**CITY OF JOPLIN**
**COUNCIL AGENDA ITEM**

**ITEM:**
CB 2020-275-Rezone to Commercial District (C-3)

**MEETING DATE:**
December 7, 2020

**ORIGINATING DEPARTMENT:**
Planning, Development and Neighborhood Services

**REVIEWED BY:**
Director of Planning, Development & Neighborhood Services-Troy Bolander, Director of Finance-Leslie Haase, City Attorney- Peter Edwards, City Manager- Nicholas Edwards.

**SUMMARY REQUEST:**
Case 037-20: 7414 E. 32nd St. – A request to remove from District R-1 (Single-family Residential) and include in District C-3 (Commercial) for office and storage for pest control operations – Rorie & Doug Hansen.

**BACKGROUND:**
This request is compatible with the Comprehensive Plan, the Future Land Use Map, and the zoning requested is appropriate for the area. The current zoning of R-1 is not suitable in this area. This area of Joplin is very near to the heart of the industrial park that is just to the North and East of this property. The change in zoning to C-3 will not be detrimental to the nearby property.

**PLANNING & ZONING COMMISSION TESTIMONY:**
Michael Wicklund, Pro 100, 2401 E. 32nd Street, Joplin, MO and representing the Hansens. The Request is being made to move this property into commercial as Bug-A-Way is wanting to relocate their operation to this new facility. They own a pest control company and no additional buildings are planned at this time. They are going to use the current residential home as their offices. There is a building in the back where they will park their trucks and any other equipment will be utilized in those outbuildings.

**PUBLIC COMMENT:**
None.

**FUNDING SOURCE:**
These payments are included in the FY 2019-20 budget of the Community Planning Fund.

**RECOMMENDATIONS**:
Planning & Zoning Commission recommends approval, 4 In Favor, 1 Absent, 1 Abstain).
Staff recommends approval.

**ATTACHMENTS:**
CB 2020-275, Staff Planning Report, P&Z Commission Minutes

**CB 2020-275**

Case 037-20: 7414 E. 32nd St. – A request to remove from District R-1 (Single-family Residential) and include in District C-3 (Commercial) for office and storage for pest control operations – Rorie & Doug Hansen.

Mr. Eastman will abstain from this case.

Michael Wicklund, Pro 100, 2401 E. 32nd Street, Joplin, MO and representing the Hansens. The request is being made to move this property into commercial as Bug-A-Way is wanting to relocate their operation to this new facility. They own a pest control company and no additional buildings are planned at this time. They are going to use the current residential home as their offices. There is a building in the back where they will park their trucks and any other equipment will be utilized in those outbuildings.

Mr. Kimble wanted to know how big the house was, and do they speculate that they will have enough space for the offices.

Mr. Wicklund stated that the house is approximately 2,000 square feet. It is currently a three bedroom home now and with minor renovations it will be big enough for the receptionists and office personnel.

Mr. Ramsour asked the commissioners if they had any other questions for Mr. Wicklund. They did not. Mr. Ramsour asked if there was anyone else that would like to speak in favor of this case? There was not. Mr. Ramsour asked if there was anyone in opposition to the case? There was not.

**MR. MCCULLOUGH MOVED, SECONDED BY MS. STEELE THAT CASE 037-20 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MR. RAMSOUR, MRS. STEELE, MR. MCCULLOUGH, AND MR. KIMBLE VOTING "AYE". (4 IN FAVOR, 1 ABSENT, 1 ABSTAIN).**

Z&P Meeting: November 9, 2020
City Council Meeting: December 7, 2020

# STAFF PLANNING REPORT
## Rezoning

**CASE 037-20** A request to rezone from R-1 (Single-family Residential) to C-3 (Commercial)

**LOCATION** 7414 E. 32nd St.

**APPLICANT** Rorie & Doug Hansen

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### EXISTING CONDITIONS

| Zoning | Land Use | Property Size |
|---|---|---|
| R-1 | Single-family Residential | Approx. 4.75 acres |

### SITE CONTEXT

| | North | East | South | West |
|---|---|---|---|---|
| Existing Zoning | C-3 | Outside City Limits | Outside City Limits | Outside City Limits |
| Land Use | Single-family Residential | Warehouse | Warehouse/vacant | Truck Service |

### FUTURE LAND USE

Joplin's Future Land Use Map shows this property as future retail commercial.

### TRANSPORTATION

| Streets with access | Classification | Right-of-way width |
|---|---|---|
| E. 32nd St. | Arterial | 80' |

### UTILITIES

Sewer may need to be extended to this property.

### FLOOD PLAIN

This property is not in the flood plain.

## STAFF ANALYSIS

### CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

The request is consistent with the comprehensive plan. The future land use map does show this property to be future retail commercial.

### THE SUITABILITY OF THE SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED

The current zoning of R-1 is not suitable in this area. This area of Joplin is very near to the heart of the industrial park that is just to the North and East of this property. As the park has filled in, more industrial uses have expanded West. Indeed, even the neighboring properties to 7414 E. 32nd St. are industrial uses that are outside our city limits.

### THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning to C-3 will not be detrimental to the nearby property. The majority of lots that surround this property and are along the corridor are zoned C-3 (Commercial) or M-2 (Heavy Industrial) and will not be affected by the change.

### DISCUSSION

This request is compatible with the Comprehensive Plan, the Future Land Use Map, and the zoning requested is appropriate for the area. C-3 zoning is consistent with the gradual transition of this area over time and reinforces the Comprehensive Plan and Future Land Use Map.

*Staff recommends approval of Case 037-20.*

### ATTACHMENTS

- Application
- Map

Michael Wickland
417-529-9166
Pro 100 Realtors

# REZONING APPLICATION FORM

RECEIVED 9-29-20

Return Form to:
Planning / Community Development Specialist
Joplin City Hall
602 South Main Street
Joplin, Missouri 64801
417-624-0820 Ext. 511
FAX 417-625-4738

For Office Use Only

Case No.: 037-20
Filing Fee: $550.00
Date Advertised:
Date Notices Sent 10-26-20
Public Hearing Date: 11-9-20

APPLICANT: BORIE AND DOUG HANSEN DBA: BUG-A-WAY PEST CONTROL PHONE: 417-317-0599
ADDRESS: 3500 E. 32ND ST. JOPLIN MO. ZIP: 64804

OWNER: THOMAS & VICKI CHRISTENSEN PHONE: 417-437-2915
ADDRESS: 7414 E. 32ND ST. JOPLIN, MO. ZIP: 64804

LOCATION/ADDRESS OF PROPERTY: 7414 E. 32ND ST. JOPLIN MO 64804

Present Zoning R-1 Requested Zoning: C3 Acreage: 5
Present Use of Property: RESIDENTIAL

SURROUNDING LAND USE AND ZONING:

| | Land Use | Zoning |
|---|---|---|
| North | C3 VACANT WITH HOME | C3 |
| South | VACANT LAND | NA (OUTSIDE CITY LIMITS) |
| East | MARETH PROPERTIES BUSG - VACANT | NA (OUTSIDE) |
| West | VACANT LAND | NA (OUTSIDE) |

Character of the Neighborhood: COMMERCIAL, INDUSTRIAL PARK FOR JOPLIN
SOME VACANT LAND TO WEST AND SOUTH

RELATIONSHIP TO EXISTING ZONING PATTERN:

1. Would proposed change create a small, isolated district unrelated to surrounding districts?
   NONE
2. Are there substantial reasons why the property cannot be used in accord with existing zoning?
   If yes, explain: CURRENTLY RESIDENTIAL AND PROPOSED BUYER WISHES TO RUN THEIR BUSINESS OUT OF CURRENT BUILDINGS.

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. Consistent with Development Policies? YES
2. Consistent with Future Land Use Map? YES

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: yes (State Hwy FF)
2. Classification of Street(s):
   Arterial _____ Collector _____ Local _____
3. Right-of-Way Width: State Hwy (unknown)
4. Will turning movements caused by the proposed use create an undue traffic hazard?
   none

IS PLATTING OR REPLATTING REQUIRED IN ORDER TO PROVIDE FOR:

1. Appropriately Sized Lots? yes appropriate size
2. Properly Sized Street Right-of-Way? yes appropriate size
3. Drainage Easements? none
4. Utility Easements:
   - Electricity? at street
   - Gas? at street
   - Sewers? none available
   - Water? across street
5. Additional Comments:

UNIQUE CHARACTERISTIC OF PROPERTY AND/OR ADDITIONAL COMMENT:

property was originally Rezoned C-1 with no opposition in 2018.

THE FOLLOWING **MUST** ACCOMPANY YOUR APPLICATION:

