

MINUTES
PLANNING AND ZONING COMMISSION
REGULAR MEETING
MONDAY, JULY 12, 2021
4:00 P.M.

The Planning and Zoning Commission met in a regular session Monday, July 12, 2021. Present were Commission members Janice Steele, Rodney McCullough, Kent Eastman, Drew Kimble, Mary Ann Phillips and Amia Warren. Keegan Stanton and Lindsay Dunn represented the Planning, Development, and Neighborhood Services Department.

1. Roll Call:

Lindsay Dunn called the roll.

2. Approval of the June 14, 2021, Minutes:

MS. STEELE MOVED, SECONDED BY MR. KIMBLE TO APPROVED THE JUNE 14, 2021, MINUTES. MOTION CARRIED, WITH MR. EASTMAN, MS. STEELE, MR. KIMBLE, MR. MCCULLOUGH, MS. PHILLIPS, AND MS. WARREN VOTING “AYE”, (6 IN FAVOR, 1 ABSENT)

3. Public Hearing:

Case 032-21: 3001 Sunset Dr. – A request for a Special Use Permit (1st Request) for the operation of a short-term rental – Lauren Peterson

Lauren Peterson, 3001 Sunset Drive, Joplin, MO., and the homeowner. The past three (3) years she has been running an Air B&B in the basement of her home. The home is three stories, and the basement is fully finished. The basement has a kitchenette, 2 bedrooms and some free space. The family was not getting much use out of the basement. In July 2018 started renting out the basement through Air B&B. Ms. Peterson lives at the residence with four (4) children and is a single mother. The Air B&B requires certain credentials, which I have listed on my application and, I can request additional information for the applicants that apply. She is not aware of any issues with one exception. About a year and half ago, the neighbor that lives to the southwest had asked if her clients could not park on the east side of the street. She was concerned because where they were parking was outside of her daughter’s bedroom window and asked that no one park there. Ms. Peterson stated that to her knowledge no one has parked there since. That is the only complaint I have ever heard about. She has heard that people say in the neighborhood that the neighborhood is owner based. There is a house down the street that is a rental, she told me that herself. She has heard about too many cars, typically there is only one extra car at my house.

Mr. Eastman asked if any of the Commissioners had questions for Ms. Peterson.

Mr. Kimble wanted to know if the space that was being rented is only rented to one person or one family at a time?

Ms. Peterson stated that is either one person at a time or one group of people at a time and does not rent out the rooms separately. The people that stay in the Air B&B, for example, the people that is staying there now is a physician starting a new job that works for Freeman Hospital, just moving here and his house is not ready to move in. So, it is him, his wife and his two-year-old is staying in the basement until his home is ready. The people that stay are people in town visiting family, they are here working, or passing through on I-44. Traveling nurses, people from the medical school also stay there.

Mr. Eastman asked if there were any other questions?

Ms. Phillips had a question for Keegan Stanton. Is there a requirement that there be a separate entrance?

Mr. Stanton stated that there was not. This would be an accessory use to a single-family home.

Ms. Phillips asked Ms. Peterson if they had their own entrance and Ms. Peterson stated they did.

Mr. Eastman asked if there was anyone in the audience to speak in favor of this case?

Gary Ivy, 3101 Sunset Drive, Joplin, MO. He lives directly to the West of Ms. Peterson. He has not had any issues with the Air B&B guests. If there are complaints of parking in the street, the folks that are complaining are actually parking in the street themselves. We are the only neighbors that Ms. Peterson has, and for the record she has great neighbors.

Mr. Eastman asked if there was anyone else to speak in favor. There was not. He also asked if there was anyone to speak in opposition of this case?

Chuck Brown, 3018 Sunset Drive West, Joplin, MO. He is the President and representing the Sunset Ridge Homeowners Association. The Board has taken a vote and wish to express opposition to the request. We do this primarily to the location and the traffic. The house in question is right at the entrance. The Homeowners Association has received several inquiries in the property being used as an Air B&B.

Mr. Eastman asked if any Commissioners had any questions for Mr. Brown?

