

CITY CLERK

MINUTES
PLANNING COMMISSION
October 28, 2021
5:30 P.M. Regular Meeting
Council Chambers – City Hall

2021 OCT 29 PM 1:41

	<u>Name</u>	<u>Members' Term Attendance</u> (mtgs. attended-mtgs absent)	<u>End of Current Term of Office</u>
MEMBERS PRESENT:	Ben Burtnett	(32-09)	02/12/23
	Bob Bucher	(39-04)	06/15/23
	Allison Tschannen	(16-10)	07/15/24
	Houston Roberts	(03-00)	08/04/24
	Josh Knight	(10-03)	08/05/23
	Donna Jean Boyer	(39-03)	07/22/23
	Reba Kendall	(63-08)	01/29/22
MEMBERS ABSENT:	Tim Doyle	(15-06)	12/14/24
	Lauren Catron	(33-16)	07/17/22
STAFF PRESENT:	Zack Martin, City Planner Ted Elo, Assistant City Attorney Brady McKinley, Public Works Assistant Director Rebecca Shipp, Executive Administrative Assistant		

Call to Order –Kendall called the meeting to order at 5:30pm.

Kendall entered Chapters 11, 26 and 31 of the Code of Ordinances into evidence.

ROLL CALL: Roberts-present, Tschannen-present, Catron-absent, Burtnett-present, Bucher-present, Doyle-absent, Knight-present, Kendall-present Boyer-present. Quorum is present. Five members constitute a quorum.

Tschannen made a motion to approve the minutes of the September 23, 2021 meeting. Roberts seconded.

VOTE: Roberts-yes, Tschannen-yes, Burtnett-yes, Bucher-yes, Knight – yes, Kendall – yes, Boyer – abstain.

Ayes – 6, Nays – 0, Abstain – 1 Minutes approved.

Martin informed Commission there were no adjustments or postponements to the agenda. Martin informed Commission members there are two handouts at their seat regarding item # 2 and item #9.

OLD BUSINESS

None

NEW BUSINESS

ITEM #1 Zoning District Change – A request for approval of a change of zoning from R-1A, Single Family Residential District to C-3, Commercial District for the northern portion of the property located at 3906 Pickett Road as requested by Jeremy Worth.

Zoning District Changes move on to City Council
Staff recommendation: approval

Martin gave the staff report.

Discussion was held between commissioners and staff regarding the item.

Kendall read the rules of conduct.

Kendall opened the item for public comment.

Darcel Smith – no address stated, spoke neither in favor nor in opposition. Smith offered to sell her property adjacent to the Pickett Road property.

Stephen Hayes – 2806 S 40th, asked for clarification of the item.

Leona Merrow – 3914 Pickett, spoke in favor of the item.

Jeremy Worth – no address stated, spoke in favor of the item.

Mike Benner – 2902 S 40th Terrace, asked for clarification of the item.

Kendall closed the item for public comment.

Discussion was held between commissioners and staff regarding the item.

Burnett made a motion to approve the item. Tschannen seconded.

VOTE: Roberts-yes, Tschannen-yes, Burnett-yes, Bucher-yes, Knight – yes, Kendall – yes, Boyer – yes.

Ayes – 7, Nays – 0, Abstain – 0 Motion approved.

ITEM #2 Zoning District Change – A request for approval of a change of zoning from M-2 Heavy Manufacturing District to R-2, Two-Family Residential District for the property located at 2303 S 9th Street, 2304 S 9th Street, 2305 S 9th Street, 2310 S 9th Street, 2311 S 9th Street, 2312 S 9th Street, 2314 S 9th Street, 2316 S 9th Street, 2317 S 9th Street, 2318 S 9th Street, 2320 S 9th Street, 2323 S 9th Street, 2327 S 9th Street, 2301 S 10th Street, 2302 S 10th Street, 2303 S 10th Street, 2305 S 10th Street, 2308 S 10th Street, 2310 S 10th Street, 2311 S 10th Street, 2316 S 10th Street, 2320 S 10th Street, 2321 S 10th Street, 2323 S 10th Street, 2326 S 10th Street, 2327 S 10th Street, 2330 S 10th Street, 2331 S 10th Street, 2335 S 10th Street, 2337 S 10th Street, 2340 S 10th Street, 2402 S 10th Street, 2405 S 10th Street, 2411 S 10th Street, 2413 S 10th Street, 2417 S 10th Street, 2419 S 10th Street, 2426 S 10th Street, 2429 S 10th Street, 2431 S 10th Street, 2504 S 10th Street, 2505 S 10th Street, 2506 S 10th Street, 2507 S 10th Street, 2510 S 10th Street, 2526 S 10th Street, 2528 S 10th Street, 2530 S 10th Street, parcel 06-4.0-20-001-002-166.000 on S 10th Street, 2322 S 11th Street, 2324 S 11th Street, 2326 S 11th Street, 2330 S 11th Street, 2334 S 11th Street, 2336 S 11th Street, 2338 S 11th Street, 2410 S 11th Street, 2414 S 11th Street, 2416 S 11th Street, 2418 S 11th Street, 2420 S 11th Street, 2428 S 11th Street, 2430 S 11th Street, 2434 S 11th Street, 2520 S 11th Street, 2522 S 11th Street, 2526 S 11th Street, 2532 S 11th Street, 2534 S 11th Street, 2538 S 11th Street, 808 Hickory, 812 Hickory and 912 Hickory as requested by The City of St. Joseph.

