City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: December 7, 2015

Item: COUNCIL BILL NO. 2015-278
Originating Department: PLANNING & COMMUNITY DEVELOPMENT

Attachments: 1) Copy of Council Bill
2) Planning Report
3) Commission Minutes

Planning/Community Development Manager: Troy Bolander
City Attorney: Peter C. Edwards
City Manager: Samuel L. Anselm
Board or Commission: Planning and Zoning Commission Date: 11/09/2015

Recommended Action: Planning and Zoning Commission recommended approval by a vote of "5 in favor, 2 absent"

SUMMARY/REQUEST:
Case 042-15: 8101 East 32nd Street – A request for the voluntary annexation into the corporate limits of the City of Joplin – Heartland Pet Foods.

STAFF SUMMARY:
The applicant is requesting to voluntarily annex approximately 33.5 acres of land at 8101 East 32nd Street. This is part of the Crossroads Industrial Park and is currently being used by Heartland Pet Foods (Blue Buffalo).

Staff recommends approval of Case 042-15.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Rob O'Brian appeared representing the Joplin Industrial Development Authority (JIDA), owner of Crossroads Business Park located between Interstate 44 and 32nd Street along Prigmore Avenue or County Road 190. Heartland Pet Foods occupy 30 acres at the northeast corner of Prigmore and 32nd Street. That parcel is already sold with construction underway prior to the JIDA appearing before this commission several months ago to annex the east side of the Crossroads Park into the City of Joplin. Heartland Pet Foods understood they would come into the City of Joplin when the east side was annexed.

Mr. Ramsour asked what infrastructure expenditures the City of Joplin would incur if the property is annexed. Mr. O'Brian replied the expenditures are already made with the extension of the sewer line which basically comes into the property on the west side.

PUBLIC COMMENT: None.

P & Z Case 042-15
Heartland Pet Foods
(P & Z Recommended Approval)

COUNCIL BILL NO. 2015-278 ORDINANCE NO.

AN ORDINANCE approving the voluntary annexation by the City of Joplin of property located at 8101 East 32nd Street in Jasper County, Missouri.

WHEREAS, pursuant to Section 71.012, RSMo., 2001, as amended, a verified Petition requesting annexation and signed by the owners of all fee interests of record in the tracts of real property described herein, was presented to the governing body of the City of Joplin, Missouri; and,

WHEREAS, pursuant to said Section, having referred this matter to the Planning and Zoning Commission for a Public Hearing thereon and having obtained the favorable recommendation and support of said annexation; and,

WHEREAS, having held a Public Hearing concerning the proposed annexation not less than fourteen (14) nor more than sixty (60) days after the Petition is received after first having given seven (7) days' notice of the Hearing in the Joplin Globe; and,

WHEREAS, after said Public Hearing, the City of Joplin determines that the annexation is reasonable and necessary to the proper development of the City of Joplin, and that the City of Joplin has the ability to furnish normal municipal services to the area to be annexed within a reasonable time; and

WHEREAS, having received no written objections to the proposed annexation within fourteen (14) days after the Public Hearing.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That the following described tract of land be and the same is hereby annexed into the City of Joplin, Missouri, said tract of land described as follows, to-wit:

A TRACT OF LAND IN THE SOUTH HALF (S ½) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION 14, TOWNSHIP 27 NORTH, RANGE 32 WEST OF THE FIFTH PRINCIPAL BASE AND MERIDIAN IN JASPER COUNTY, MISSOURI, BEING MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTH ½ (S ½) OF THE SOUTHWEST QUARTER (SW ¼); THENCE SOUTH 01°38'53" WEST ALONG THE WEST LINE OF SECTION 14, A DISTANCE OF 380.00 FEET; THENCE SOUTH 88°50'15" EAST AND PARALLEL WITH THE NORTH LINE OF SAID SOUTH ½ OF THE SOUTHWEST QUARTER, A DISTANCE OF 45.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 88°50'15" EAST AND PARALLEL WITH THE NORTH LINE OF SAID SOUTH ½ OF THE SOUTHWEST QUARTER A DISTANCE

OF 1675.00 FEET; THENCE SOUTH 01°38'53" WEST AND PARALLEL WITH THE WEST LINE OF SECTION 14, A DISTANCE OF 884.60 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF STATE HIGHWAY FF (32ND STREET); THENCE NORTH 88°49'57" WEST ALONG SAID RIGHT-OF-WAY, 1499.65 FEET; THENCE NORTH 53°53'48" WEST ALONG SAID RIGHT-OF-WAY, 212.65 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD 190 (PRIGMORE AVENUE); THENCE NORTH 01°38'53" EAST ALONG SAID RIGHT-OF-WAY, 762.68 FEET TO THE POINT OF BEGINNING,

Section 2. That the City Clerk is hereby authorized and directed to cause three (3) certified copies of this Ordinance to be filed with the Clerk of Jasper County, Missouri.