Mr. Kimble wanted to know if there is anything in the Homeowners Association contract that states Air B&B are against policy?

Mr. Brown stated not specifically. The Association Rules and Regulations prohibit the use of properties for commercial purposes. The problem is you have several cars coming and going and it is a short-term rental not a year or two.

Ms. Phillips has a question for Mr. Stanton. If she remembered correctly, the City of Joplin does not recognize Homeowner Association agreements.

Mr. Stanton stated the City does not have jurisdiction to enforce subdivision rules and regulations, just City Code.

Mr. Eastman asked if anyone else would like to speak in opposition of this case?

Bryan Goodace, 3401 Sunset Drive, Joplin, MO, also on the Homeowners Association Board. There are concerns of short-term stay and in our covenants not specifically but verbiage of the commercial uses of residence.

Dr. Matt Spencer, 3003 Schifferdecker, Joplin, MO, which is across the street from Ms. Peterson. He would like to interject into the conversation is that Sunset Ridge was designed as a single-family home development. It seems like the homeowner is now absent from that home. They are no longer the resident of that home and renting it in a commercial status.

Ms. Peterson stated that she lives in her home all the time with her four children.

MR. KIMBLE MOVED, SECONDED BY MR. MCCULLOUGH THAT CASE 032-21 BE FORWARDED TO THE CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MR. EASTMAN, MS. STEELE, MR. KIMBLE, MR. MCCULLOUGH, MS. PHILLIPS, AND MS. WARREN VOTING "AYE", (6 IN FAVOR, 1 ABSENT)

Case 033-21: End of Public Right-of-Way of W. Par Ln. – A request to remove from District R-1 (Single-family Residential) and include in District R-4 (Townhouse) for future residential development- Blake Onstot and Jordan Chapman, 4 State Builders, LLC.

John Bolte, Small Arrow Engineering, 1302 S. Main Street, Joplin, MO. This site was originally in Jasper County and was annexed into the City of Joplin as District R-1 (Single-Family Residential). Moving forward with the design and working with the owner, we realize there is a market need for Townhomes. People would like to own their own home but not having the responsibility of the yard and everything that goes with that. With the increased cost of building materials, we think it is a most efficient project.

Mr. Stanton stated that for clarification, the plat for Case 036-21 on the agenda is the same location and Mr. Bolte may be referencing this plat for the rezoning case.

Mr. Bolte stated that the original request was to rezone the whole parcel from District R-1 to District R-4. We have segmented that and lots 1-4 along Par Lane will stay as District R-1. The cul-de-sac section that extends south against the railroad will contain R-4 units. There is a buffer designed into this transition. There is also a detention basin on the south side of Par Lane. From a traffic impact standpoint, originally, we were going to have 14 units so the traffic would be 14 new residents coming and going to their homes that will now increase to 18 units. There will be double car garages on all units. The value of the construction of these sites would be similar to or exceed homes in the existing neighborhood. There are two floor plans, narrow and deep, also, wide, and shallow. That accommodates the lay of the land. The single-family homes will be 1,700 to 2,000 sq.ft. range.

Mr. Eastman asked if there were any questions for Mr. Bolte. There was not. He also asked if there was anyone in the audience to speak in favor of this case? There was not. Is there anyone in the audience in opposition of this case?

Alex Kindle, 4401 Par Lane, Joplin, MO. Where would the construction entrance be? What is the financial ability of the builder to finish this within a year or two? If it goes on too long then traffic will be obstructed for years, down to one lane.

Mr. Bolte stated the plat is designed for Par Lane extending to the west which is up against the county so there is no access in that direction. Construction access will be occurring along the street, yes that will have to be managed along the street. The land disturbance and runoff control, there will have to be big rock entrance for the trucks to clear any mud or debris for the streets. It will take the better part of construction season to get this developed.

Jerod Huber, 4311 Par Lane, Joplin, MO. He has put a lot of equity into their house, which they have lived in for six years and he feels that multi-family homes will degrade the neighborhood. We are in an HOA which will regulate how we must keep our houses and what we can and cannot do. He also stated that he has two small children, and the traffic would be a concern.