Zoning District Changes move on to City Council
Staff recommendation: approval

Tschannen requested the item be considered as read. No objections were raised by Commissioners.

Martin gave the staff report.

Discussion was held between commissioners and staff regarding the item.

Burnett made a motion to amend the property list to remove 2320 S 9th Street from the list of properties to be rezoned. Roberts seconded.

VOTE: Roberts-yes, Tschannen-yes, Burnett-yes, Bucher-yes, Knight – yes, Kendall – yes, Boyer – yes.

Ayes – 7, Nays – 0, Abstain – 0 Motion approved.

Discussion was held between commissioners and staff regarding the item.

Kendall opened the item for public comment.

Andy Meyer – 605 W Stonecrest Circle, spoke neither in favor nor in opposition to the item. Meyer asked for reimbursement of his expenses for a previous rezoning should this item be approved by Council.

Discussion was held between commissioners, staff, and applicant regarding stated concerns.

No one spoke in opposition.

Kendall closed the item for public comment.

Discussion was held between commissioners and staff regarding the item.

Bucher made a motion to approve the item. Burtnett seconded.

VOTE: Roberts-yes, Tschannen-yes, Burtnett-yes, Bucher-yes, Knight – yes, Kendall – yes, Boyer – yes.

Ayes – 7, Nays – 0, Abstain – 0 Motion approved.

ITEM #3 Major Subdivision – A request for approval of a preliminary plat for a major subdivision entitled Culver Addition located at 2920 N 2nd Street, as requested by Connie Culver.

Major subdivisions are forwarded to the City Council.

Staff recommendation: approval

Martin gave the staff report.

Discussion was held between commissioners and staff regarding the item.

Kendall opened the item for public comment.

No one spoke in favor of the item.

Rick Ames – 2910 N 2nd Street, asked for clarification of the item.

No one spoke in opposition to the item.

Kendall closed the item for public comment.

Tschannen made a motion to approve the item. Roberts seconded.

VOTE: Roberts-yes, Tschannen-yes, Burtnett-yes, Bucher-yes, Knight – yes, Kendall – yes, Boyer – yes.

Ayes – 7, Nays – 0, Abstain – 0 Motion approved.

ITEM #4 Major Subdivision – A request for approval of a preliminary plat for a major subdivision entitled Whitehead Plaza 1st Plat located at 2507 S Belt Highway, as requested by Ashley Smith on behalf of McBee’s Coffee N’ Carwash.

Major subdivisions are forwarded to the City Council.

Staff recommendation: approval with conditions

Martin gave the staff report.

Discussion was held between commissioners and staff regarding the item.

Kendall opened the item for public comment.

Shawn Duke – 802 Francis, spoke in favor of the item.

Leo Maxwell – 2509 S Belt, asked for clarification of the item.

Discussion was held between commissioners, staff, and applicant regarding stated concerns.

Dottie Wildberger – 2628 S 39th Terrace, spoke in opposition to the item.

Barbara LaBass – 3901 Bucher Drive, spoke in opposition to the item.

Lynsey Silvey - 2626 S 39th Terrace, spoke in opposition to the item.

Discussion was held between commissioners, staff, and applicant regarding stated concerns.

Kendall closed the item for public comment.

Tschannen made a motion to approve the item. Burtnett seconded.

VOTE: Roberts-yes, Tschannen-yes, Burtnett-yes, Bucher-yes, Knight – yes, Kendall – yes, Boyer – yes.

Ayes – 7, Nays – 0, Abstain – 0 Motion approved.

ITEM #5 Authorization to enter into a Subdivision Improvement Agreement - Approval of an application to waive the requirement of Section 26-70(a) and permit the applicant to enter into a subdivision improvement agreement for Whitehead Plaza 1st Plat as provided in Section 26-71(a).