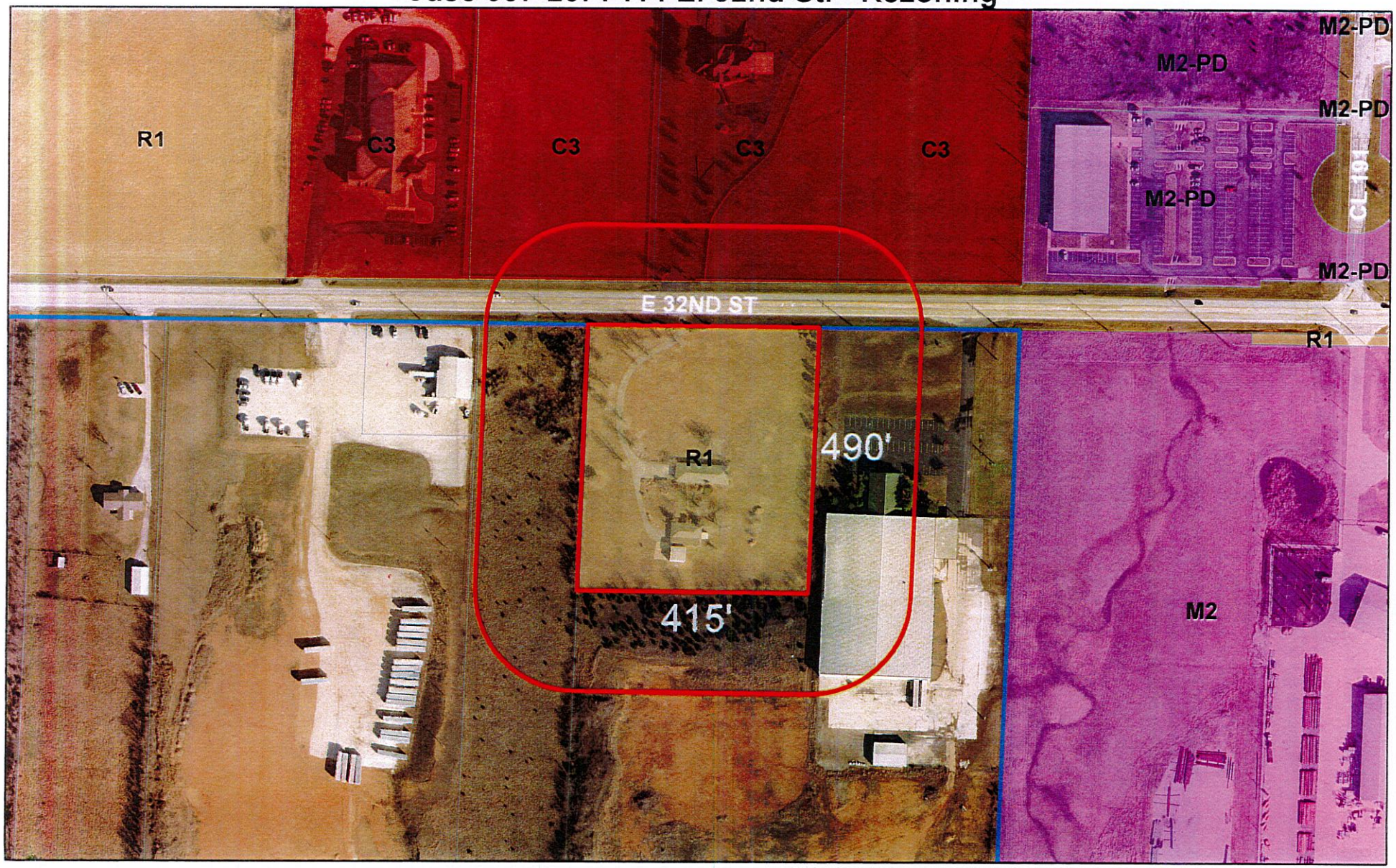
1. One copy of a legal description of the property proposed to be rezoned from a deed or certified survey.
2. One copy of a statement describing the reasoning for the rezoning, the impact of the proposed change, including any traffic conditions that may result; any danger from fire hazards; how the proposed change may affect the character of the surrounding properties; and how the proposed change will benefit the City of Joplin.
3. Owner Affidavit, if applicant applying for the rezoning is not the owner of the property be rezoned

SIGNATURE: _____ DATE: 9-25-2020

EMAIL: administration@bugawaypc.com

TITLE: Owner of Bug-A-Way Pest Control

# Case 037-20: 7414 E. 32nd St. - Rezoning

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0 125 250 500 750 1,000 Feet

N

P & Z Case 037-20
Hansen
(P & Z Recommended Approval)

COUNCIL BILL NO. 2020-275 ORDINANCE NO.

AN ORDINANCE amending Ordinance No. 2004-256, passed by the Council of the City of Joplin, Missouri, November 15, 2004, by removing from District R-1 and including in District C-3 property as described below and located 7414 E 32nd St., City of Joplin, Newton County, Missouri.

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

Section 1. Having referred the subject matter of this ordinance to the City Planning and Zoning Commission and having given at least fifteen days' notice of time and place of hearing on same by publication in the Joplin Globe, Ordinance No. 2004-256 is hereby amended by the following described property and including in District C-3:

> As part of the Northwest Quarter of the Northeast Quarter of Section 22, Township 27, Range 32, Newton County, Missouri, more particularly described as follow: beginning at a point 358.17 feet West and 41.83 feet South of the Northeast Corner of the Northwest Quarter of the Northeast Quarter of Section 22, Township 27, Range 32, Newton County, Missouri, thence South 01 degrees 29 minutes 14 seconds West 490.0 feet, thence North 89 degrees 58 minutes 39 seconds West 418.0 feet, thence North 01 degrees 29 minutes 14 seconds East 490.0 feet to the South Right-of-way line of a road, thence South 89 degrees 58 minutes 39 seconds East 418.0 feet along the South right-of-way line of road to the point of beginning, except any part taken or deeded for road purposes.

Section 2. That the City Clerk is hereby ordered to file this ordinance with the Zoning District Map maintained in her office and to note the changes herein provided thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of_____, 2020, by a vote of _____.

_____
Ryan D. Stanley, Mayor

ATTEST:

_____
Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney