CB 2019-267

Case 020-19: 3925 South Range Line Road – A request to rezone from Single Family Residential District (R-1) to Commercial District (C-3) for the operation of a Medical Marijuana Dispensary – Joe Burtrum Jr.

Joe Burtrum Jr., 7192 Gateway Drive, Joplin, MO. This property has always been commercial until annexed into the City of Joplin and the City rezoned it to R-1. He is wanting it back to commercial and turn it into a new business.

Mr. Ramsour stated that any annexation into the city comes in automatically as R-1 and must be rezoned if the need exists for that.

Mr. McCullough asked Mr. Burtrum if he was going to use the existing building that is on the property?

Mr. Burtrum stated he will use the existing building, it is on 1 acre of property.

Mr. Ramsour asked if there was anyone to speak in favor of this case? There were not. Is there anyone to speak in opposition of this case?

Derek Snyder, 3007 Silver Creek Dr., Joplin, MO. He understands what the duties of this Commission are and you're here to make a recommendation to the City Council. Ultimately, the City Council will decide if this property should be rezoned or not. Mr. Burtrum's application listed his intended use for this property as a Medical Marijuana Dispensary. Mr. Snyder went over the C-3 District regulations for the commissioners. There is a chapel right at the entry way of Silver Creek area. The current building use to be the Village Hall for Trustee meetings. Mr. Snyder also stated that the address is Range Line Rd but is on the outer road. There is not direct access to Range Line. He also believes that any kind of C-3 establishment in that area would definitely conflict with the neighborhood surroundings of Silver Creek. He thinks it would devalue properties, lead to deterioration of the neighborhood environment that exists there now.

Mr. Ramsour stated that before we vote all the Petitions of Protest we have in front of us will be announced.

Ancelee Corkel, 3006 Keller Dr., Joplin, MO. She stated that she has gone around the neighborhood and to the four of the five adjoining properties in this 185' radius and everyone sent in petitions against the rezoning. Mrs. Corkel read the state rules for Medical Marijuana Dispensaries. She also stated that they are glad to be in Joplin, but they don't want to be messed with and further down the road if they open this door what is going to happen to Silver Creek Rd. She hopes that the commissioners listen to their recommendation and deny the rezoning.

Mr. Ramsour stated that just for informational purposes that at our meeting last month we did pass an ordinance changing/amending the Joplin Zoning Regulations to accommodate Medical Marijuana Dispensaries within the city limits.

Mr. Bolander stated that City of Joplin determines the categories which would be permitted in C-2 or C-3 districts, they are the heavier districts.

Mr. Ramsour stated that the City of Joplin is on top of this new industry.

Dody Walker, 3211 Moorehead Dr., Joplin, MO, which is directly affected by this potential change. This is the only access to her property as far as Moorehead Dr., which is also a dead-end street consisting of 19 homes. The traffic concerns are when the former FAG Bearing lets out, there is about 15 minutes after each shift change that you can not turn left going out of Moorhead Dr. There are children playing, a small creek, tree lined village, deer, foxes, we do not have retail business. She stated they don't want it there.

Mr. Ramsour read into record the Petitions of Protest. There were from Wheelen Investments, Rick Bradley, 3011 Moorehead Dr., and Ozark Agents, LLC by Christopher Dumm. Mr. Ramsour asked staff if they have anything they would like to elaborate on? Mr. Bolander stated he did not.

Ms. Corkel stated that FAG Bearing was the first one to send in the protest petition to City Hall by electronic device and that was done at least a week ago. It is here somewhere and has gotten lost and they are a major part of this property that is in question.

Mr. Bolander stated that it hasn't been a week, we sent them the Petition of Protest on Friday. They did say they would protest but they have not returned it yet.

MR. EASTMAN MOVED, SECONDED BY MR. DERMOTT, TO BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR DENIAL FOR CASE 020-19. MOTION CARRIED, WITH MR. RAMSOUR, MR. DERMOTT, MRS. STEELE, MR. MCCULLOUGH, AND MR. EASTMAN VOTING "AYE". MRS. BRUCKNER-SEARS VOTING "NAY". (5 IN FAVOR, 1 NAYS, 1 ABSENT).