

MINUTES  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
MONDAY, OCTOBER 11, 2021  
4:00 P.M.

The Planning and Zoning Commission met in a regular session Monday, October 11, 2021. Present were Commission members Rodney McCullough, Kent Eastman, Drew Kimble, Mary Ann Phillips, Janice Steele, and Amia Warren. Keegan Stanton and Lindsay Dunn represented the Planning, Development, and Neighborhood Services Department.

1. Roll Call:

Lindsay Dunn called the roll.

**MS. STEELE MOVED, SECONDED BY MR. KIMBLE TO EXCUSE ABSENT COMMISSIONER MS. BRUCKNER-SEARS. MOTION CARRIED, WITH MS. STEELE, MR. EASTMAN, MR. MCCULLOUGH, MR. KIMBLE, MS. PHILLIPS, AND MS. WARREN "AYE", (6 IN FAVOR, 1 ABSENT)**

2. Approval of the September 13, 2021, Minutes:

**MS. STEELE MOVED, SECONDED BY MR. KIMBLE TO APPROVE THE SEPTEMBER 13, 2021, MINUTES. MOTION CARRIED, WITH MS. STEELE, MR. EASTMAN, MR. MCCULLOUGH, MR. KIMBLE, MS. PHILLIPS, AND MS. WARREN "AYE", (6 IN FAVOR, 1 ABSENT)**

Public Hearings

Mr. Eastman read the Public Hearing Rules.

Case 053-21: 416 S. Florida Ave. - A request for a Special Use Permit (1<sup>st</sup> Request) for the operation of a short-term rental – Lane Clevenger.

Keegan Stanton, 602 S. Main Street, Joplin, MO representing the applicant. This property is by 4<sup>th</sup> Street and Florida. They are wanting to run this as an Air B&B or short-term rental. He did state on his application that the occupants would be the Executive rentals, 30 to 90 days for business people that are in town. We did place some conditions in the request.

1. This Special Use Permit is issued to Lane Clevenger for the operation of a short-term rental at 416 S. Florida Ave.
2. The permit shall be valid for 1 year upon approval, being eligible for renewal in November 2022.
3. Off street parking for at least two (2) vehicles shall be provided.
4. Occupancy shall be limited to 4 persons total or other limit as set by the City Council.
5. The property owner shall ensure the following information is conspicuously posted within the short-term rental:

- a. Special Use Permit Determination Form.
  - b. City of Joplin Noise Ordinance.
  - c. Contact info for person(s) responsible for day-to-day operation of the short-term rental.
  - d. Trash collection schedule.
  - e. That the short-term rental may not be rented solely for weddings, receptions, parties, or other similar event.
6. The compliance with all provisions of the Fire/Safety codes as required by the State Fire Marshal is required.
  7. All regulations as stated in Appendix 29-A (Zoning Code) of the Joplin Municipal Code shall be followed at all times.
  8. Any other conditions set by the City Council of the City of Joplin.

Mr. Eastman wanted to know if there was an occupancy condition. Mr. Stanton stated it is in the conditions and it is 4 persons each night.

Ms. Phillips stated that on one page it asks, "should this special use for a specific time period?" and it states no, but on page three it says for 1 year.

Mr. Stanton stated that is correct. The applicant is requesting basically a permanent special use permit. We placed the one-year approval specifically because we are working on writing a new ordinance for short-term rentals.

Mr. McCullough asked if they pay city tax or any kind of taxes?

Mr. Stanton stated they do not. It has come up in City Council and any taxation will have to come from them.

Mr. Eastman asked the Commissioners if they had any other questions? They did not. Mr. Eastman asked if there was anyone to speak in favor or against of this case? There was not.

**MR. KIMBLE MOVED, SECONDED BY MR. MCCULLOUGH THAT CASE 053-21 BE FORWARDED TO THE CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MS. STEELE, MR. EASTMAN, MR. MCCULLOUGH, MR. KIMBLE, MS. PHILLIPS, AND MS. WARREN "AYE", (6 IN FAVOR, 1 ABSENT)**

Case 054-21: Approximately 550 feet South of the intersection of S. Rex Ave. and E. 13<sup>th</sup> St. – A request to remove from District M-2 (Heavy Industrial) and include in District R-3 (Apartment House) for future residential development – Hung Nguyen.

Hung Nguyen, 3411 E 11<sup>th</sup> Street, Joplin, MO. We own a piece of property behind 15<sup>th</sup> Street Wal-Mart by the water tower. We were wanting to build some duplexes. Right now, just rezone the property. We will start building next year.

Mr. Eastman asked the Commissioners if they had any other questions? They did not. Mr. Eastman asked if there was anyone to speak in favor or against of this case? There was not.

