3.5.2018

City of Duquesne, Mo

Planning and Zoning Commission Minutes

7:02 Call to order: President Ray Brown

In Attendance:

Ray Brown, President (2018)

Gary Jackson (2022)

Tom Johnston (2019)

Chris Ellsworth, Board of Alderman Representative (2018)

Keenan Klein (2021)

Rick Gamboa (2022)

Absent:

Val Carter (2021), Excused

Agenda Approval: Motion Johnston/Ellsworth. Passed 6-0.

7:03 Public hearing opened on 529 Walnut Ridge from R-1 to R-2.

Gary Campbell (applicant) spoke to explain plans to build a duplex, as the lot was too big for only one house.

Brian Mehrens spoke as the homeowner north of the proposal asked for more specifics on the build. Campbell said plans were for 2 each 3 bedroom 2 bath units facing Creswell to the East. Tree line to the north would remain and possible one car garage or no garage may be built. The driveway would be on the East side. Would have brick veneer. Planning on two sewer hook ups, one for each unit.. There is 100 feet of frontage on Creswell. Single story construction is planned.

Walter Figueroa spoke who lives directly across the street asked if this would strictly be a rental property or for sale? Campbell said either was an option. Figueroa felt that a duplex would drive surrounding property values down. He would have no objection to a single residence. He is against the duplex and re zoning.

Kerry Divine Spoke concerned about a duplex devaluing her property. She fears that this will encourage a number of new multi-family dwellings in a nice residential area. She noted there are no other duplexes or apartments in that area and she would like it to remain single-family homes. She has no objection to a single-family dwelling. She was opposed to the re zoning.

John Devine spoke in opposition to the re-zoning because it would be multi-family. Not against a single house but is opposed to a duplex with no garages.

Gary Reeder spoke in opposition to re-zoning because he felt it would open up the wooded area directly to the north for apartments or multi-family style units.

Karen Buchanan spoke in opposition to the re-zoning because she felt her home was safe from excess traffic and in a nice single-family area. She felt that a duplex would increase traffic and encourage more multi-family dwelling and devalue her property. She would be in favor of a single-family dwelling. She asked what the rent would be for the units. Campbell replied $800 to $900 per unit per month. He felt two or three extra cars would not make a traffic difference. He also said he had renters in the house for years without problems. He said He would be responsible for the yard.

Amanda Mehrens spoke in opposition to the re-zoning. She has had lots of experience with rentals being around previous homes and she does not want multi-family dwellings of renters adjacent to her home. She is fine with a single-family unit.

Buchanan asked why it couldn’t face Walnut Ridge. Campbell replied it wouldn’t make any difference because she wouldn’t approve it anyway.

Ellsworth spoke to address the setback since Campbell referred to it as having plenty of room to build. He said since the property meets two streets and thus loses 35 feet of frontage on Creswell and was not sure it that would give him enough room to build a duplex. Ellsworth said he did not have 65 feet. Campbell replied he would build them deep instead of wide.

Having no further comments Brown closed the public hearing at 7:30pm.

Jackson said he did not feel a there was enough room to build a duplex facing Creswell and asked Campbell if he would consider a single family unit. Campbell replied he would build a single-family unit if a duplex were not approved.

Johnston asked if this application was dependent on the placement of the structure. Ellsworth reminded everyone that we couldn’t take the structure into consideration in ruling on the application. We also cannot consider the future use of the wooded lot to the north.

Ellsworth said that in all the time he has been on the P&Z and the Board of Alderman, he has received more feedback from the public on this issue that any other by far and all of it has been in opposition. He felt a single-family house should be built.

Johnston said he normally feels that a landowner should be able to do what he wants with his own property but in this case, he has received lots of negative feedback and since there are not other duplexes along that street, he cannot vote to approve the re-zoning.

Brown said he has the same size lot and he has no intention of splitting his lot.

Klein said that he lives at the opposite end of town but has still heard negative comments about this and therefore would not approve the re-zoning.

Gamboa said he felt we were here because we are supposed to help run the city, the way the citizens want it run and everything we have heard is in opposition to this zoning request. He felt he would not be happy if someone was going to put a duplex up next to his house. He felt he would like to be in a single-family residence and in a neighborhood with only single-family homes as well. He would vote against it.

Tom Johnston made a motion to reject the application. Second Klein. The vote was 6-0 to reject the application.

Ellsworth asked the audience to consider before they leave that the P&Z only had one representative from their side of town and the P&Z would love to have representation from the West side. Gary Heilbrun provided some applications to 3 or 4 people who expressed interest.

7:44PM Public hearing opened on 3328 E. 13th street.

The applicant was not in attendance.

Ellsworth explained the proposal for a distribution center with a front sales counter. He said the property is under contract pending approval of the change to C-2, which will allow him to have a sales counter. He sells bait and fishing tackle and currently in Carthage in a small building. Johnston asked if he goes from C-1 to C-2 would he not be required to pave the entire lot within 5 years. Ellsworth said he felt that this would be handled in the same fashion as the board handled Superior Rental which was that the customer parking spaces would have to be paved but that the back lot for delivery/storage would not have to be.

