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**Requested Council Meeting Date: November 2, 2015**

**Item: RESOLUTION NO. 2015-019**

**Originating Department: PLANNING & COMMUNITY DEVELOPMENT**

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

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Planning/Community Development Manager: Troy Bolander

City Attorney: Peter C. Edwards

City Manager: Samuel L. Anselm

Board or Commission: Planning and Zoning Commission

Date: 10/15/2015

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Recommended Action: Planning and Zoning Commission recommended approval for a permanent Special Use Permit by a vote of “4 in favor, 2 abstentions, and 1 absent”

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**SUMMARY/REQUEST:**

**Case 036-15:** 1001 East 32<sup>nd</sup> Street – A request for a Special Use Permit (first request) for the operation of a car wash – Ron Barks.

**STAFF SUMMARY:**

The applicant is requesting a permanent Special Use Permit to construct a car wash at the Northeast Corner of 32<sup>nd</sup> Street and Indiana Avenue. A Special Use Permit is required for car washes in C-1 zoning designations. The proposed car wash would be similar in nature and construction to In & Out Car Wash and Detail located at 3040 East Seventh Street, which is also owned by Mr. Barks.

This site will also need to go through the Site Plan Review process because it is zoned as a Planned Development.

The following items are conditions for consideration of the Special Use Permit:

- 1 This Special Use Permit is issued to Ron Barks for the use of 1001 East 32<sup>nd</sup> Street as a car wash.
- 2 The permit shall be permanent.
- 3 The site be screened from residential areas using a landscape buffer in compliance with the City of Joplin Zoning Code’s landscaping requirements.
- 4 The hours of operation shall be limited to 7 a.m. to 9 p.m., Monday through Saturday, and 9 a.m. to 9 p.m. on Sunday.
- 5 All regulations as stated in Appendix 29-A (Zoning Code) of the Joplin Municipal Code shall be followed at all times.
- 6 Any other conditions set by the City Council of the City of Joplin.

PLANNING & ZONING COMMISSION TESTIMONY:

Mr. Eastman and Mr. Dermott excused themselves from the discussion and vote on Case 036-15 since they are business associates with Tim Goosetree, a representative for the applicant. Mr. Smith acted as chairperson and opened the public hearing for Case 036-15.

Mr. Ron Barks and Mr. Tim Goosetree requested the rezoning of the property in this request. Mr. Barks owns In-and-Out Car Wash at Seventh Street and Range Line Road and plans to do something similar on 32<sup>nd</sup> Street.

Mr. Ramsour asked Mr. Barks how the lot on 32<sup>nd</sup> Street compares in size to his lot on Seventh Street. He replied his lot on Seventh Street is much smaller. He is trying to eliminate a problem with people coming out on 32<sup>nd</sup> Street and trying to make a left turn across traffic. An entrance and exit will be provided on Indiana Avenue. Eastbound traffic can turn left at the traffic signal and enter the auto center from Indiana. Westbound traffic will be able to turn right in. They can exit onto 32<sup>nd</sup> Street by turning right to go west, or they can exit onto Indiana and make a left turn at the intersection to go east.

Mr. Duncan discussed traffic issues with a right storage lane into Mr. Barks' facility on Seventh Street and asked if he foresees the same problem on 32<sup>nd</sup> Street. Mr. Barks designed the facility so nobody can exit and go left on 32<sup>nd</sup> Street. He will have about 150 feet before the auto sentries where customers will pay, with three lanes. He anticipates having 25 to 30 cars lined up at the auto sentries, with space for only six cars at the Seventh Street facility.

Shortly before Mr. Barks began constructing his facility on Seventh Street, the Missouri Department of Transportation (MoDOT) acquired 25 feet from the front of his lot through eminent domain and changed his plans for ingress and egress. Another 10 to 12 customers can enter from Indiana Avenue and coming around to the front of the building. He can accommodate 40 cars on the lot being lined up to pay. His Springfield facility only allows about 27 cars with no problems with vehicles being on the street.

PUBLIC COMMENT:

None.