Approved or denied by the Planning Commission

Staff recommendation: approval

Martin gave the staff report.

No discussion was held among Commissioners.

Kendall opened the item for public comment.

No one spoke in favor of the item.

Barbara LaBass – 3901 Bucher Drive, spoke in opposition to the item.

Discussion was held between commissioners, staff, and applicant regarding stated concerns.

Kendall closed the item for public comment.

Boyer made a motion to approve the item. Bucher seconded.

VOTE: Roberts-yes, Tschannen-yes, Burtnett-yes, Bucher-yes, Knight – yes, Kendall – yes, Boyer – yes.

Ayes – 7, Nays – 0, Abstain – 0 Motion approved.

ITEM #6 Major Subdivision – A request for approval of a preliminary plat for a major subdivision entitled Cordonnier Addition located at 421 Hickory, as requested by the City of St. Joseph.

Major subdivisions are forwarded to the City Council.

Staff recommendation: approval

Martin gave the staff report.

No discussion was held among Commissioners.

Kendall opened the item for public comment.

No one spoke in favor of the item.

No one spoke in opposition to the item.

Kendall closed the item for public comment.

Burtnett made a motion to approve the item. Tschannen seconded.

VOTE: Roberts-yes, Tschannen-yes, Burtnett-yes, Bucher-yes, Knight – yes, Kendall – yes, Boyer – yes.

Ayes – 7, Nays – 0, Abstain – 0 Motion approved.

ITEM #7 Authorization to enter into a Subdivision Improvement Agreement - Approval of an application to waive the requirement of Section 26-70(a) and permit the applicant to enter into a subdivision improvement agreement for Cordonnier Addition as provided in Section 26-71(a).

Approved or denied by the Planning Commission

Staff recommendation: approval

Martin gave the staff report.

No discussion was held among Commissioners.

Kendall opened the item for public comment.

No one spoke in favor of the item.

No one spoke in opposition to the item.

Kendall closed the item for public comment.

Bucher made a motion to approve the item. Boyer seconded.

VOTE: Roberts-yes, Tschannen-yes, Burtnett-yes, Bucher-yes, Knight – yes, Kendall – yes, Boyer – yes.

Ayes – 7, Nays – 0, Abstain – 0 Motion approved.

ITEM #8 Alley Vacation – A request for approval of vacation of an alley between the properties located at 1309 Jules and 1401 Jules, as requested by James Kieffer Jr and Gamalier Santiago.

Vacations are forwarded to the City Council.

Staff recommendation: approval

Martin gave the staff report.

Discussion was held between commissioners and staff regarding the item.

Kendall opened the item for public comment.

No one spoke in favor of the item.

No one spoke in opposition to the item.

Kendall closed the item for public comment.

Burtnett made a motion to approve the item. Roberts seconded.

VOTE: Roberts-yes, Tschannen-yes, Burtnett-yes, Bucher-yes, Knight – yes, Kendall – yes, Boyer – yes.

Ayes – 7, Nays – 0, Abstain – 0 Motion approved.

ITEM #9 Amendments to Chapter 26 of the Municipal Code Amendment to Sections 26-10, 26-25, 26-43, 26-44, 26-45, 26-46, 26-47, 26-132 and any and all other sections of Chapter 26 of the Code of Ordinances necessary to amend language pertaining to subdivisions

Ordinance amendments are forwarded to the City Council.

Staff recommendation: approval

Martin gave the staff report.

Discussion was held between commissioners and staff regarding the item.

Kendall opened the item for public comment.

Shawn Duke – 802 Francis, spoke in favor of the item.

No one spoke in opposition to the item.

Kendall closed the item for public comment.

Bucher made a motion to approve the item. Roberts seconded.

VOTE: Roberts-yes, Tschannen-yes, Burtnett-yes, Bucher-yes, Knight – yes, Kendall – yes, Boyer – yes.

Ayes – 7, Nays – 0, Abstain – 0 Motion approved.

Martin gave a preview of items of November's agenda.

Kendall reminded Commissioners upcoming meetings would be held earlier than normal due to the holidays. November's Planning Commission meeting will be held on November 18, 2021. December's Planning Commission meeting will be held on December 16, 2021.

The meeting adjourned at 7:16 pm.

Minutes respectfully submitted,

Rebecca Shipp

cc: Paula Heyde, City Clerk
 Planning Commission Members
 Bryan Carter, City Manager
 Clint Thompson, Planning & CD Director
 Ted Elo, Assistant City Attorney
 Brady McKinley, Public Works Assistant Director
 Mark Townsend, Technology Associate Director