Ms. Phillips has a question for Mr. Huber. Is one of these petitions yours?

Mr. Huber stated that he filled one out this morning. He also mentioned that he did speak to the gentleman that sold the property and it seems the plan has changed multiple times.

John Padaleski, 2025 Twin Hills, Joplin, MO. This area is single-family residential, and he understands that the city cannot enforce HOA rules and regulations. He would be interested to know if this is the same developer that built the two houses on Amber Lane effectively landlocking the property so he would have to come in on Par Lane.

Mark Lane, 2230 S. Fairway Drive, Joplin, MO. His concern is the utilities. The lift stations have had problems in the past. Other concerns are the traffic, the noise, and the property values. There are a lot of families and kids that walk around the neighborhood and with the added traffic it will not be safe like it is now. It will be difficult to get school buses and trash trucks through there. If we had an emergency, they would not be able to get there.

Nancy Corey, 2109 Twin Hills Drive, Joplin, MO. She had lived in this area for 32 years and her concern is the narrow roads. Par Lane is not the standard city width for a street. There are no sidewalks and many of the houses were built before coming into the City of Joplin. Why would the city allow the change from R-1 after the annexation in a single-family residential neighborhood?

Barbara Meyers, 4410 Golf Lane, Joplin, MO. Her concern is that this is a very quiet neighborhood of elderly people, no speeding of traffic, they are allowed to walk and the two houses that were built are country homes. There are horses, it is agricultural, more acreage and this just does not fit in. The plan that she saw was dead ended I do not know what they have

done now. There is not a place for the school bus to turn around and that means the children will have to walk at least a quarter of a mile. An ambulance, fire truck and even the mail truck cannot turn around. There are just too many unanswered questions and the owners have changed their minds two or three times.

Barbara Joe, 4282 Amber Lane, Joplin, MO. They moved out there because they did not want to be in the city limits of Joplin. It will hurt our neighborhood and diminish the value of our homes. It will depreciate the privacy we currently have. We absolutely oppose this case.

Ms. McCallister, 2208 Twin Hills Drive, Joplin, MO. This is supposed to be a single-family neighborhood and the traffic will make this very difficult to get in and out of our homes.

Richie Hatfield, 2026 Fairview Drive, Joplin, MO. He is the HOA President at the present time. He is speaking on behalf of all the board members, and they are all in opposition to this build. It will decrease the value of our properties. Par Lane does not meet the width standards, do not know how it will handle that traffic.

Debbie Grother, 2310 Twin Hills Drive, Joplin, MO. She does have concern about the traffic, but she does have a question for the developers. It is her understanding that these were going to be rental properties not homeowners. In the meeting they had it was talk of rentals and now they are saying they are going to sell 18 units. Are you building all 18 units and wait for them to sell or just build one or two units and wait for them to sell?

Mr. Eastman asked if there were anyone else to speak in opposition to this case? There was not. He closed Case 033-21 and asked for a motion.

Ms. Phillips had a question for Mr. Stanton. She wanted to know if all the protest petitions were in the 185 feet or are some out?

Mr. Stanton stated that we have not been able to verify all of them since there were some coming in prior to this meeting. Since our computer systems is not functioning, we do not have the capability to calculate the protest rate in the area yet. Clarification on the protest petitions. If your property is not within the 185 feet that does not mean your petition does not count.

MS. PHILLIPS MOVED, SECONDED BY MR. MCCULLOUGH THAT CASE 033-21 BE FORWARDED TO THE CITY COUNCIL WITH THE RECOMMENDATION FOR DENIAL. MOTION CARRIED, WITH MR. EASTMAN, MS. STEELE, MR. KIMBLE, MR. MCCULLOUGH, MS. PHILLIPS, AND MS. WARREN VOTING "AYE", (6 IN FAVOR, 1 ABSENT)

4. Old Business:

Case 019-21: Southeast Corner of S. Jackson Ave. and W. 34th St. A request to remove from District R-1 (Single-family Residential) and include in District R-3-PD (Apartment House Planned Development) for future residential development – Thomas & Susan Coy.

