTT MOVED, SECONDED BY MR. CORTEZ, THAT CASE 022-16 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL FOR A TWO-YEAR SPECIAL USE PERMIT TO BE ISSUED TO YVONNE VONDEROSA, BASED UPON THE COMMENTS RECEIVED IN THE PLANNING REPORT AND DURING THE PUBLIC HEARING. THE MOTION CARRIED, WITH MR. BROWN, MS. BRUECKNER-SEARS, MR. CORTEZ, MR. DERMOTT, MR. DUNCAN, MR. RAMSOUR, AND MR. SMITH VOTING "AYE" (7 IN FAVOR, 0 ABSENT).

Case 027-16: Northeast Corner of Main Street and 27th Street – A request to rezone from R-1 (Single-Family Residential) and C-3 (Commercial) to C-3-PD (Planned Commercial Development) – Charlie Kuehn.

Mr. Smith opened the public hearing for Case 027-16.

Mr. Charles Kuehn, 620 McConnell Avenue, Joplin, appeared representing Dr. Iftikhar Ali to rezone the property at the northeast corner of 27th and Main Streets. A 21,000 square foot, two story medical office facility is being planned. The building will be constructed on the Main Street side, with the parking being east of the alley between the building and Virginia Avenue.

Mr. Duncan asked if this will be a shell building with the clients finishing out the building, or if it will be developed for medical uses. Mr. Kuehn stated Dr. Ali has no commitments at this time.

Mr. Ramsour asked Mr. Kuehn if he developed the property along the east side of the 3000 block of Main Street, and he replied yes. Mr. Ramsour understood Mr. Kuehn relocated the utilities for that development and asked if he plans on doing the same thing on this property. He replied no, since the work in the 3000 block of Main was for a different client who was prepared to spend $180,000 to move the utilities. The power lines will remain where they are, with one pole in the alley actually being eliminated. The sewer and phone lines run underground through the alley.

Mr. Smith asked for comments from the commissioners and the audience, and none were received. He closed the public hearing for Case 027-16.

MR. BROWN MOVED, SECONDED BY MR. RAMSOUR, THAT CASE 027-16 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL, BASED UPON THE COMMENTS RECEIVED IN THE PLANNING REPORT AND DURING THE PUBLIC HEARING. THE MOTION CARRIED, WITH MR. BROWN, MS. BRUECKNER-SEARS, MR. CORTEZ, MR. DERMOTT, MR. DUNCAN, MR. RAMSOUR, AND MR. SMITH VOTING "AYE" (7 IN FAVOR, 0 ABSENT).

Case 028-16: 505 West Second Street – A request for a Special Use Permit (First Request) for the operation of a Medical Office – Blake Webster and AmyKay Cole.

Mr. Smith opened the public hearing for Case 028-16.

Dr. AmyKay Cole, 505 West Second Street, Joplin, stated she and Dr. Webster are both psychologists in the community. They have purchased that building to venture on their own.

Mr. Smith asked Dr. Cole if they plan on doing anything else with the building, and she replied no. There will be two offices upstairs, with the downstairs being a waiting room.

Mr. Duncan asked Dr. Cole if they will be seeing clients on the second floor, and she replied yes. Mr. Duncan stated there is a door on the east facing wall of the second floor with no staircase. Dr. Cole has received three bids for a staircase. There previously was a landing on the second floor, but the landing was removed in order to plaster. Instead of replacing the landing, a set of stairs will be erected.

Mr. Duncan asked Dr. Cole if the staircase will be in place before they begin seeing clients, and she replied yes.

Mr. Ramsour asked Dr. Cole about parking. She replied there is one parking space in the back, with on-street parking being available. Since there are only two offices, it is unlikely they would have more than four cars on the site at one time.

Mr. Ramsour asked Dr. Cole about the yard to the east. She would like the stairs to lead to a garden area that is surrounded by trees and large bushes.

