

Planning and Zoning Commission
Village of Leawood

The Planning and Zoning Commission met Tuesday, March 20, 2012 at Redings Mill Fire Station #2 (South Rangeline).

Vice-Chairman Rick McCord opened the 6:00 p.m. meeting with members Denny Desmond, Brad Long, and Phyllis Sapp present. Kurt Higgins, Don Swanson, and R.E. Smith were unable to attend.

Brad Long moved to approve the current agenda and the minutes of the January 17th meeting. Desmond seconded and motion passed.

Rick asked Denny Desmond to update us on actions taken since the last meeting regarding ordinance #2012-1 authorizing, detaching, and transferring the approximately 42+ acres at the northeast corner of 44th St. and Connecticut Avenue from the Village of Leawood to the City of Joplin. Desmond stated that the vote of the March Board of Trustees was 3 in favor and 2 opposed to deannexing; Desmond notified the attorney of the Village's decision to support the deannexation. The City of Joplin's Planning and Zoning Committee heard and recommended to the City Council of Joplin that the land be taken into the city. It was, however, noted that there was inconsistency in regard to 44th St. in the Village as to what part Leawood owned and what Joplin owned. Joplin's City Council met Mon., March 19, 2012 and decided to ask for clarification and Brian Head, City Attorney, is to look into that. Leawood resident Marcia Long and Joplin resident Val Frankoski spoke against the City acquiring the land. The 1st reading was done with clarification information to be returned by Mr. Head at the next meeting. Joplin City Council's vote was 7 in favor, 2 opposed to annexing the Leawood land referenced above.

Leawood Trustees and Planning and Zoning Commission want Joplin to have full responsibility for the maintenance of the roads bordering the proposed deannexation involving 44th St. and Connecticut. Desmond confirmed that Joplin Special Road District now maintains 44th St. Brad Long raised a concern that Joplin might possibly try to recoup funds from the Village. Discussion was held as to reconsidering the deannexation support until the City Attorney can clarify the road ownership rights.

Dick Largent of Community Development Solutions, Inc. was present and was asked to explain the various types of road classifications. He said roads can be: 1) Public Roads, 2) County or City purchases of existing roads, or 3) Marker Roads which were originally qtr. section roads that over the years of use were just agreed to be a road. It is possible 44th will be found to be a marker road. Whatever is found, if the City takes over a road, they assume all responsibility. He emphasized it is important to resolve the road jurisdiction before deannexing as it has been a problem in the past. (An example is the curb situation on 47th St. between Connecticut & Oak.)

Our attorney, Mike Talley, advises voting on the ordinance as now published. After discussion, Desmond made the motion to recommend that the Board of Trustees approve Ordinance #2012-1 as was previously submitted. Seconded by Sapp. With 2 in favor (Desmond/Sapp) and 2 opposed (McCord/Long) the tie will be passed on to the Trustees.

Desmond presented the Trustees proposal to hire Dick Largent as a consultant for the Village. He would review our current records, work with the Metro Planning Organization (MPO is a federal designation of transportation actions), and help create a new Comprehensive Plan for the Village. Dick has 40 years of experience, worked with 8 master plans, and has served on many city, county, and state committees. The Village needs written planning and zoning procedures and a set of ordinances in dealing with future requests for zoning. Largent would work through our attorney in representing the Village. It was noted that Leawood and Duquesne will be specifically noted in future MPO actions which is to our favor and he has much experience in this area. The Trustees will consider approval of Ordinance #2012-2 to contract professional planning services with Community Development Solutions, Inc. for a maximum \$4,000 fee. Desmond made a motion to recommend to the Trustees that Dick Largent be hired. Seconded by Long, the motion passed with 4 in favor, 0 opposed. Maps and costs charged to the Village can be done through Allgeier Martin.

Desmond reported he has located proof that the current Comprehensive Plan was filed with Newton County on June 7, 2001.

Under new business, Chairman Kurt Higgins will be continuing to be in contact with Olsson Associates, Mercy's engineering firm. Jared Rasmussen of Olsson has provided the printed engineering plans for Kurt and P&Z.

Desmond stated that the Trustees plan to appoint Cliff Barker to the Planning and Zoning Commission. He has experience relative to our areas of concern. The Trustees feel we need to have 7 active members, as required by law, and the many considerations that are now having to be acted upon with the increased activity in the Village require active participation. Due to personal limitations R.E. Smith has been unable to attend recent meetings.

The next meeting of the P & Z will be held at 6:00 p.m. on Tuesday, May 15th, 2012.

Motion to adjourn made by Desmond, seconded by Long, and passed.

Respectfully submitted,

Phyllis Sapp
Secretary, Planning and Zoning Commission

Minutes approved: _____ Date: _____