Section 3. That this Ordinance shall be in full force and effect as of 12:01 a.m., on the First (1st) day of February, 2016.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of _____, 2015, by a vote of _____.

_____
Michael L. Seibert, Mayor

ATTEST:

_____
Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney

Z&P Meeting: November 9, 2015
City Council Meeting: December 7, 2015

STAFF PLANNING REPORT
Voluntary Annexation

CASE 042-15 A request to voluntarily annex approximately 3.89 acres at 8125 E 26th Street.

LOCATION 8101 E 32nd St

APPLICANT Heartland Pet Foods

EXISTING CONDITIONS

Zoning	Land Use	Property Size
N/A (Jasper County, MO)	NEI Industrial Services	Approximately 33.5 acres

DISCUSSION

The applicant is requesting to voluntarily annex approximately 33.5 acres of land at 8101 East 32nd Street. This is part of the Crossroads Industrial Park and is currently being used by Heartland Pet Foods (Blue Buffalo).

Staff recommends approval of Case 042-15.

ENCLOSURES

Map of area to be annexed

BEFORE THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI

PETITION FOR VOLUNTARY ANNEXATION
PURSUANT TO 71.012, RSMO., 1994

TO WHOM IT MAY CONCERN:

Pursuant to the terms of V.A.M.S. 71.02, the undersigned, being all of the owners of fee interests of record in all tracts of real property attached hereto and incorporated herein as Exhibit "A", do hereby request the voluntary annexation of said land to the City of Joplin, Missouri.

P.J. McGlue
Signed

Peter J. McLaughlin, VP of Operations, Blue Buffalo
Printed

STATE OF ~~MISSOURI~~ Connecticut)
) ss:
COUNTY OF ~~JASPER~~ Fairfield)

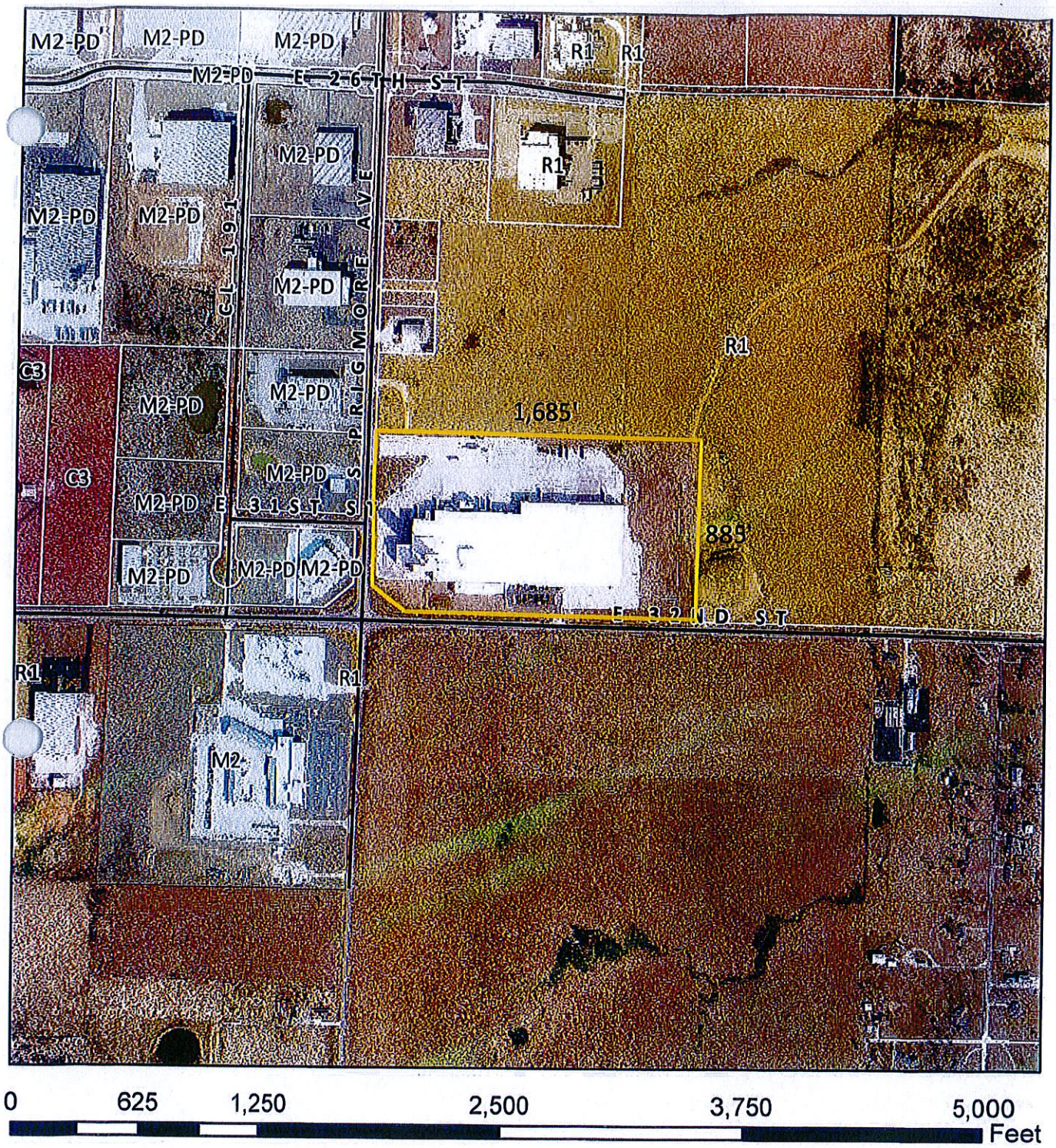
On this 4th day of August, 2015 before me appeared Peter McLaughlin, to me known to be the Vice President of Operations and the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors of the consideration stated therein and no other, and said - he acknowledged said instrument to be the free act and deed of said corporation, and that the allegations contained therein are true.

IN TESTIMONY WHEREOF, I have hereunto set by hand and affixed by official seal, in the County and State aforesaid, the day and year first above written.

My commission expires: September 30, 2016

Kimberly L Hill
Notary Public

KIMBERLY L HILL
Notary Public
Connecticut
My Commission Expires Sep 30, 2016



Case 042-15: 8101 E 32nd St – A request for the voluntary annexation into the corporate limits of the City of Joplin – Heartland Pet Foods.



Case 042-15: 8101 East 32nd Street – A request for the voluntary annexation into the corporate limits of the City of Joplin – Heartland Pet Foods.

Mr. Eastman opened the public hearing for Case 042-15.

Mr. Rob O'Brian appeared representing the Joplin Industrial Development Authority (JIDA), owner of Crossroads Business Park located between Interstate 44 and 32nd Street along Prigmore Avenue or County Road 190. Heartland Pet Foods occupy 30 acres at the northeast corner of Prigmore and 32nd Street. That parcel is already sold with construction underway prior to the JIDA appearing before this commission several months ago to annex the east side of the Crossroads Park into the City of Joplin. Heartland Pet Foods understood they would come into the City of Joplin when the east side was annexed.

Mr. Ramsour asked what infrastructure expenditures the City of Joplin would incur if the property is annexed. Mr. O'Brian replied the expenditures are already made with the extension of the sewer line which basically comes into the property on the west side.

Mr. Eastman asked for comments from the commissioners and the audience, and none were received. He then closed the public hearing for Case 042-15.

MR. DERMOTT MOVED, SECONDED BY MR. BROWN, THAT CASE 042-15 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL, BASED UPON THE COMMENTS RECEIVED IN THE PLANNING REPORT AND DURING THE PUBLIC HEARING. THE MOTION CARRIED, WITH MR. BROWN, MR. DERMOTT, MR. DUNCAN, MR. EASTMAN, AND MR. RAMSOUR VOTING "AYE"; AND WITH MR. CORTEZ AND MR. SMITH BEING ABSENT (5 IN FAVOR, 2 ABSENT).