Matt McConnell, 10 Quail Ridge, Joplin, MO, Matco Builders, representing Thomas and Susan Coy. We are wanting to change this property from a District R-1 to District R-3-PD, emphasizing the Planned Development. We are proposing a pocket community called Jackson Hills. This will consist of single-family homes that will be market rate rentals, specifically targeted for the medical and professional community. The homes will consist of three (3) one-bedroom homes, six (6) two-bedroom homes, two (2) three-bedroom homes, and one (1) three bedrooms and two bath duplexes.

Josh Anderson, Hunter and Millard Architects, 1501 S. Main Street, Joplin, MO. This is a new development in Joplin and why we are asking for the PD zoning change. A pocket community is basically small footprint homes that are on smaller lots. They are geared around a close community, smart growth, and a modern way of living. The site location is close to the medical school, dental school and for the professionals at the hospital. A pocket community is in a park like setting. It will come with trees, gardens, trails, walkways, and everything is connected. The parking is off to the side.

Mr. Eastman asked if the Commissioners had any questions?

Ms. Steele wanted to know if they were all going to be rentals?

Mr. Anderson stated they are rentals, not condominiums and controlled by a Property Manager.

Ms. Phillips stated that she was confused because they are rentals and then discussion of the value of the project.

Mr. McConnell stated the reason why we brought up the value a little bit was because of the concerns of the neighbors. That discussion took place with the neighborhood in a meeting.

Ms. Phillips was wanting to know how far the parking is to the street? Is the whole thing a driveway?

Mr. Anderson stated that there is a 15-foot approach apron between the street to the parking spaces and that falls under the PD.

Mr. McConnell wanted to clarify that from the very front of the parking area to the edge of the street is 35 feet, so you will have 19-to-20-foot parking stall, then you will have additional 15 foot to back out of the stall before entering the street.

Ms. Phillips mentioned to Mr. Stanton that the whole thing is a driveway onto the street. Instead of two car lengths it is eight?

Mr. Stanton stated his understanding is the approach off the street would extend the length of the parking spaces.

Ms. Phillips asked Mr. Stanton if he could cite another place in town that does that? The Engineering Department had tons of rules about where you can put a two-car driveway.

Mr. Stanton stated that with the PD request, Council has the authority to approve the site plan that would not be in total compliance with current city regulations.

Mr. Eastman asked if there was anyone to speak in favor of this case?

Robert Wilson, owner of the property to the south of this property. Living in this area for 8 years, he is 100% for this project. There was old building on that property which were tore down and made it look nice. He has heard a lot of complaints on how we are going to back out on the street, from 34th Street to 35th Street, and 35th Street is a dead end, everyone that lives on that street backs out into the street. There is no other way for them to get onto the street. He drove all along Jackson looking at the homes and there are some nice ones but not as nice as this project.

Pam Wilson, 3414 S Sergeant, the property to the south is a church. We have had the church vested in the neighborhood and to describe the lot sitting there, it does no good sitting empty for anyone. They had the community meeting in our building and saw all the plans. The one concern was the car ports. It was stated that coming out of the carport you still have a distance before entering the street. Ms. Wilson is for this community because of going to the meeting and being able to review the plans.

Mr. Eastman asked if there was anyone to speak in opposition of this case? There was not.

MR. KIMBLE MOVED, SECONDED BY MS. STEELE THAT CASE 019-21 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MR. EASTMAN, MS. STEELE, MR. KIMBLE, MR. MCCULLOUGH, MS. PHILLIPS, AND MS. WARREN VOTING "AYE", (6 IN FAVOR, 1 ABSENT)

5. New Business

Case 034-21: Preliminary Plat Review – A request to review the Preliminary Plat of Lou and Odes Acres located at the Southwest corner of the intersection of W. 26th St. and S. Winfield Ave. – Michael and Kyle Carder.

John Bolte, Small Arrow Engineering, 1302 S. Main Street, Joplin, MO. This is an infill project and has been in Michael Carders family for quite a long time. It is vacant property that has been designed to be developed into 6 lot projects at the SW intersection of 26th and Winfield Ave. There has been some work done to address some drainage matters. Lot 6 is a somewhat over size lot which wraps around the backside of Michael Carders home and designed a detention basin to divert water from the new homes. This will discharge in a wooded area, which makes like a buffer. Currently, two of the lots are already spoken for in this project and four more lots will be coming up for sale as soon as this has passed. As far as utilities there is already existing sewer and water.