**MR. KIMBLE MOVED, SECONDED BY MR. MCCULLOUGH THAT CASE 054-21 BE FORWARDED TO THE CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MS. STEELE, MR. EASTMAN, MR. MCCULLOUGH, MR. KIMBLE, MS. PHILLIPS, AND MS. WARREN "AYE", (6 IN FAVOR, 1 ABSENT)**

Case 055-21: 3431 E. 10<sup>th</sup> St. – A request to remove from District R-2 (Two-family Residential) and include in District R-3 (Apartment House) for future residential development – Jim Satlak.

Keegan Stanton, 602 S. Main Street, Joplin, MO. This is a rezoning case, and this piece of property does have an existing structure. Historically this building was used for a hospice care and assisted living. There are quite a few bedrooms and bathrooms in this building. Mr. Satlak is requesting this zoning for 4 to 7 units for multi-family housing and a small addition to the structure as well.

Mr. Kimble wanted to know about the parking for that many units.

Mr. Stanton stated he will be required to provide 2 off-street spaces per unit.

Mr. Eastman asked the Commissioners if they had any other questions? They did not. Mr. Eastman asked if there was anyone to speak in favor or against of this case? There was not.

**MS. STEELE MOVED, SECONDED BY MR. KIMBLE THAT CASE 055-21 BE FORWARDED TO THE CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MS. STEELE, MR. EASTMAN, MR. MCCULLOUGH, MR. KIMBLE, MS. PHILLIPS, AND MS. WARREN "AYE", (6 IN FAVOR, 1 ABSENT)**

Case 056-21: Approximately 175 feet North of the intersection of S. Connecticut Ave. and E. 24<sup>th</sup> St. – A request to remove from District C-O (Non-retail Commercial) and include in District C-3 (Commercial) for future Commercial development – Benchmark Estate, LLC.

TJ Ghandi, Discount Smokes and Liquor, 25 Coleridge, Joplin, MO. The property is located next to Ozark Prosthetics and Orthotics and they do own the property. This will be Discount Express, which will be a C-Store about 5,000 square feet building with 8 dispensers.

Mr. Eastman asked the Commissioners if they had any other questions? They did not. Mr. Eastman asked if there was anyone to speak in favor or against of this case? There was not.

Mr. Kimble stated that the entrance and exit is really close to the stoplight. Are there any hazards there? coming in and exiting by the intersection?

Mr. Stanton stated they would review that in more detail, if it is too close then the traffic engineer will be looking at it.

Mr. Eastman asked the Commissioners if they had any other questions? They did not. Mr. Eastman asked if there was anyone to speak in favor or against of this case? There was not.

**MR. KIMBLE MOVED, SECONDED BY MS. STEELE THAT CASE 056-21 BE FORWARDED TO THE CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MS. STEELE, MR. EASTMAN, MR. MCCULLOUGH, MR. KIMBLE, MS. PHILLIPS, AND MS. WARREN "AYE", (6 IN FAVOR, 1 ABSENT)**

Case 057-21: Approximately 700 feet East of the intersection of E. 9<sup>th</sup> St. and S. Rex Ave. – A request to vacate street right-of-way – Jim Satlak

Keegan Stanton, 602 S. Main Street, Joplin, MO. This is roughly the same property that came before you for rezoning, there is some 9<sup>th</sup> Street right-of-way up on the north side, which is unimproved. Orr Ave, which is now in Duquesne was originally platted abutting the East side of Mr. Satlak's property. He is requesting that both rights-of-way be vacated. There are no utilities in there, except for unused sewer. He is the owner of all properties surrounding this request.

Mr. Kimble mentioned the old sewer is how long or how big.

Mr. Stanton stated he did not know.


Mr. Eastman asked the Commissioners if they had any other questions? They did not. Mr. Eastman asked if there was anyone to speak in favor or against of this case? There was not.

**MS. STEELE MOVED, SECONDED BY MR. MCCULLOUGH THAT CASE 057-21 BE FORWARDED TO THE CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MS. STEELE, MR. EASTMAN, MR. MCCULLOUGH, MR. KIMBLE, MS. PHILLIPS, AND MS. WARREN "AYE", (6 IN FAVOR, 1 ABSENT)**

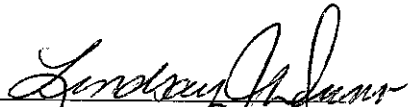
3. Old Business: None.
4. New Business: None.
5. Other Business: - None.
6. Adjournment

**MS. STEELE MOVED, SECONDED BY MR. KIMBLE TO ADJOURN. MOTION CARRIED WITH THE RECOMMENDATION FOR APPROVAL. MOTION CARRIED WITH MS. BRUCKNER-SEARS, MR. EASTMAN, MR. MCCULLOUGH, MR. KIMBLE, MS. PHILLIPS, AND MS. WARREN "AYE", (6 IN FAVOR, 1 ABSENT)**

Approved \_\_\_\_\_

  
Kent Eastman

Approved \_\_\_\_\_

  
Lindsay Durbin