



Planning & Zoning Commission Meeting Minutes
Thursday, January 18th, 2018 @ 6:00pm
City Hall

Members Present:

- Ed Kurtz, Commissioner
- Jim Grabowski, Commissioner
- Duncan Meadows, Secretary
- Terry Cornell, Commissioner
- Mayor Warwick
- Alexis Neal, Chairman
- Eddie Lollar, Commissioner
- Steve Sagaser, Alderman

Others Present:

- Tracy Slagle, City Administrator
- Sydney Allen, Planning & Zoning Administrator
- Don Brown, City Attorney
- Robin Woodmansee
- Nance Howe
- Eldon Swartzentruber
- David Menser
- Rosemary Jones

Approval of Agenda:

- After reviewing the agenda, Alderman Sagaser made a motion to approve. Commissioner Cornell seconded the motion. The agenda was approved as presented.

Approval of Meeting Minutes:

- After review of the meeting minutes from November 16th, 2017 and the meeting minutes from December 12th, 2017, Alderman Sagaser made a motion to approve the minutes from both meetings as presented. Commissioner Kurtz seconded the motion. The minutes were approved as presented.

New Business:

- **Public Hearing – ZC-18-01 – Carson Heights:** Eldon Swartzentruber, applicant, addressed the Commission. He stated that he wanted to reapply for this rezone because of the positive feedback he felt he received from the Board of Alderman, although it did not pass. He again explained to the Commission the history of the property and how well the City worked with him to get it cleaned up. He stated that the City Building Inspector at the time told him that the property was zoned for duplexes before he purchased it. Mr.

Swartzentruber stated that the lots are large enough for duplexes and there would still be green space around them.

Nancy Howe addressed the Commission on behalf of her daughter and other property owners adjoining Mr. Swartzentruber's property. She stated that she did not think that the rezone would not be an appropriate zone for the property because it is surrounding by single-family homes. She said that duplexes are most commonly rentals and rentals in Bolivar are not well kept and hurt surrounding property values.

Robin Woodmansee lives at 527 E Lindon and addressed the Commission. She stated that building duplexes on the property would not only hurt their property values but would create more traffic and traffic is already an issue in the area. She stated that she thinks that rental property creates problems in neighborhoods and duplexes are usually rentals. There are a lot of kids in the neighborhood and kids that walk to school and she would be very concerned for their safety.

Rosemary Jones lives at 810 N Albany and addressed the Commission against the proposed rezone. She stated that she thinks there should only be single-family homes constructed in the area. She said that duplexes become rentals and the current rentals in the neighborhood are already having a negative effect.

David Menser lives at 512 E Lindon and is new to the neighborhood but addressed the Commission and stated that he too, is against the possibility of duplexes being built in the neighborhood.

Chairman Neal closed the public hearing at 6:27pm.

- **Public Hearing – Alley Vacation – Hendrick's Addition:** Chairman Neal called the Public Hearing to order at 6:27pm. Sydney Allen, Planning & Zoning Administrator, stated that a petition was submitted by the two property owners adjoining the subject alley requesting for it to be vacated. The alley dead-ends on the property and does not serve any other property owners. There was no one there to speak to the matter from the public. Chairman Neal closed the Public Hearing at 6:29pm.
- **Discussion – ZC-18-01:** Secretary Meadows started the discussion stating that based on the lot sizes of Mr. Swartzentruber's property, there could possibly be 6 single-family homes constructed or 4 duplexes or 8 units. This means that the argument could possibly be over a difference of two units. Commissioner Lollar stated that he agrees that duplexes would have a good chance of being rentals and that the quality of rental property in Bolivar is already an issue. He stated that the fact that there were so many citizens present and against the rezone, he doesn't think they should allow it to go through. Commissioner Kurtz reminded the Commission that the decision should not be based on the use of the property, rental/owned, and should be looked from a density standpoint only. Commissioner Grabowski stated that the map has very distinct boundaries and he would be hesitant to disrupt the current designation. He stated that it would become increasingly difficult to draw a new boundary for where to stop multi-family designations. Chairman Neal explained to the Commission that she did vote for the change at the Board of Alderman meeting due to the history of the property. She stated that the last thing she wants to do is make the current homeowners feel "unprotected." Commissioner Lollar said it should not matter what the property used to look like. He

thinks that the reality is that duplexes will bring more people, renters, and it will continue to bring the neighborhood down. Secretary Meadows stated that while he would prefer to see single-family homes built, he does not want to stand in the way of development. Mayor Warwick said that based on the square footage of the lots, he thinks there is opportunity to recuperate money by further splitting the lots. He stated that the purpose of the zoning designations is to create boundary lines and allow property to develop in the most appropriate use. By continually moving those lines, the point of having them becomes unclear. Alderman Sagaser made a motion to recommend that the Board of Alderman deny the application. Commissioner Lollar seconded the motion. Chairman Neal, Commissioner Kurtz, and Secretary Meadows voted nay. The others present voted aye. The motion passed to recommend denial.

- **Alley Vacation – Hendrick’s Addition:** Commissioner Lollar made a motion to recommend the approval of the petition to vacate the alley in Hendrick’s Addition. Alderman Sagaser seconded the motion. The motion passed.
- **Discussion – Multi-Family Dwelling District Regulations:** Sydney addressed the Commission and stated that there has been some interest in high density apartment complexes near the University and commercial corridors in town. The current regulation requires a minimum lot size of 9,000 square feet for 3,000 square feet per family, whichever is larger. Alderman Sagaser stated that he thinks all multi-family development should be on the same playing field and that the existing developments have been successful with the current requirements. Mayor Warwick said he would like to help support the University by allowing the development of more student housing to occur. And that a new classification would make sense near the University because of the walkability in the area. Secretary Meadows said he would like for Sydney to start the process of researching the options. Chairman Neal stated that although we could adopt a new zoning classification, it would still be up to the Commission whether or not to recommend rezoning. The Commission agreed that they would like to see some research. Sydney will bring more information to the next meeting.
- **Discussion – Commercial Overlay District:** Sydney presented the Commission with a draft of a proposed overlay district regulation. This regulation would be applied to the three major commercial corridors and would help regulate building materials and aesthetics. Sydney went through the regulations and received feedback from the Commission. Commissioner Kurtz stated that he would be in favor of the regulations but didn’t think the process of approval would work. He also stated that this had the potential to add cost to projects developing within the district. He had concerns about the materials list and stated that some of the materials listed as prohibited could actually be used well. Sydney stated that the Community Development department would mostly be concerned with the types and percentages of materials used. She is going to continue working on the regulations and bring them back to the Commission for review.

Old Business:

- **Discussion – Existing Manufactured Home Regulations:** Sydney provided the Commission with the latest draft of the Existing Manufactured Home Regulations and



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asked if the Commission was ready to recommend approval. Sydney stated that this has been up for discussion for several months and she feels it would be appropriate to take the proposed regulations to the Board of Alderman and get it passed into ordinance. Commissioner Lollar made a motion to recommend approval to the Board of Alderman. Commissioner Cornell seconded the motion.

Commissioner Lollar made a motion to adjourn the meeting. Commissioner Cornell seconded the motion. Chairman Neal adjourned the meeting at 7:36pm.