Mr. Eastman asked if covenants had been established.

Mr. Carder stated that there will be one, but as of right now there is not.

Mr. Eastman asked if Commissioners had any questions for Mr. Bolte?

Mr. McCullough wanted to know if Mr. Carder was going to be the Owner/Developer and if so, what is the square footage of the houses?

Mr. Carder stated that the lots will be sold off and there will be restrictions on the builds.

Mr. Eastman asked if there was anyone in the audience to speak in favor of this case? There was not. Is there anyone to speak in opposition of this case? There was not.

MR. KIMBLE MOVED, SECONDED BY MR. MCCULLOUGH THAT CASE 034-21 BE APPROVED. MR. EASTMAN, MS. STEELE, MR. KIMBLE, MR. MCCULLOUGH, MS. PHILLIPS, AND MS. WARREN VOTING "AYE", (6 IN FAVOR, 1 ABSENT)

Case 035-21: Final Plat Review - A request to review the Final Plat of Lou and Odes Acres located at the Southwest corner of the intersection of W. 26th St. and S, Winfield Ave. – Michael and Kyle Carder.

John Bolte, Small Arrow Engineering, 1302 S. Main Street, Joplin, MO. This is the final plat of Lou and Odes Acres. It is the six-lot plat and lot 6 was left over sized for the basin drainage. Again, a big portion of that is wooded. This will not be developed to create a buffer between the new homes to be built and the existing homes.

Mr. Eastman asked if there was anyone in the audience to speak in favor of this case? There was not. Is there anyone to speak in opposition of this case? There was not.

MS. STEELE MOVED, SECONDED BY MS. PHILLIPS THAT CASE 035-21 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MR. EASTMAN, MS. STEELE, MR. KIMBLE, MR. MCCULLOUGH, MS. PHILLIPS, AND MS. WARREN VOTING "AYE", (6 IN FAVOR, 1 ABSENT)

Case 036-21: Preliminary Plat Review - A request to review the Preliminary Plat of Par Lane Subdivision located at the End of Public Right-of-Way of W. Par Lane – Blake Onstot and Jordon Chapman, 4 States Builders, LLC.

Mr. Stanton made a comment before Mr. Bolte started his presentation. Mr. Stanton stated that because the Commission recommended denial for the rezoning, to stay consistent with that and staying within our subdivision and zoning regulations for the R-1 zone, staff's recommendation now would be to deny this plat. The Townhome lots would not comply with our regulations of the District R-1 zone.

John Bolte, Small Arrow Engineering, 1302 S. Main Street, Joplin, MO. Just restate if we stay with the District R-1 development, it will drop a combination of 4 Single Family homes and 14 Townhomes to 14 Single Family homes. We will need to revise and resubmit the plat with the street configuration to reflect 14 Single Family homes. The other comments and concerns about traffic and access, all the streets, all the access has been designed according to city standards. It meets traffic needs for fire, emergency vehicles, trash, mail, and sidewalks. It is all in there. The

detention and the drainage are still going to be managed and taken care of. It will be similar to the plat that was submitted.

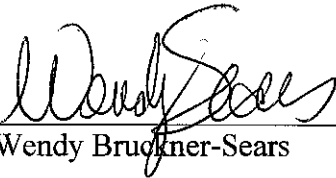
Mr. Eastman asked if there were any questions for Mr. Bolte? There was not.

MS. STEELE MOVED, SECONDED BY MR. KIMBLE THAT CASE 036-21 BE DENIED. MR. EASTMAN, MS. STEELE, MR. KIMBLE, MR. MCCULLOUGH, MS. PHILLIPS, AND MS. WARREN VOTING "AYE", (6 IN FAVOR, 1 ABSENT)

6. Other Business

7. Adjournment

Approved



Wendy Bruckner-Sears

Approved



Lindsay J. Dunn