Public hearing was closed at 7:51PM

Ellsworth said for the record the correct address should be 3328 E. 13th street, as there appears to be a TYPO in the application.

Motion to approve Ellsworth/Klein. Vote in favor 6-0.

Minutes from December 2017 and January 2018 were tabled until Val Carter returns in May.

Motion to approve January minutes, Ellsworth/Johnston. Vote in favor 6-0.

Ellsworth mentioned in reviewing the P&Z rules there is actually no Vice Chairman Johnston asked who conducts the meeting in the Chairman’s absence. Ellsworth said we can appoint someone to appoint the meeting if necessary. Gamboa asked if the term expires at the end of the year appointed. Ellsworth said yes, not until the actual end of the year.

Discussion of setback variance request for 2011 Jonathan Hunter. Applicant was not present. Ellsworth met with Chief Kitch prior to the work session to address safety concerns. Both agreed the fence is too close to the road and impedes the line of sight for oncoming traffic. He would like to table the motion and allow them to amend the distance but if the committee prefers to vote on it as written he would vote no. He further explained that they bought the lot and they are allowed to build a fence on it but our city ordinance states that if there is a safety concern, it cannot be built.

Johnston said he also looked at it and came up with the same decision but for a different reason. He did not understand why we would want to table it instead of deciding something. Ellsworth responded that he thought the request was valid but just not the way they presented it today. Ellsworth was concerned as to what would happen if we voted no and asked Mayor Heilbrun who was in the audience what would happen since the Board of Alderman meets next Monday. Mayor said if we tabled it and told him to re vise the distance from the road, he would not have to re-apply.

Ellsworth said the he parked his car where he would expect to stop to pull onto 20th street from Jonathan Hunter street and he and the Chief walked down the road to see how far back the fence would have to be form 20th street for a driver to be able to see oncoming traffic, which they judged to be about 12 ft. from the telephone pole.

Johnston felt that he would be against any variance on the fence line because it would be an eyesore. Ellsworth did not agree with that but the problem is we cant legislate attractiveness. Johnston said he thought 12 ft. was also too close. Ellsworth said the Chief would also prefer a location further back but from a safety standpoint, 12 feet would be the minimum distance from the pole.

Klein stated that this would create more usable space for the applicant. Ellsworth said that actually they would have to pour a pad to store the RV on per the covenant.

Gamboa thought that the fence should be back further than 12 feet because when you come down 20th street from East to West, you should be able to see the entry sign to the neighborhood. He felt that the closest the fence should be would be the south boundary of the entry sign. He expressed concerned about the speed that vehicles including large semis approach the roundabout and the heavy breaking that occurs would not allow a car pulling out of Jonathan Hunter to see them in time to avoid a collision. He also felt that there was more than ample space to park a large RV if the fence were stopped at the boarder of the entry sign for the neighborhood.

Johnston was opposed to any variance of the fence. Ellsworth said after reviewing all of our fence regulations that he is within his rights to build the fence on his property as long as it does not create a safety issue.

The location of the pad is not in the drawing. There is a culvert, which would allow an entryway from 20th street.

Ellsworth said we should table it and tell him that the submitted proposal is too close to the road and the Chief will not sign off on it. Also, it would be helpful if he could attend the meeting to explain details. Also remind him that he must have a pad to park the RV on.

Ellsworth make a motion to table and have the Mayor take it back to the applicant. Second Johnston. The vote was 6-0 to table.

Fire Hydrants issue. Ellsworth said 2 years ago the City Approved installing 2 per year until we were caught up. Johnston said he looked at the first 3 and felt that the 3rd location (13th and Rex) is very important because of the structures in the area. He would like to recommend 3 locations to the council. He stated that Joplin Water shows that in total, our city has only ever paid for eight hydrants. The average cost has been about $2,000 each. Ellsworth said the council has approved $10,000. Gamboa asked if the council had not decided to wait until April to decide. Ellsworth said that we don’t have to wait till April, that we have the funds to do this. Johnston made a motion to recommend the first 3 to the council. Second Klein. The vote was

6-0 to recommend.

Buildings permit Language. Committee was unsure as to what this was on the agenda for. Gamboa said the only thing he remembers was that in the Board meeting, Ellsworth was going to look at the language of our permit process with the intention of spelling out costs and responsibilities, but was not sure why it was on our agenda.

Ellsworth mentioned that Duquesne school had been “Surplused” and that there would be a sealed bid process with a minimum of $60,000.

Public Comments: Mayor Heilbrun said he would like to welcome new member Klein to the committee.

Next meeting scheduled April 2 at 7PM

Motion to adjourn Jackson/Ellsworth. The vote was 6-0 to adjourn.

Speakers:

Gary Campbell, 5764 Suburban Terrace Brian Mehrens, 527 Walnut Ridge

Amanda Mehrens, 527 Walnut Ridge Walter Figueroa, 530 Walnut Ridge

Kerry Divine, 314 Morgan Ct. John Divine, 314 Morgan Ct.

Karen Buchanan, 502 Foxfire Ct. Gary Reeder, 508 Morgan Ct.

Submitted By:

Rick Gamboa