Mr. Duncan asked Ms. Cunningham if there is an issue with not having a stairway from that second floor before Dr. Webster and Dr. Cole begin seeing clients. She will visit with the City's fire marshal and the commercial plan reviewer. They usually work with the access and the ingress and egress in and out of the building. The fire marshal must inspect the premises before their business license is issued.

Mr. Smith asked for comments from the commissioners and the audience, and none were received. He closed the public hearing for Case 028-16.

MR. DUNCAN MOVED, SECONDED BY MS. BRUECKNER-SEARS, THAT CASE 028-16 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL FOR A TWO-YEAR SPECIAL USE PERMIT TO BE ISSUED TO BLAKE WEBSTER AND AMYKAY COLE, BASED UPON THE COMMENTS RECEIVED IN THE PLANNING REPORT AND DURING THE PUBLIC HEARING. THE MOTION CARRIED, WITH MR. BROWN, MS. BRUECKNER-SEARS, MR. CORTEZ, MR. DERMOTT, MR. DUNCAN, MR. RAMSOUR, AND MR. SMITH VOTING "AYE" (7 IN FAVOR, 0 ABSENT).

Case 029-16: 3210 North Progress Avenue – A request to detach land located within the municipal corporate city limits of the City of Joplin and transfer to the City of Webb City for annexation property – Bemis Packaging.

Mr. Smith opened the public hearing for Case 029-16.

Mr. Troy Bolander, 602 South Main Street, Joplin, stated this property is located in the Joplin/Webb City Industrial Park. Several properties are in Webb City, with other properties being in the city of Joplin. Bemis Packaging owns property in both Webb City and Joplin. Their facility is located in Webb City, and they own an adjacent tract to the west that lies in Joplin. They are requesting the release of the property from Joplin, with Webb City annexing the property, so Bemis Packaging can aggregate all their property into Webb City. This is strictly a matter of cleaning up city boundaries. Staff recommends approval of this request.

Mr. Ramsour asked how this affects the tax base. Mr. Bolander replied the taxes are low since the property is undeveloped, but it will now go into Webb City.

Mr. Ramsour expressed concern that Joplin is giving up tax revenues if Bemis Packaging constructs a building on the property. Mr. Bolander replied the building is in Webb City. It is difficult to own a building or develop the property with having part of the development in Joplin and part of it in Webb City. Joplin has received some property in the past from Webb City in the same situation.

Ms. Cunningham stated the large building to the east of the property in this request is Bemis Packaging's current facility.

Mr. Smith asked for comments from the commissioners and the audience, and none were received. He closed the public hearing for Case 029-16.

MR. CORTEZ MOVED, SECONDED BY MR. RAMSOUR, THAT CASE 029-16 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL, BASED UPON THE COMMENTS RECEIVED IN THE PLANNING REPORT AND DURING THE PUBLIC HEARING. THE MOTION CARRIED, WITH MR. BROWN, MS. BRUECKNER-SEARS, MR. CORTEZ, MR. DERMOTT, MR. DUNCAN, MR. RAMSOUR, AND MR. SMITH VOTING "AYE" (7 IN FAVOR, 0 ABSENT).

Mr. Smith understood the Planning and Zoning Commission has never approved the minutes from past meetings. Mr. Bolander did not know the reason for that, but the commissioners have never approved minutes from the previous meeting. He did not know if approval of minutes is required under the state statutes. He thought it is a good idea if the commissioners are able to read the minutes and vote on them, so that could definitely be added to the agenda.

Ms. Champlin stated the minutes go to the City Council before this commission approves them since the cases are presented to the City Council before this body meets again. Mr. Bolander stated that is correct. He asked the commissioners to think about this so something can be worked out since the City Council receives the minutes before the commissioners approve them. He will check with the Legal Department about sending the minutes to the commissioners via e-mail and receiving their response by a certain date.

There being no further business to come before the Planning and Zoning Commission, the meeting stood adjourned at 4:16 p.m.

Approved Lee W. Smith
Lee Smith, Chairman

Approved Susan Champlin
Susan Champlin, Secretary